St Albans Draft Local Plan 2041 Regulation 19 Publication by Submission Report

1 - Mr Russell Collins 53
M21 - Rothamsted Lodge, Hatching Green, AL5 2JS 53
M22 - Wood End, Hatching Green, Harpenden, AL5 2JT 54
OS3 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ 55
OS4 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ 56
2 - Mr John A Smith 58
B2 - North East Harpenden, AL5 5EG 58
B7 - North West Harpenden, AL5 3NP 59
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 60
3 - Mr John A Smith 62
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 62
4 - Mr John A Smith 64
HW5 - Health Impact Assessments 64
5 - Mr Alistair Monk 66
B1 - North St Albans, AL3 6DD 66
6 - Liam Beere 68
Strategic Policy SP3 - Land and the Green Belt 68
7 - mr Clive Swillman 70
B8 - Harper Lane, North of Radlett, WD7 7HU 70
8 - Ms Lynn Tarragano 71
B8 - Harper Lane, North of Radlett, WD7 7HU 71
9 - Mr Kevin O'Sullivan 73
B8 - Harper Lane, North of Radlett, WD7 7HU 73
10 - Will Treasure 75
B2 - North East Harpenden, AL5 5EG 75
B7 - North West Harpenden, AL5 3NP 75
M7 - Townsend Lane, Harpenden, AL5 2RH 76
11 - Richard Carr 78
Chapter 1 - A Spatial Strategy for St Albans City and District 78
12 - Mrs Alison Rubinson 79
B8 - Harper Lane, North of Radlett, WD7 7HU 79
13 - Friends of Jersey Lane 80
NEB4 - Significant Publicly Accessible Green Areas 80
14 - Gino Sabatino 82
B8 - Harper Lane, North of Radlett, WD7 7HU 82

15 - Trans Link London Limited 83
Chapter 1 - A Spatial Strategy for St Albans City and District 83
Strategic Policy SP1 - A Spatial Strategy for St Albans District 84
Strategic Policy SP2 - Responding to the Climate Emergency 86
Chapter 3 - Sustainable Use of Land and Green Belt 88
Strategic Policy SP3 - Land and the Green Belt 89
LG1 - Broad Locations 92
LG4 - Large, Medium and Small Sites 94
Strategic Policy SP4 - Housing 95
HOU3 - Specialist Housing 96
HOU5 - Self-Build and Custom Housebuilding 97
Strategic Policy SP8 - Transport Strategy 98
TRA1 - Transport Considerations for New Development 99
TRA2 - Major Transport Schemes 100
16 - Reserve Forces and Cadet organisation 102
Strategic Policy SP7 - Community Infrastructure 102
17 - Reserve Forces and Cadet organisation 104
COM3 - Community, Leisure and Sports Facilities 104
18 - Mr Roger Senior 106
M7 - Townsend Lane, Harpenden, AL5 2RH 106
19 - Ayrat Akchurin 107
B8 - Harper Lane, North of Radlett, WD7 7HU 107
20 - DosTwo Ltd 109
Chapter 1 - A Spatial Strategy for St Albans City and District 109
L2 - West of Watling Street, Park Street, AL2 2PZ 111
21 - helen Gillett 115
Chapter 1 - A Spatial Strategy for St Albans City and District 115
22 - Mr Kenneth Lancashire 117
Chapter 1 - A Spatial Strategy for St Albans City and District 117
L2 - West of Watling Street, Park Street, AL2 2PZ 118
23 - Mr Martin Holderness 119
Strategic Policy SP3 - Land and the Green Belt 119
HOU5 - Self-Build and Custom Housebuilding 120
24 - Gerry Brophy 123
Chapter 12 - High Quality Design 123
26 - Nikki Bugden 125

LG2 - Support for Transformation of Hemel Hempstead 125
H4 - East Hemel Hempstead (South), HP2 4PA 126
27 - Dr Nicky Winch 129
L2 - West of Watling Street, Park Street, AL2 2PZ 129
28 - Sarah Heighton 131
B8 - Harper Lane, North of Radlett, WD7 7HU 131
29 - ms lynne whittaker 133
Chapter 3 - Sustainable Use of Land and Green Belt 133
L2 - West of Watling Street, Park Street, AL2 2PZ 134
30 - MS REGINE JEANNIN 135
Chapter 1 - A Spatial Strategy for St Albans City and District 135
Chapter 3 - Sustainable Use of Land and Green Belt 136
Part B - Local Plan Sites 136
L2 - West of Watling Street, Park Street, AL2 2PZ 137
31 - Oren Arush 139
Part B - Local Plan Sites 139
32 - John Whiting 147
Chapter 1 - A Spatial Strategy for St Albans City and District 147
CE2 - Renewable and Low Carbon Energy 147
Chapter 3 - Sustainable Use of Land and Green Belt 148
LG5 - Green Belt 148
LG6 - Green Belt Compensatory Improvements 148
Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure 149
Chapter 11 - Historic Environment 149
DES6 - Building Heights 149
Part B - Local Plan Sites 150
B6 - West of London Colney, AL2 1LN 150
B8 - Harper Lane, North of Radlett, WD7 7HU 150
33 - Mr Nigel Smith 152
Strategic Policy SP1 - A Spatial Strategy for St Albans District 152
COM1 - Education 152
Chapter 8 - Transport 153
B2 - North East Harpenden, AL5 5EG 153
34 - Ian Spary 154
Strategic Policy SP1 - A Spatial Strategy for St Albans District 154
L2 - West of Watling Street, Park Street, AL2 2PZ 155

35 - Mrs Emma Hart 156
B1 - North St Albans, AL3 6DD 156
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 156
M17 - North of Wheathampstead Road, Harpenden, AL5 1AB 157
M20 - Lower Luton Road, Harpenden, AL5 5AF 158
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 158
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 159
36 - Mr Duncan Lewis 161
HOU2 - Affordable Housing 161
37 - Miss Catherine McNeill 162
Strategic Policy SP6 - City, Town and Village Centres and Retail 162
38 - Mr Chris Robb 164
B3 - West Redbourn, Redbourn, AL3 7HZ 164
39 - mr kenneth arnold 167
B8 - Harper Lane, North of Radlett, WD7 7HU 167
40 - mrs corinne fishman 170
B6 - West of London Colney, AL2 1LN 170
41 - mrs corinne fishman 172
B6 - West of London Colney, AL2 1LN 172
42 - Mr Alan Mason 174
Chapter 1 - A Spatial Strategy for St Albans City and District 174
43 - Dr Michelle Styles 176
L2 - West of Watling Street, Park Street, AL2 2PZ 176
44 - Dr Daniel Fishman 178
B6 - West of London Colney, AL2 1LN 178
45 - Mr Barry Silverman 180
Strategic Policy SP1 - A Spatial Strategy for St Albans District 180
46 - Mr Barry Silverman 181
L2 - West of Watling Street, Park Street, AL2 2PZ 181
47 - Mrs Sylvia Calvert 182
B8 - Harper Lane, North of Radlett, WD7 7HU 182
48 - Mr Rodney Allen 183
L2 - West of Watling Street, Park Street, AL2 2PZ 183
49 - Ms Liz Wall 185
Strategic Policy SP6 - City, Town and Village Centres and Retail 185
50 - mr David Mears 187

Strategic Policy SP1 - A Spatial Strategy for St Albans District 187
57 - Mr & Mrs Roger Gibbs 188
M16 - Falconers Field, Harpenden, AL5 3ES 188
58 - Mr Eric Cheek 190
B8 - Harper Lane, North of Radlett, WD7 7HU 190
59 - Mr John Edge 192
M16 - Falconers Field, Harpenden, AL5 3ES 192
60 - Victoria Heath 194
L2 - West of Watling Street, Park Street, AL2 2PZ 194
61 - Mrs Susan Edge 196
M16 - Falconers Field, Harpenden, AL5 3ES 196
62 - Ms Johan Fraser 198
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 198
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 199
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 201
63 - Jeffrey Calvert 203
B8 - Harper Lane, North of Radlett, WD7 7HU 203
64 - mrs joy mendelsohn 205
L2 - West of Watling Street, Park Street, AL2 2PZ 205
65 - Mrs Suzanne Clark 207
Strategic Policy SP1 - A Spatial Strategy for St Albans District 207
66 - Mrs Suzanne Clark 208
L2 - West of Watling Street, Park Street, AL2 2PZ 208
67 - Mrs christine Kavanagh 210
H4 - East Hemel Hempstead (South), HP2 4PA 210
68 - NHS Property Services Ltd 212
HOU2 - Affordable Housing 212
Strategic Policy SP7 - Community Infrastructure 213
Strategic Policy SP13 - Health and Wellbeing 215
HW5 - Health Impact Assessments 216
Strategic Policy SP14 - Delivery of Infrastructure 217
IMP1 - Additional Infrastructure Requirements for Strategic Scale Development 220
69 - Trustees of the G A Simons Family Settlement 223
LG4 - Large, Medium and Small Sites 223
HOU5 - Self-Build and Custom Housebuilding 227
DES3 - Efficient Use of Land 231

Part B - Local Plan Sites 235
70 - Mr Philip Anderson 241
Appendix 1 - Cycle and Car Parking Guidance and Standards for New Development 241
71 - Mr Philip Anderson 243
Appendix 1 - Cycle and Car Parking Guidance and Standards for New Development 243
72 - Mr Daniel Ward 245
Strategic Policy SP3 - Land and the Green Belt 245
B2 - North East Harpenden, AL5 5EG 246
B7 - North West Harpenden, AL5 3NP 247
73 - Mr Richard Blair 250
B3 - West Redbourn, Redbourn, AL3 7HZ 250
74 - Mr Dean Ivory 253
B8 - Harper Lane, North of Radlett, WD7 7HU 253
75 - Mr Andrew Woods 257
Chapter 1 - A Spatial Strategy for St Albans City and District 257
76 - Mr Michael Davis 259
M7 - Townsend Lane, Harpenden, AL5 2RH 259
77 - Mrs Rachel Davis 261
M7 - Townsend Lane, Harpenden, AL5 2RH 261
78 - Mrs Lynn Whitton 263
H4 - East Hemel Hempstead (South), HP2 4PA 263
79 - Napsbury Park Residents Association NPRA 265
B6 - West of London Colney, AL2 1LN 265
80 - Sandridge Parish Council 270
NEB4 - Significant Publicly Accessible Green Areas 270
81 - Harpenden Society 272
Strategic Policy SP1 - A Spatial Strategy for St Albans District 272
LG5 - Green Belt 273
HOU1 - Housing Mix 274
HOU2 - Affordable Housing 274
Strategic Policy SP7 - Community Infrastructure 275
DES3 - Efficient Use of Land 276
DES6 - Building Heights 277
B2 - North East Harpenden, AL5 5EG 278
B7 - North West Harpenden, AL5 3NP 279
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 280

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 281
UC50 - Southview Car Park, Lower Luton Road, Harpenden, AL5 5AW 282
UC52 - Garage Block off Tallents Crescent, Harpenden, AL5 5BS 283
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 284
82 - Glinwell Plc 286
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE 286
83 - Affinity Water 290
Strategic Policy SP1 - A Spatial Strategy for St Albans District 290
Chapter 3 - Sustainable Use of Land and Green Belt 293
LG1 - Broad Locations 294
LG2 - Support for Transformation of Hemel Hempstead 296
LG3 - Hemel Garden Communities Growth Areas Place Principles 298
LG4 - Large, Medium and Small Sites 300
HOU1 - Housing Mix 302
HOU6 - Gypsies, Travellers and Travelling Show People 303
Chapter 9 - Utilities Infrastructure 305
DES1 - Design of New Development 306
DES7 - Servicing of Development 308
HW4 - Groundwater Pollution 310
Part B - Local Plan Sites 311
84 - The owners of the Albert Bygrave Retail Park 314
LG4 - Large, Medium and Small Sites 314
P2 - Land at North Orbital Road, AL2 1DL 316
85 - Riverside Farm Trust 319
Part B - Local Plan Sites 319
87 - The owners of the Albert Bygrave Retail Park 324
NEB6 - Biodiversity and Biodiversity Net Gain 324
88 - The owners of the Albert Bygrave Retail Park 326
Strategic Policy SP3 - Land and the Green Belt 326
89 - The owner of land at Wood End, Hatching Green 328
M22 - Wood End, Hatching Green, Harpenden, AL5 2JT 328
90 - The owner of land at Wood End, Hatching Green 331
Strategic Policy SP3 - Land and the Green Belt 331
91 - The owner of land at Wood End, Hatching Green 333
LG4 - Large, Medium and Small Sites 333
92 - The owner of land at Wood End, Hatching Green 336

LG6 - Green Belt Compensatory Improvements 336
93 - The owner of land at Wood End, Hatching Green 339
NEB6 - Biodiversity and Biodiversity Net Gain 339
94 - The owners of land at Bucknalls Drive, Bricket Wood 341
M15 - Bucknalls Drive, Bricket Wood, AL2 3YT 341
95 - The owners of land at Bucknalls Drive, Bricket Wood 344
Strategic Policy SP3 - Land and the Green Belt 344
96 - The owners of land at Bucknalls Drive, Bricket Wood 346
LG4 - Large, Medium and Small Sites 346
97 - Mr Paul Owen 349
H1 - North Hemel Hempstead, AL3 7AU 349
H2 - East Hemel Hempstead (North), HP2 7HT 350
H4 - East Hemel Hempstead (South), HP2 4PA 351
B3 - West Redbourn, Redbourn, AL3 7HZ 352
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 354
98 - The owners of land at Bucknalls Drive, Bricket Wood 356
NEB6 - Biodiversity and Biodiversity Net Gain 356
99 - St Congar 358
Chapter 3 - Sustainable Use of Land and Green Belt 358
Part B - Local Plan Sites 367
Sustainability Appraisal Note 377
100 - Trustees of the Shonleigh Trust 388
LG4 - Large, Medium and Small Sites 388
DES3 - Efficient Use of Land 393
Part B - Local Plan Sites 399
101 - Miss Stephanie Mitchell 406
H4 - East Hemel Hempstead (South), HP2 4PA 406
104 - The owners of land north of Wheathampstead Road 408
M17 - North of Wheathampstead Road, Harpenden, AL5 1AB 408
105 - The owners of land north of Wheathampstead Road 411
Strategic Policy SP3 - Land and the Green Belt 411
106 - The owners of land north of Wheathampstead Road 413
LG4 - Large, Medium and Small Sites 413
107 - The owners of land north of Wheathampstead Road 416
LG6 - Green Belt Compensatory Improvements 416
108 - The owners of land north of Wheathampstead Road 419

NEB6 - Biodiversity and Biodiversity Net Gain 419
110 - Thames Water Utilities Limited 421
NEB8 - Managing Flood Risk 421
M19 - Piggottshill Lane, Harpenden, AL5 5UN 422
UC47 - Crabtree Fields / Land at Waldegrave Park, Harpenden, AL5 5SA 423
111 - Cllr. David Mitchell 426
LG1 - Broad Locations 426
H1 - North Hemel Hempstead, AL3 7AU 428
H2 - East Hemel Hempstead (North), HP2 7HT 430
H3 - East Hemel Hempstead (Central), HP2 7LF 431
H4 - East Hemel Hempstead (South), HP2 4PA 433
B3 - West Redbourn, Redbourn, AL3 7HZ 435
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 437
112 - Mr Richard Bullen 440
Chapter 1 - A Spatial Strategy for St Albans City and District 440
Chapter 3 - Sustainable Use of Land and Green Belt 442
Strategic Policy SP3 - Land and the Green Belt 444
LG2 - Support for Transformation of Hemel Hempstead 446
LG3 - Hemel Garden Communities Growth Areas Place Principles 449
113 - Mrs Dominique Sheldon 452
H4 - East Hemel Hempstead (South), HP2 4PA 452
114 - Hertfordshire County Council - Property Team 454
Chapter 1 - A Spatial Strategy for St Albans City and District 454
Strategic Policy SP1 - A Spatial Strategy for St Albans District 455
Strategic Policy SP2 - Responding to the Climate Emergency 456
CE2 - Renewable and Low Carbon Energy 458
LG1 - Broad Locations 459
LG4 - Large, Medium and Small Sites 460
LG5 - Green Belt 461
HOU1 - Housing Mix 462
COM1 - Education 463
Chapter 9 - Utilities Infrastructure 465
Strategic Policy SP9 - Utilities Infrastructure 466
NEB2 - Local Green Spaces 468
NEB4 - Significant Publicly Accessible Green Areas 469
NEB9 - Agricultural Land 470

Part B - Local Plan Sites 472
B6 - West of London Colney, AL2 1LN 473
M18 - North East of Austen Way, St Albans, AL4 0XH 475
115 - Mr Geoffrey Coates 477
Chapter 3 - Sustainable Use of Land and Green Belt 477
LG2 - Support for Transformation of Hemel Hempstead 478
TRA1 - Transport Considerations for New Development 480
H1 - North Hemel Hempstead, AL3 7AU 481
H2 - East Hemel Hempstead (North), HP2 7HT 483
H3 - East Hemel Hempstead (Central), HP2 7LF 485
Sustainability Appraisal Note 487
116 - MR Alan Bostock 490
M7 - Townsend Lane, Harpenden, AL5 2RH 490
118 - Mr Roy Warren 493
Chapter 1 - A Spatial Strategy for St Albans City and District 493
119 - Mr Roy Warren 495
Strategic Policy SP2 - Responding to the Climate Emergency 495
120 - The owner of The Dak, Colney Heath Lane 496
Strategic Policy SP3 - Land and the Green Belt 496
Part B - Local Plan Sites 499
121 - Mr Roy Warren 501
LG1 - Broad Locations 501
122 - Mr Roy Warren 502
LG3 - Hemel Garden Communities Growth Areas Place Principles 502
123 - Jarvis Homes 503
M20 - Lower Luton Road, Harpenden, AL5 5AF 503
124 - Mr Roy Warren 505
LG4 - Large, Medium and Small Sites 505
125 - Jarvis Homes 506
Strategic Policy SP3 - Land and the Green Belt 506
126 - Jarvis Homes 508
NEB6 - Biodiversity and Biodiversity Net Gain 508
127 - Mr Roy Warren 510
Strategic Policy SP7 - Community Infrastructure 510
128 - 51 Pegasus Ltd 511
Strategic Policy SP3 - Land and the Green Belt 511

Part B - Local Plan Sites ... 512
129 - Landowners of Burston Nurseries (Site L1) ... 515
Strategic Policy SP3 - Land and the Green Belt ... 515
130 - Mr Roy Warren ... 517
Strategic Policy SP7 - Community Infrastructure ... 517
131 - Landowners of Burston Nurseries (Site L1) ... 520
LG4 - Large, Medium and Small Sites ... 520
132 - Landowners of Burston Nurseries (Site L1) ... 522
NEB6 - Biodiversity and Biodiversity Net Gain ... 522
133 - Landowners of Burston Nurseries (Site L1) ... 524
L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS ... 524
134 - Mr Roy Warren ... 527
COM1 - Education ... 527
135 - Landowners of Sites M4 and OS1 ... 528
Strategic Policy SP3 - Land and the Green Belt ... 528
136 - Mr Roy Warren ... 530
COM3 - Community, Leisure and Sports Facilities ... 530
137 - Landowners of Sites M4 and OS1 ... 531
LG4 - Large, Medium and Small Sites ... 531
138 - Landowners of Sites M4 and OS1 ... 533
NEB6 - Biodiversity and Biodiversity Net Gain ... 533
139 - Mr Roy Warren ... 535
COM5 - St Albans City Football Club ... 535
140 - Landowners of Sites M4 and OS1 ... 536
M4 - North of Oakwood Road, Bricket Wood, AL2 3PT ... 536
141 - Landowners of Sites M4 and OS1 ... 538
OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET ... 538
142 - Mr Roy Warren ... 540
Strategic Policy SP8 - Transport Strategy ... 540
143 - Mr Roy Warren ... 541
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure ... 541
144 - Mr Roy Warren ... 542
NEB3 - Non-Designated Local Green Space ... 542
145 - Catesby Estates ... 544
Chapter 1 - A Spatial Strategy for St Albans City and District ... 544

Chapter 3 - Sustainable Use of Land and Green Belt 546
Chapter 4 - Housing 548
Chapter 7 - Community Infrastructure 550
Chapter 8 - Transport 551
NEB1 - Woodlands, Trees and Landscape Features 553
Part B - Local Plan Sites 554
H1 - North Hemel Hempstead, AL3 7AU 557
H2 - East Hemel Hempstead (North), HP2 7HT 558
H4 - East Hemel Hempstead (South), HP2 4PA 559
B3 - West Redbourn, Redbourn, AL3 7HZ 560
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE 561
B6 - West of London Colney, AL2 1LN 563
B7 - North West Harpenden, AL5 3NP 564
B8 - Harper Lane, North of Radlett, WD7 7HU 565
L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS 566
L2 - West of Watling Street, Park Street, AL2 2PZ 568
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 569
M3 - Bedmond Lane, St Albans, AL3 4AH 570
M4 - North of Oakwood Road, Bricket Wood, AL2 3PT 571
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 572
M8 - Verulam Golf Club, St Albans, AL1 1JG 574
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 575
M10 - Tippendell Lane and Orchard Drive, How Wood, AL2 2QF 576
M13 - North of Boissy Close, Colney Heath, AL4 0UE 577
M15 - Bucknalls Drive, Bricket Wood, AL2 3YT 578
M19 - Piggottshill Lane, Harpenden, AL5 5UN 579
P1 - Smallford Works, Smallford Lane, AL4 0SA 581
P2 - Land at North Orbital Road, AL2 1DL 582
146 - Mr Roy Warren 584
NEB12 - Green Space Standards and New Green Space Provision 584
147 - Mr Roy Warren 585
DES1 - Design of New Development 585
148 - Mr Roy Warren 586
DES2 - Public Space 586
149 - Mr Roy Warren 587
Strategic Policy SP13 - Health and Wellbeing 587

150 - Mr Roy Warren 588
HW5 - Health Impact Assessments 588
151 - Mr Roy Warren 589
HW6 - New development and existing uses (agent of change principle) 589
152 - The owners of land at Noke Side 590
Strategic Policy SP3 - Land and the Green Belt 590
153 - The owners of land at Noke Side 594
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 594
154 - Mr Roy Warren 596
H1 - North Hemel Hempstead, AL3 7AU 596
155 - St Albans Cathedral 597
Chapter 2 - Climate Emergency 597
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 598
CE2 - Renewable and Low Carbon Energy 599
HOU1 - Housing Mix 600
HOU2 - Affordable Housing 600
156 - Mr Roy Warren 602
H2 - East Hemel Hempstead (North), HP2 7HT 602
157 - Mr Roy Warren 603
H4 - East Hemel Hempstead (South), HP2 4PA 603
158 - Mr Myles Green 604
HOU6 - Gypsies, Travellers and Travelling Show People 604
Part B - Local Plan Sites 606
159 - Mr Roy Warren 609
B1 - North St Albans, AL3 6DD 609
160 - Mr Roy Warren 610
B2 - North East Harpenden, AL5 5EG 610
161 - Mr Michael Street 611
B3 - West Redbourn, Redbourn, AL3 7HZ 611
162 - Notcutts Ltd 616
Chapter 1 - A Spatial Strategy for St Albans City and District 616
Chapter 3 - Sustainable Use of Land and Green Belt 619
Strategic Policy SP3 - Land and the Green Belt 621
LG8 - Small Scale Development in Green Belt Settlements 623
LG9 - Extension or Replacement of Buildings in the Green Belt 624
163 - Mr Roy Warren 626

M18 - North East of Austen Way, St Albans, AL4 0XH ... 626
164 - Mrs Maureen Hudson ... 627
M16 - Falconers Field, Harpenden, AL5 3ES ... 627
165 - Mr Adam Webster ... 630
Strategic Policy SP1 - A Spatial Strategy for St Albans District ... 630
166 - Denton Homes Ltd ... 631
LG4 - Large, Medium and Small Sites ... 631
HOU1 - Housing Mix ... 632
TCR1 - Protecting Retail and Main Town Centre Uses ... 633
UC7 - 5 Spencer Street, St Albans, AL3 5EH ... 634
167 - Mr Richard Walker ... 636
Strategic Policy SP1 - A Spatial Strategy for St Albans District ... 636
Chapter 3 - Sustainable Use of Land and Green Belt ... 644
Strategic Policy SP3 - Land and the Green Belt ... 647
LG1 - Broad Locations ... 649
LG2 - Support for Transformation of Hemel Hempstead ... 651
B1 - North St Albans, AL3 6DD ... 652
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ ... 654
Sustainability Appraisal Note ... 655
168 - Mr Adam Webster ... 659
L2 - West of Watling Street, Park Street, AL2 2PZ ... 659
169 - CALA Group Ltd ... 661
Strategic Policy SP3 - Land and the Green Belt ... 661
Part B - Local Plan Sites ... 664
171 - Jarvis Homes ... 668
M16 - Falconers Field, Harpenden, AL5 3ES ... 668
172 - Mr and Mrs Robert and Karen Choppin ... 671
Chapter 1 - A Spatial Strategy for St Albans City and District ... 671
Strategic Policy SP1 - A Spatial Strategy for St Albans District ... 672
Chapter 3 - Sustainable Use of Land and Green Belt ... 676
LG1 - Broad Locations ... 681
LG4 - Large, Medium and Small Sites ... 682
HOU1 - Housing Mix ... 683
HOU6 - Gypsies, Travellers and Travelling Show People ... 685
Part B - Local Plan Sites ... 686
173 - Jarvis Homes ... 691

Strategic Policy SP3 - Land and the Green Belt ... 691
174 - Jarvis Homes ... 693
NEB6 - Biodiversity and Biodiversity Net Gain ... 693
178 - LIH ... 695
Chapter 1 - A Spatial Strategy for St Albans City and District ... 695
Chapter 3 - Sustainable Use of Land and Green Belt ... 730
Chapter 4 - Housing ... 749
Chapter 14 - Implementation ... 756
Part B - Local Plan Sites ... 764
H1 - North Hemel Hempstead, AL3 7AU ... 784
Appendix 6 - Monitoring Framework ... 785
Sustainability Appraisal Note ... 804
180 - Mr Brian Parker ... 811
Strategic Policy SP1 - A Spatial Strategy for St Albans District ... 811
LG8 - Small Scale Development in Green Belt Settlements ... 815
LG9 - Extension or Replacement of Buildings in the Green Belt ... 820
HOU2 - Affordable Housing ... 826
Strategic Policy SP11 - Historic Environment ... 830
183 - McCarthy & Stone Retirement Lifestyles Ltd, Jarvis Homes, and Wheathampstead Land ... 834
CE2 - Renewable and Low Carbon Energy ... 834
LG4 - Large, Medium and Small Sites ... 835
HOU1 - Housing Mix ... 837
HOU2 - Affordable Housing ... 838
HOU3 - Specialist Housing ... 844
COM1 - Education ... 846
Part B - Local Plan Sites ... 848
185 - Mrs Jane Sellars ... 852
B1 - North St Albans, AL3 6DD ... 852
186 - Mr Roy Warren ... 854
UC47 - Crabtree Fields / Land at Waldegrave Park, Harpenden, AL5 5SA ... 854
187 - Mr Roy Warren ... 855
OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET ... 855
188 - Mr Roy Warren ... 856
Part B - Local Plan Sites ... 856

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET 856
189 - M E Simons Trust 858
Chapter 1 - A Spatial Strategy for St Albans City and District 858
B2 - North East Harpenden, AL5 5EG 860
190 - Julie Bennett 863
Strategic Policy SP1 - A Spatial Strategy for St Albans District 863
Chapter 3 - Sustainable Use of Land and Green Belt 866
Strategic Policy SP3 - Land and the Green Belt 871
Part B - Local Plan Sites 873
Sustainability Appraisal Note 875
191 - Herts & Middlesex Wildlife Trust 878
Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure 878
M3 - Bedmond Lane, St Albans, AL3 4AH 879
192 - Mr Richard Wimms 882
Chapter 1 - A Spatial Strategy for St Albans City and District 882
B2 - North East Harpenden, AL5 5EG 884
193 - Catesby Estates PLC 887
Chapter 1 - A Spatial Strategy for St Albans City and District 887
Strategic Policy SP1 - A Spatial Strategy for St Albans District 890
LG1 - Broad Locations 894
LG2 - Support for Transformation of Hemel Hempstead 897
H1 - North Hemel Hempstead, AL3 7AU 899
H2 - East Hemel Hempstead (North), HP2 7HT 902
H3 - East Hemel Hempstead (Central), HP2 7LF 905
H4 - East Hemel Hempstead (South), HP2 4PA 907
B3 - West Redbourn, Redbourn, AL3 7HZ 910
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE 912
B7 - North West Harpenden, AL5 3NP 914
B8 - Harper Lane, North of Radlett, WD7 7HU 916
L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS 918
L2 - West of Watling Street, Park Street, AL2 2PZ 920
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 922
M3 - Bedmond Lane, St Albans, AL3 4AH 924
M4 - North of Oakwood Road, Bricket Wood, AL2 3PT 926
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 928

M8 - Verulam Golf Club, St Albans, AL1 1JG 930
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 931
M10 - Tippendell Lane and Orchard Drive, How Wood, AL2 2QF 933
M13 - North of Boissy Close, Colney Heath, AL4 0UE 935
M15 - Bucknalls Drive, Bricket Wood, AL2 3YT 937
M19 - Piggottshill Lane, Harpenden, AL5 5UN 939
P1 - Smallford Works, Smallford Lane, AL4 0SA 941
P2 - Land at North Orbital Road, AL2 1DL 943
Sustainability Appraisal Note 945
194 - Stonebond Properties Ltd (Gustard Wood) 950
Chapter 1 - A Spatial Strategy for St Albans City and District 950
Strategic Policy SP1 - A Spatial Strategy for St Albans District 951
Chapter 3 - Sustainable Use of Land and Green Belt 954
Part B - Local Plan Sites 960
195 - The owners of land at Piggottshill Lane 962
M19 - Piggottshill Lane, Harpenden, AL5 5UN 962
196 - The owners of land at Piggottshill Lane 965
Strategic Policy SP3 - Land and the Green Belt 965
197 - The owners of land at Piggottshill Lane 967
LG4 - Large, Medium and Small Sites 967
198 - The owners of land at Piggottshill Lane 970
LG6 - Green Belt Compensatory Improvements 970
199 - The owners of land at Piggottshill Lane 973
NEB6 - Biodiversity and Biodiversity Net Gain 973
200 - Lawes Agricultural Trust 975
CE2 - Renewable and Low Carbon Energy 975
Strategic Policy SP3 - Land and the Green Belt 976
LG5 - Green Belt 978
LG7 - Affordable housing in the Green Belt (rural exception sites) 980
LG9 - Extension or Replacement of Buildings in the Green Belt 982
EMP1 - Protected Employment Areas 983
EMP4 - Hertfordshire Innovation Quarter (Herts IQ) 985
HE1 - Designated heritage assets 988
Part B - Local Plan Sites 989
M7 - Townsend Lane, Harpenden, AL5 2RH 990
OS3 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ 991

OS4 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ 994
201 - DLA Town Planning Ltd 997
LG4 - Large, Medium and Small Sites 997
202 - DLA Town Planning Ltd 999
LG6 - Green Belt Compensatory Improvements 999
203 - Hertfordshire Constabulary 1001
Chapter 1 - A Spatial Strategy for St Albans City and District 1001
Chapter 3 - Sustainable Use of Land and Green Belt 1003
Strategic Policy SP3 - Land and the Green Belt 1005
LG5 - Green Belt 1007
Chapter 7 - Community Infrastructure 1008
204 - Stonebond Properties Ltd (Smallford) 1013
Chapter 1 - A Spatial Strategy for St Albans City and District 1013
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1014
Chapter 3 - Sustainable Use of Land and Green Belt 1017
Strategic Policy SP3 - Land and the Green Belt 1019
Part B - Local Plan Sites 1022
205 - Jarvis Homes 1026
Strategic Policy SP3 - Land and the Green Belt 1026
Part B - Local Plan Sites 1031
206 - Jarvis Homes 1034
HOU3 - Specialist Housing 1034
207 - Bellway Homes (North London) Limited 1036
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1036
Strategic Policy SP3 - Land and the Green Belt 1067
LG5 - Green Belt 1079
HOU1 - Housing Mix 1081
HOU2 - Affordable Housing 1082
HOU4 - Accessible and Adaptable Housing 1084
NEB6 - Biodiversity and Biodiversity Net Gain 1086
NEB12 - Green Space Standards and New Green Space Provision 1088
DES5 - Residential Amenity Standards 1089
Part B - Local Plan Sites 1091
208 - TJ Morris Limited 1093
Chapter 6 - City, Town and Village Centres and Retail 1093
Strategic Policy SP6 - City, Town and Village Centres and Retail 1094

TCR2 - Retail Uses outside Existing Centres 1096
TCR3 - Out-of-Centre Retail Parks 1098
209 - Mr Chris Martin 1101
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1101
L2 - West of Watling Street, Park Street, AL2 2PZ 1102
210 - Miller Homes 1104
B2 - North East Harpenden, AL5 5EG 1104
211 - Miller Homes 1107
LG1 - Broad Locations 1107
212 - Miller Homes 1109
Strategic Policy SP3 - Land and the Green Belt 1109
213 - Miller Homes 1111
LG6 - Green Belt Compensatory Improvements 1111
214 - Miller Homes 1114
NEB6 - Biodiversity and Biodiversity Net Gain 1114
215 - CALA Group Ltd 1116
M3 - Bedmond Lane, St Albans, AL3 4AH 1116
216 - CALA Group Ltd 1119
Strategic Policy SP3 - Land and the Green Belt 1119
217 - CALA Group Ltd 1121
LG4 - Large, Medium and Small Sites 1121
218 - CALA Group Ltd 1124
LG6 - Green Belt Compensatory Improvements 1124
219 - CALA Group Ltd 1127
NEB6 - Biodiversity and Biodiversity Net Gain 1127
220 - Convene Construction Ltd 1129
Strategic Policy SP5 - Employment and the Local Economy 1129
Part B - Local Plan Sites 1131
221 - Convene Construction Ltd 1135
Strategic Policy SP3 - Land and the Green Belt 1135
Part B - Local Plan Sites 1137
222 - Martin Grant Homes and Kearns Land Ltd 1141
Chapter 1 - A Spatial Strategy for St Albans City and District 1141
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1142
LG4 - Large, Medium and Small Sites 1142
LG6 - Green Belt Compensatory Improvements 1143

HOU1 - Housing Mix 1144
HOU2 - Affordable Housing 1145
HOU4 - Accessible and Adaptable Housing 1145
DES3 - Efficient Use of Land 1146
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 1146
223 - Oaklands College and Taylor Wimpey 1148
Chapter 1 - A Spatial Strategy for St Albans City and District 1148
Chapter 2 - Climate Emergency 1154
Chapter 3 - Sustainable Use of Land and Green Belt 1155
Chapter 4 - Housing 1157
Chapter 5 - Economy and Employment 1158
Chapter 6 - City, Town and Village Centres and Retail 1159
Chapter 7 - Community Infrastructure 1160
Chapter 8 - Transport 1161
TRA4 - Parking 1163
Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure 1164
NEB12 - Green Space Standards and New Green Space Provision 1165
Chapter 12 - High Quality Design 1166
Chapter 13 - Health and Wellbeing 1168
Part B - Local Plan Sites 1169
B4 - East St Albans, AL4 9JJ 1170
Appendix 1 - Cycle and Car Parking Guidance and Standards for New Development 1171
224 - Redington Capital Limited & CALA Homes 1174
Chapter 1 - A Spatial Strategy for St Albans City and District 1174
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1175
Chapter 3 - Sustainable Use of Land and Green Belt 1179
HOU1 - Housing Mix 1184
Chapter 7 - Community Infrastructure 1186
NEB12 - Green Space Standards and New Green Space Provision 1188
Part B - Local Plan Sites 1189
H1 - North Hemel Hempstead, AL3 7AU 1198
H2 - East Hemel Hempstead (North), HP2 7HT 1200
H4 - East Hemel Hempstead (South), HP2 4PA 1203
B1 - North St Albans, AL3 6DD 1205
B3 - West Redbourn, Redbourn, AL3 7HZ 1207
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE 1210

B6 - West of London Colney, AL2 1LN 1212
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 1214
M19 - Piggottshill Lane, Harpenden, AL5 5UN 1216
M20 - Lower Luton Road, Harpenden, AL5 5AF 1218
M21 - Rothamsted Lodge, Hatching Green, AL5 2JS 1221
UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU 1223
UC6 - 13-19 Sutton Road & 5-11a Pickford Road, St Albans, AL1 5JH 1225
UC8 - Public Hall, 6 Southdown Road, Harpenden, AL5 1TE 1227
UC9 - Keyfield Terrace Car Park, Keyfield Terrace, St Albans, AL1 1PD 1229
UC11 - 50 Victoria Street, St Albans, AL1 3HZ 1231
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 1234
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 1236
225 - Success Properties Consortium 1239
Part B - Local Plan Sites 1239
226 - Mr John Hudson 1247
M16 - Falconers Field, Harpenden, AL5 3ES 1247
227 - National Grid 1250
DES1 - Design of New Development 1250
H1 - North Hemel Hempstead, AL3 7AU 1250
H2 - East Hemel Hempstead (North), HP2 7HT 1251
H3 - East Hemel Hempstead (Central), HP2 7LF 1252
H4 - East Hemel Hempstead (South), HP2 4PA 1253
M23 - Ashdale Lye Lane, Bricket Wood, AL2 3LQ 1254
OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET 1255
228 - Roy Cooper 1257
Chapter 1 - A Spatial Strategy for St Albans City and District 1257
L2 - West of Watling Street, Park Street, AL2 2PZ 1258
229 - Brian Worrell 1260
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1260
Chapter 3 - Sustainable Use of Land and Green Belt 1260
LG6 - Green Belt Compensatory Improvements 1261
Chapter 5 - Economy and Employment 1262
Strategic Policy SP8 - Transport Strategy 1263
TRA1 - Transport Considerations for New Development 1264
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure 1265

Strategic Policy SP13 - Health and Wellbeing 1265
230 - Carol Pomerance 1267
L2 - West of Watling Street, Park Street, AL2 2PZ 1267
231 - Mrs Tania Martin 1268
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1268
L2 - West of Watling Street, Park Street, AL2 2PZ 1269
232 - Hertsmere Borough Council 1271
Chapter 1 - A Spatial Strategy for St Albans City and District 1271
Strategic Policy SP3 - Land and the Green Belt 1271
Strategic Policy SP4 - Housing 1272
HOU2 - Affordable Housing 1272
HOU6 - Gypsies, Travellers and Travelling Show People 1273
Strategic Policy SP5 - Employment and the Local Economy 1273
TRA4 - Parking 1274
B6 - West of London Colney, AL2 1LN 1274
B8 - Harper Lane, North of Radlett, WD7 7HU 1275
233 - Central Bedfordshire Council 1276
Chapter 1 - A Spatial Strategy for St Albans City and District 1276
Strategic Policy SP3 - Land and the Green Belt 1277
LG1 - Broad Locations 1277
LG5 - Green Belt 1278
LG6 - Green Belt Compensatory Improvements 1279
HOU6 - Gypsies, Travellers and Travelling Show People 1279
Strategic Policy SP5 - Employment and the Local Economy 1280
Strategic Policy SP8 - Transport Strategy 1280
TRA1 - Transport Considerations for New Development 1282
NEB11 - Chilterns National Landscape 1282
Chapter 14 - Implementation 1283
B2 - North East Harpenden, AL5 5EG 1283
B7 - North West Harpenden, AL5 3NP 1284
234 - Tanya Sanders 1285
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1285
235 - Mrs Patricia Wright 1286
Chapter 1 - A Spatial Strategy for St Albans City and District 1286
236 - Robert Greenhill 1288
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1288

237 - David Brooks 1289
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1289
238 - Paul Wilkinson 1290
L2 - West of Watling Street, Park Street, AL2 2PZ 1290
239 - Alison Joynson 1291
L2 - West of Watling Street, Park Street, AL2 2PZ 1291
240 - Mrs Cathy Mcardle 1293
Chapter 1 - A Spatial Strategy for St Albans City and District 1293
B1 - North St Albans, AL3 6DD 1294
241 - Dr David Joynson 1296
L2 - West of Watling Street, Park Street, AL2 2PZ 1296
242 - Steve Barker 1301
L2 - West of Watling Street, Park Street, AL2 2PZ 1301
243 - Network Rail 1302
LG2 - Support for Transformation of Hemel Hempstead 1302
EMP2 - Strategic Rail Freight Interchange (SRFI) 1302
UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU 1303
244 - Miss Louise Noonan 1305
L2 - West of Watling Street, Park Street, AL2 2PZ 1305
245 - Rose Soulsby 1306
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1306
246 - Alison Sharp 1307
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1307
247 - Mr Matthew Johns 1308
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1308
L2 - West of Watling Street, Park Street, AL2 2PZ 1308
248 - Historic England 1310
LG1 - Broad Locations 1310
LG3 - Hemel Garden Communities Growth Areas Place Principles 1311
LG4 - Large, Medium and Small Sites 1311
Strategic Policy SP11 - Historic Environment 1312
HE1 - Designated heritage assets 1312
HE2 - Non-designated heritage assets 1312
HE3 - Archaeology 1313
HE4 - Scheduled Monuments 1314
HE8 - Responsible retrofitting 1314

DES6 - Building Heights 1315
DES8 - Shopfronts and Advertisements 1317
Part B - Local Plan Sites 1317
H1 - North Hemel Hempstead, AL3 7AU 1318
H2 - East Hemel Hempstead (North), HP2 7HT 1319
H3 - East Hemel Hempstead (Central), HP2 7LF 1321
H4 - East Hemel Hempstead (South), HP2 4PA 1322
B1 - North St Albans, AL3 6DD 1324
B2 - North East Harpenden, AL5 5EG 1324
B3 - West Redbourn, Redbourn, AL3 7HZ 1325
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE 1326
B6 - West of London Colney, AL2 1LN 1327
B7 - North West Harpenden, AL5 3NP 1329
B8 - Harper Lane, North of Radlett, WD7 7HU 1330
L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS 1330
L2 - West of Watling Street, Park Street, AL2 2PZ 1332
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 1333
M2 - Hill Dyke Road, Wheathampstead, AL4 8TR 1333
M3 - Bedmond Lane, St Albans, AL3 4AH 1335
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 1336
M8 - Verulam Golf Club, St Albans, AL1 1JG 1338
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1339
M17 - North of Wheathampstead Road, Harpenden, AL5 1AB 1339
M18 - North East of Austen Way, St Albans, AL4 0XH 1341
M21 - Rothamsted Lodge, Hatching Green, AL5 2JS 1342
M22 - Wood End, Hatching Green, Harpenden, AL5 2JT 1344
P2 - Land at North Orbital Road, AL2 1DL 1345
U2 - Land South West of London Colney Allotments, AL2 1RG 1347
UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU 1347
UC2 - Civic Close Car Park Bricket Road, St Albans, AL1 3JX 1348
UC3 - London Road Car Park, London Road, St Albans, AL1 1NG 1350
UC4 - Car Park to rear of 32-34 Upper Marlborough Road, St Albans, AL1 3UU 1351
UC5 - 18-20 Catherine Street, St Albans, AL3 5BY 1352
UC6 - 13-19 Sutton Road & 5-11a Pickford Road, St Albans, AL1 5JH 1353
UC7 - 5 Spencer Street, St Albans, AL3 5EH 1353
UC8 - Public Hall, 6 Southdown Road, Harpenden, AL5 1TE 1354

UC9 - Keyfield Terrace Car Park, Keyfield Terrace, St Albans, AL1 1PD 1356
UC11 - 50 Victoria Street, St Albans, AL1 3HZ 1357
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 1358
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 1360
UC16 - Garage Block west of Thirlestane, St Albans, AL1 3PE 1361
UC18 - Garage block to front of 94-142 Riverside Road, St Albans, AL1 1SE 1362
UC19 - 50-54 Lemsford Road St Albans, AL1 3PR 1364
UC20 - 104 High Street, London Colney, AL2 1QL 1365
UC22 - Car Park to rear of 77-101 Hatfield Road, Hatfield Road, St Albans, AL1 4JL 1366
UC23 - Garage Site adj. Verulam House, Verulam Road, St Albans, AL3 5EN 1368
UC27 - Berkeley House, Barnet Road, London Colney, AL2 1BG 1369
UC35 - Market Depot, Drovers Way, St Albans, AL3 5FA 1370
UC36 - Garages off Park Street Lane, Park Street, AL2 2ND 1372
UC43 - Garage block to west of 32-46 Riverside Road, St Albans, AL1 1SD 1373
UC48 - Car Park adj. to 42-46 Adelaide Street, St Albans, AL3 5BH 1374
UC53 - Motor Repair Garage, Paynes Yard, Park Street Lane, AL2 2NE 1375
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 1377
UC55 - 44-52 Lattimore Road, St Albans, AL1 3XW 1378
UC57 - Telford Court, Alma Road, St Albans, AL1 3BP 1379
OS3 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ 1381
OS4 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ 1382
249 - Dr Phil Wadey 1385
Chapter 1 - A Spatial Strategy for St Albans City and District 1385
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 1386
LG2 - Support for Transformation of Hemel Hempstead 1387
LG3 - Hemel Garden Communities Growth Areas Place Principles 1388
250 - Mr Laurence Pilgrim 1391
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1391
Chapter 3 - Sustainable Use of Land and Green Belt 1392
Chapter 8 - Transport 1393
H4 - East Hemel Hempstead (South), HP2 4PA 1394
252 - MT Howard Gray 1396
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1396
253 - Mr Howard Gray 1398
L2 - West of Watling Street, Park Street, AL2 2PZ 1398
254 - Sarah Jenkins-Greig 1400

M16 - Falconers Field, Harpenden, AL5 3ES 1400
255 - Ms Constance Jenkins 1406
M16 - Falconers Field, Harpenden, AL5 3ES 1406
256 - Mr William Jenkins-Greig 1408
M16 - Falconers Field, Harpenden, AL5 3ES 1408
257 - Mr Paul King 1411
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1411
258 - Ms Alison Evans 1413
Chapter 1 - A Spatial Strategy for St Albans City and District 1413
B7 - North West Harpenden, AL5 3NP 1414
M3 - Bedmond Lane, St Albans, AL3 4AH 1415
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 1417
M7 - Townsend Lane, Harpenden, AL5 2RH 1418
M15 - Bucknalls Drive, Bricket Wood, AL2 3YT 1420
259 - Mercer & Hole 1422
UC3 - London Road Car Park, London Road, St Albans, AL1 1NG 1422
260 - Mr Gerald Eastwood 1424
Chapter 1 - A Spatial Strategy for St Albans City and District 1424
LG2 - Support for Transformation of Hemel Hempstead 1425
H1 - North Hemel Hempstead, AL3 7AU 1426
H2 - East Hemel Hempstead (North), HP2 7HT 1427
H3 - East Hemel Hempstead (Central), HP2 7LF 1428
H4 - East Hemel Hempstead (South), HP2 4PA 1429
B3 - West Redbourn, Redbourn, AL3 7HZ 1430
261 - Rita Cooper 1433
Chapter 1 - A Spatial Strategy for St Albans City and District 1433
262 - Watford Borough Council 1435
Chapter 1 - A Spatial Strategy for St Albans City and District 1435
Strategic Policy SP4 - Housing 1437
Strategic Policy SP5 - Employment and the Local Economy 1438
TRA2 - Major Transport Schemes 1439
263 - Mr Michael Priaulx 1441
NEB6 - Biodiversity and Biodiversity Net Gain 1441
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 1442
264 - Rita Cooper 1444
L2 - West of Watling Street, Park Street, AL2 2PZ 1444

265 - Vistry Group 1446
DES3 - Efficient Use of Land 1446
B3 - West Redbourn, Redbourn, AL3 7HZ 1447
266 - Crest Nicholson Partnerships and Strategic Land 1450
Chapter 1 - A Spatial Strategy for St Albans City and District 1450
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1451
LG1 - Broad Locations 1455
LG6 - Green Belt Compensatory Improvements 1458
HOU1 - Housing Mix 1459
HOU2 - Affordable Housing 1460
HOU5 - Self-Build and Custom Housebuilding 1462
COM1 - Education 1462
Strategic Policy SP8 - Transport Strategy 1464
TRA1 - Transport Considerations for New Development 1465
NEB6 - Biodiversity and Biodiversity Net Gain 1466
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 1467
NEB8 - Managing Flood Risk 1468
NEB12 - Green Space Standards and New Green Space Provision 1469
IMP1 - Additional Infrastructure Requirements for Strategic Scale Development 1470
B2 - North East Harpenden, AL5 5EG 1472
267 - Tarmac 1476
B8 - Harper Lane, North of Radlett, WD7 7HU 1476
268 - St Michael Parish Council 1483
Chapter 1 - A Spatial Strategy for St Albans City and District 1483
Chapter 3 - Sustainable Use of Land and Green Belt 1484
Chapter 8 - Transport 1485
269 - Acre St Albans Ltd 1488
Chapter 1 - A Spatial Strategy for St Albans City and District 1488
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 1490
270 - Verulam Residents Association 1493
Chapter 8 - Transport 1493
Strategic Policy SP8 - Transport Strategy 1495
TRA1 - Transport Considerations for New Development 1497
TRA2 - Major Transport Schemes 1499
271 - Mr Ronan Leydon 1502
LG2 - Support for Transformation of Hemel Hempstead 1502

Strategic Policy SP4 - Housing 1504
HOU2 - Affordable Housing 1506
HOU6 - Gypsies, Travellers and Travelling Show People 1508
H3 - East Hemel Hempstead (Central), HP2 7LF 1510
H4 - East Hemel Hempstead (South), HP2 4PA 1512
272 - The Crown Estate 1515
Chapter 3 - Sustainable Use of Land and Green Belt 1515
LG2 - Support for Transformation of Hemel Hempstead 1519
LG3 - Hemel Garden Communities Growth Areas Place Principles 1523
LG5 - Green Belt 1525
Chapter 7 - Community Infrastructure 1527
Chapter 8 - Transport 1529
TRA2 - Major Transport Schemes 1532
TRA3 - Development Generating New Lorry Movements 1533
TRA4 - Parking 1535
Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure 1536
NEB12 - Green Space Standards and New Green Space Provision 1540
Chapter 14 - Implementation 1542
Part B - Local Plan Sites 1544
H2 - East Hemel Hempstead (North), HP2 7HT 1548
H3 - East Hemel Hempstead (Central), HP2 7LF 1551
H4 - East Hemel Hempstead (South), HP2 4PA 1554
273 - Hallam Land Management and St Albans School 1556
Chapter 1 - A Spatial Strategy for St Albans City and District 1556
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1559
Strategic Policy SP2 - Responding to the Climate Emergency 1561
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 1563
Chapter 3 - Sustainable Use of Land and Green Belt 1564
LG1 - Broad Locations 1566
LG5 - Green Belt 1568
Strategic Policy SP4 - Housing 1569
HOU1 - Housing Mix 1570
HOU2 - Affordable Housing 1572
HOU3 - Specialist Housing 1573
HOU5 - Self-Build and Custom Housebuilding 1574
Strategic Policy SP6 - City, Town and Village Centres and Retail 1576

Strategic Policy SP7 - Community Infrastructure 1577
COM1 - Education 1579
COM3 - Community, Leisure and Sports Facilities 1581
TRA1 - Transport Considerations for New Development 1582
TRA4 - Parking 1583
NEB1 - Woodlands, Trees and Landscape Features 1585
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 1586
NEB10 - Landscape and Design 1587
NEB12 - Green Space Standards and New Green Space Provision 1589
Strategic Policy SP11 - Historic Environment 1590
HE4 - Scheduled Monuments 1592
Strategic Policy SP12 - High Quality Design 1593
DES1 - Design of New Development 1594
DES2 - Public Space 1596
DES3 - Efficient Use of Land 1597
DES5 - Residential Amenity Standards 1598
Strategic Policy SP14 - Delivery of Infrastructure 1599
B1 - North St Albans, AL3 6DD 1601
274 - District and Circle Ltd 1607
Chapter 1 - A Spatial Strategy for St Albans City and District 1607
Part B - Local Plan Sites 1609
276 - Ms Theresa Smith 1612
B6 - West of London Colney, AL2 1LN 1612
277 - Mr Timothy Rogerson 1614
M16 - Falconers Field, Harpenden, AL5 3ES 1614
278 - Ms Nuala Webb 1616
B6 - West of London Colney, AL2 1LN 1616
279 - Mr Akeem Iginla 1618
H4 - East Hemel Hempstead (South), HP2 4PA 1618
280 - Cycling UK (Cyclists Touring Club) 1622
Strategic Policy SP8 - Transport Strategy 1622
281 - Chris Collof 1624
Strategic Policy SP9 - Utilities Infrastructure 1624
282 - Aly Fricker 1625
L2 - West of Watling Street, Park Street, AL2 2PZ 1625
283 - Redbourn Parish Council 1627

Chapter 1 - A Spatial Strategy for St Albans City and District 1627
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1645
Strategic Policy SP2 - Responding to the Climate Emergency 1649
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 1652
CE2 - Renewable and Low Carbon Energy 1654
Chapter 3 - Sustainable Use of Land and Green Belt 1655
Strategic Policy SP3 - Land and the Green Belt 1661
LG1 - Broad Locations 1671
LG2 - Support for Transformation of Hemel Hempstead 1672
LG3 - Hemel Garden Communities Growth Areas Place Principles 1683
LG5 - Green Belt 1685
LG6 - Green Belt Compensatory Improvements 1687
Strategic Policy SP4 - Housing 1688
HOU1 - Housing Mix 1689
HOU2 - Affordable Housing 1691
HOU6 - Gypsies, Travellers and Travelling Show People 1693
Chapter 5 - Economy and Employment 1695
Strategic Policy SP5 - Employment and the Local Economy 1697
Strategic Policy SP8 - Transport Strategy 1699
TRA2 - Major Transport Schemes 1708
NEB8 - Managing Flood Risk 1709
NEB9 - Agricultural Land 1711
NEB10 - Landscape and Design 1713
NEB11 - Chilterns National Landscape 1715
Strategic Policy SP11 - Historic Environment 1717
Strategic Policy SP14 - Delivery of Infrastructure 1719
H1 - North Hemel Hempstead, AL3 7AU 1724
H2 - East Hemel Hempstead (North), HP2 7HT 1729
H3 - East Hemel Hempstead (Central), HP2 7LF 1733
H4 - East Hemel Hempstead (South), HP2 4PA 1735
B3 - West Redbourn, Redbourn, AL3 7HZ 1738
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 1744
Sustainability Appraisal Note 1747
284 - Stephen Greenwood 1752
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1752
285 - Ian Holt 1753

Strategic Policy SP2 - Responding to the Climate Emergency 1753
Strategic Policy SP3 - Land and the Green Belt 1753
286 - Bloor Homes 1755
Chapter 1 - A Spatial Strategy for St Albans City and District 1755
LG1 - Broad Locations 1756
LG2 - Support for Transformation of Hemel Hempstead 1759
LG3 - Hemel Garden Communities Growth Areas Place Principles 1760
LG6 - Green Belt Compensatory Improvements 1763
HOU1 - Housing Mix 1765
HOU2 - Affordable Housing 1767
HOU5 - Self-Build and Custom Housebuilding 1768
Strategic Policy SP8 - Transport Strategy 1770
TRA1 - Transport Considerations for New Development 1771
TRA2 - Major Transport Schemes 1773
NEB1 - Woodlands, Trees and Landscape Features 1775
NEB12 - Green Space Standards and New Green Space Provision 1777
DES3 - Efficient Use of Land 1778
DES5 - Residential Amenity Standards 1780
H1 - North Hemel Hempstead, AL3 7AU 1781
287 - Hertfordshire County Council Minerals and Waste Planning Policy Team 1788
Chapter 1 - A Spatial Strategy for St Albans City and District 1788
Chapter 3 - Sustainable Use of Land and Green Belt 1789
Part B - Local Plan Sites 1790
B4 - East St Albans, AL4 9JJ 1792
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE 1793
B6 - West of London Colney, AL2 1LN 1794
B8 - Harper Lane, North of Radlett, WD7 7HU 1794
L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS 1795
L2 - West of Watling Street, Park Street, AL2 2PZ 1796
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 1797
M3 - Bedmond Lane, St Albans, AL3 4AH 1798
M4 - North of Oakwood Road, Bricket Wood, AL2 3PT 1799
M7 - Townsend Lane, Harpenden, AL5 2RH 1799
M8 - Verulam Golf Club, St Albans, AL1 1JG 1800
M13 - North of Boissy Close, Colney Heath, AL4 0UE 1801
M18 - North East of Austen Way, St Albans, AL4 0XH 1802

M19 - Piggottshill Lane, Harpenden, AL5 5UN 1803
P1 - Smallford Works, Smallford Lane, AL4 0SA 1804
P2 - Land at North Orbital Road, AL2 1DL 1805
P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB 1806
U2 - Land South West of London Colney Allotments, AL2 1RG 1807
UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU 1808
UC3 - London Road Car Park, London Road, St Albans, AL1 1NG 1809
UC4 - Car Park to rear of 32-34 Upper Marlborough Road, St Albans, AL1 3UU 1809
UC5 - 18-20 Catherine Street, St Albans, AL3 5BY 1810
UC6 - 13-19 Sutton Road & 5-11a Pickford Road, St Albans, AL1 5JH 1811
UC7 - 5 Spencer Street, St Albans, AL3 5EH 1812
UC10 - Garage Block rear of 109-179 Hughenden Road, St Albans, AL4 9QW 1813
UC12 - Garage Block Between Hughenden Road and The Ridgeway, St Albans, AL4 9RH 1814
UC16 - Garage Block west of Thirlestane, St Albans, AL1 3PE 1815
UC18 - Garage block to front of 94-142 Riverside Road, St Albans, AL1 1SE 1816
UC19 - 50-54 Lemsford Road St Albans, AL1 3PR 1817
UC35 - Market Depot, Drovers Way, St Albans, AL3 5FA 1818
UC47 - Crabtree Fields / Land at Waldegrave Park, Harpenden, AL5 5SA 1819
OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET 1820
288 - Chris Berry 1822
Chapter 1 - A Spatial Strategy for St Albans City and District 1822
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1824
Chapter 2 - Climate Emergency 1827
Chapter 3 - Sustainable Use of Land and Green Belt 1829
Strategic Policy SP3 - Land and the Green Belt 1832
LG1 - Broad Locations 1835
LG2 - Support for Transformation of Hemel Hempstead 1837
LG4 - Large, Medium and Small Sites 1839
LG5 - Green Belt 1840
LG6 - Green Belt Compensatory Improvements 1843
LG7 - Affordable housing in the Green Belt (rural exception sites) 1845
LG8 - Small Scale Development in Green Belt Settlements 1848
LG9 - Extension or Replacement of Buildings in the Green Belt 1850
HOU2 - Affordable Housing 1852
Strategic Policy SP14 - Delivery of Infrastructure 1854

IMP1 - Additional Infrastructure Requirements for Strategic Scale Development 1855
289 - Pigeon (Hemel Hempstead) Ltd 1858
Chapter 1 - A Spatial Strategy for St Albans City and District 1858
LG1 - Broad Locations 1859
LG2 - Support for Transformation of Hemel Hempstead 1862
LG3 - Hemel Garden Communities Growth Areas Place Principles 1863
LG6 - Green Belt Compensatory Improvements 1866
HOU1 - Housing Mix 1868
HOU2 - Affordable Housing 1870
HOU5 - Self-Build and Custom Housebuilding 1871
Strategic Policy SP8 - Transport Strategy 1873
TRA1 - Transport Considerations for New Development 1874
TRA2 - Major Transport Schemes 1876
NEB1 - Woodlands, Trees and Landscape Features 1878
NEB12 - Green Space Standards and New Green Space Provision 1880
DES3 - Efficient Use of Land 1881
DES5 - Residential Amenity Standards 1883
H1 - North Hemel Hempstead, AL3 7AU 1884
290 - BRiCS Development 1891
Chapter 1 - A Spatial Strategy for St Albans City and District 1891
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1892
LG5 - Green Belt 1894
LG7 - Affordable housing in the Green Belt (rural exception sites) 1896
HOU1 - Housing Mix 1897
HOU2 - Affordable Housing 1898
HOU3 - Specialist Housing 1899
NEB11 - Chilterns National Landscape 1902
291 - SEGRO (Radlett) Limited 1904
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1904
Strategic Policy SP2 - Responding to the Climate Emergency 1905
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 1906
CE2 - Renewable and Low Carbon Energy 1907
Strategic Policy SP3 - Land and the Green Belt 1907
Strategic Policy SP5 - Employment and the Local Economy 1909
EMP1 - Protected Employment Areas 1911
EMP2 - Strategic Rail Freight Interchange (SRFI) 1912

Strategic Policy SP8 - Transport Strategy 1913
TRA1 - Transport Considerations for New Development 1914
TRA2 - Major Transport Schemes 1915
TRA3 - Development Generating New Lorry Movements 1917
TRA4 - Parking 1918
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure 1920
NEB4 - Significant Publicly Accessible Green Areas 1921
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 1922
NEB10 - Landscape and Design 1923
Strategic Policy SP12 - High Quality Design 1924
DES1 - Design of New Development 1925
DES7 - Servicing of Development 1926
Strategic Policy SP13 - Health and Wellbeing 1926
HW5 - Health Impact Assessments 1927
292 - Leverstock Green Village Association 1929
Strategic Policy SP1 - A Spatial Strategy for St Albans District 1929
LG2 - Support for Transformation of Hemel Hempstead 1933
LG3 - Hemel Garden Communities Growth Areas Place Principles 1940
LG5 - Green Belt 1943
HOU6 - Gypsies, Travellers and Travelling Show People 1947
TRA2 - Major Transport Schemes 1949
Strategic Policy SP14 - Delivery of Infrastructure 1951
H4 - East Hemel Hempstead (South), HP2 4PA 1953
Sustainability Appraisal Note 1961
293 - Jill Wilcox 1964
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 1964
294 - Hemel Business Park Ltd 1965
Chapter 1 - A Spatial Strategy for St Albans City and District 1965
Strategic Policy SP5 - Employment and the Local Economy 1970
Part B - Local Plan Sites 1974
H3 - East Hemel Hempstead (Central), HP2 7LF 1977
295 - Smallford Business Park Ltd 1981
Chapter 1 - A Spatial Strategy for St Albans City and District 1981
Chapter 3 - Sustainable Use of Land and Green Belt 1986
Strategic Policy SP5 - Employment and the Local Economy 1992

H3 - East Hemel Hempstead (Central), HP2 7LF 1996
P1 - Smallford Works, Smallford Lane, AL4 0SA 1999
296 - Dr Robert Wareing 2004
M3 - Bedmond Lane, St Albans, AL3 4AH 2004
297 - Andrew Clark 2011
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2011
298 - Paul Shelley 2013
L2 - West of Watling Street, Park Street, AL2 2PZ 2013
299 - Roger Stokoe 2015
LG2 - Support for Transformation of Hemel Hempstead 2015
300 - St Alban's City FC 2018
COM5 - St Albans City Football Club 2018
302 - McCarthy Stone and Churchill Living 2020
CE2 - Renewable and Low Carbon Energy 2020
LG4 - Large, Medium and Small Sites 2021
HOU1 - Housing Mix 2022
HOU2 - Affordable Housing 2023
HOU3 - Specialist Housing 2029
COM1 - Education 2030
303 - Phil Escritt 2032
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2032
LG1 - Broad Locations 2033
LG4 - Large, Medium and Small Sites 2035
Strategic Policy SP8 - Transport Strategy 2036
TRA1 - Transport Considerations for New Development 2039
304 - EDIT Land Ltd 2041
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2041
Strategic Policy SP2 - Responding to the Climate Emergency 2043
Strategic Policy SP3 - Land and the Green Belt 2045
LG5 - Green Belt 2048
HOU1 - Housing Mix 2049
HOU2 - Affordable Housing 2050
HOU4 - Accessible and Adaptable Housing 2052
NEB6 - Biodiversity and Biodiversity Net Gain 2053
NEB12 - Green Space Standards and New Green Space Provision 2055
DES5 - Residential Amenity Standards 2056

Part B - Local Plan Sites 2057
306 - St ALbans and District Footpaths Society 2061
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2061
Strategic Policy SP8 - Transport Strategy 2062
307 - Samantha McManus 2063
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2063
308 - Look! St Albans 2064
Chapter 1 - A Spatial Strategy for St Albans City and District 2064
Chapter 6 - City, Town and Village Centres and Retail 2065
Chapter 12 - High Quality Design 2066
309 - Kelly Brown 2071
Chapter 1 - A Spatial Strategy for St Albans City and District 2071
L2 - West of Watling Street, Park Street, AL2 2PZ 2072
310 - David and Sue Smith 2073
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2073
311 - BP Oil UK Ltd 2075
LG2 - Support for Transformation of Hemel Hempstead 2075
LG3 - Hemel Garden Communities Growth Areas Place Principles 2076
Strategic Policy SP5 - Employment and the Local Economy 2078
H1 - North Hemel Hempstead, AL3 7AU 2080
H2 - East Hemel Hempstead (North), HP2 7HT 2081
H3 - East Hemel Hempstead (Central), HP2 7LF 2083
H4 - East Hemel Hempstead (South), HP2 4PA 2085
312 - Lucy Searle 2087
L2 - West of Watling Street, Park Street, AL2 2PZ 2087
313 - Noriece Shelley 2089
Part B - Local Plan Sites 2089
314 - Mrs Susan Taylor 2090
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2090
Strategic Policy SP3 - Land and the Green Belt 2090
Chapter 5 - Economy and Employment 2091
Strategic Policy SP5 - Employment and the Local Economy 2092
L2 - West of Watling Street, Park Street, AL2 2PZ 2093
M10 - Tippendell Lane and Orchard Drive, How Wood, AL2 2QF 2094
315 - Bloor Homes and Department of Health & Social Care 2095
Chapter 1 - A Spatial Strategy for St Albans City and District 2095

Strategic Policy SP1 - A Spatial Strategy for St Albans District 2103
Chapter 3 - Sustainable Use of Land and Green Belt 2109
Strategic Policy SP3 - Land and the Green Belt 2118
LG1 - Broad Locations 2121
LG4 - Large, Medium and Small Sites 2123
LG6 - Green Belt Compensatory Improvements 2125
Strategic Policy SP4 - Housing 2127
HOU2 - Affordable Housing 2128
Strategic Policy SP5 - Employment and the Local Economy 2130
Part B - Local Plan Sites 2132
B8 - Harper Lane, North of Radlett, WD7 7HU 2146
Sustainability Appraisal Note 2150
316 - Linden Wates (Bricket Wood) Limited 2165
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2165
Strategic Policy SP3 - Land and the Green Belt 2166
LG4 - Large, Medium and Small Sites 2168
LG8 - Small Scale Development in Green Belt Settlements 2169
Part B - Local Plan Sites 2170
317 - Taylor Wimpey Strategic Land 2173
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2173
Strategic Policy SP3 - Land and the Green Belt 2175
Part B - Local Plan Sites 2181
M19 - Piggottshill Lane, Harpenden, AL5 5UN 2186
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 2187
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 2188
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 2189
318 - Mr Mark Behrendt 2192
Chapter 1 - A Spatial Strategy for St Albans City and District 2192
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2195
Chapter 3 - Sustainable Use of Land and Green Belt 2199
Strategic Policy SP3 - Land and the Green Belt 2202
LG1 - Broad Locations 2203
HOU2 - Affordable Housing 2205
HOU5 - Self-Build and Custom Housebuilding 2206
NEB11 - Chilterns National Landscape 2207
322 - AbbeyRail 2209

TRA2 - Major Transport Schemes 2209
B6 - West of London Colney, AL2 1LN 2210
M8 - Verulam Golf Club, St Albans, AL1 1JG 2211
UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU 2212
323 - Diana Ngobi 2214
LG2 - Support for Transformation of Hemel Hempstead 2214
Strategic Policy SP8 - Transport Strategy 2215
Strategic Policy SP14 - Delivery of Infrastructure 2220
H1 - North Hemel Hempstead, AL3 7AU 2222
H2 - East Hemel Hempstead (North), HP2 7HT 2223
H3 - East Hemel Hempstead (Central), HP2 7LF 2225
H4 - East Hemel Hempstead (South), HP2 4PA 2226
B3 - West Redbourn, Redbourn, AL3 7HZ 2228
324 - Elizabeth Ferdi 2229
B8 - Harper Lane, North of Radlett, WD7 7HU 2229
325 - Longbourn Estates 2231
Chapter 3 - Sustainable Use of Land and Green Belt 2231
Part B - Local Plan Sites 2234
326 - Hilary Hunter 2239
M16 - Falconers Field, Harpenden, AL5 3ES 2239
327 - Gary lees 2240
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2240
Chapter 3 - Sustainable Use of Land and Green Belt 2243
Part B - Local Plan Sites 2244
Sustainability Appraisal Note 2247
328 - Charlie Thompson 2251
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 2251
LG2 - Support for Transformation of Hemel Hempstead 2251
LG3 - Hemel Garden Communities Growth Areas Place Principles 2256
LG4 - Large, Medium and Small Sites 2262
LG5 - Green Belt 2263
Strategic Policy SP4 - Housing 2265
HOU2 - Affordable Housing 2266
HOU3 - Specialist Housing 2270
Strategic Policy SP7 - Community Infrastructure 2276
COM1 - Education 2279

COM3 - Community, Leisure and Sports Facilities 2286
Strategic Policy SP8 - Transport Strategy 2288
TRA1 - Transport Considerations for New Development 2289
TRA3 - Development Generating New Lorry Movements 2291
TRA4 - Parking 2293
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure 2294
NEB2 - Local Green Spaces 2294
NEB3 - Non-Designated Local Green Space 2295
NEB4 - Significant Publicly Accessible Green Areas 2296
NEB6 - Biodiversity and Biodiversity Net Gain 2297
NEB10 - Landscape and Design 2297
NEB12 - Green Space Standards and New Green Space Provision 2298
DES2 - Public Space 2299
Chapter 13 - Health and Wellbeing 2299
Strategic Policy SP13 - Health and Wellbeing 2305
HW1 - Air and Noise Pollution 2307
HW5 - Health Impact Assessments 2308
Strategic Policy SP14 - Delivery of Infrastructure 2309
IMP1 - Additional Infrastructure Requirements for Strategic Scale Development 2315
Part B - Local Plan Sites 2317
H1 - North Hemel Hempstead, AL3 7AU 2319
H2 - East Hemel Hempstead (North), HP2 7HT 2324
H3 - East Hemel Hempstead (Central), HP2 7LF 2329
H4 - East Hemel Hempstead (South), HP2 4PA 2332
B1 - North St Albans, AL3 6DD 2337
B2 - North East Harpenden, AL5 5EG 2341
B3 - West Redbourn, Redbourn, AL3 7HZ 2345
B4 - East St Albans, AL4 9JJ 2348
B6 - West of London Colney, AL2 1LN 2351
B7 - North West Harpenden, AL5 3NP 2354
329 - Mr Russell Crow 2357
Chapter 1 - A Spatial Strategy for St Albans City and District 2357
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2358
Strategic Policy SP2 - Responding to the Climate Emergency 2360
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 2361

CE2 - Renewable and Low Carbon Energy 2362
Strategic Policy SP3 - Land and the Green Belt 2362
LG1 - Broad Locations 2364
LG6 - Green Belt Compensatory Improvements 2366
HOU1 - Housing Mix 2367
HOU3 - Specialist Housing 2368
HOU4 - Accessible and Adaptable Housing 2369
HOU5 - Self-Build and Custom Housebuilding 2369
COM1 - Education 2370
Strategic Policy SP8 - Transport Strategy 2372
TRA4 - Parking 2372
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 2373
NEB12 - Green Space Standards and New Green Space Provision 2373
Strategic Policy SP14 - Delivery of Infrastructure 2375
B3 - West Redbourn, Redbourn, AL3 7HZ 2376
330 - Taylor Wimpey Strategic Land 2380
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2380
Strategic Policy SP3 - Land and the Green Belt 2382
LG4 - Large, Medium and Small Sites 2386
LG6 - Green Belt Compensatory Improvements 2387
HOU1 - Housing Mix 2389
HOU2 - Affordable Housing 2390
NEB10 - Landscape and Design 2391
M2 - Hill Dyke Road, Wheathampstead, AL4 8TR 2393
331 - Zoe Galvin 2403
B7 - North West Harpenden, AL5 3NP 2403
332 - Beechwood Homes Contracting and Verulam Golf Club 2406
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2406
Strategic Policy SP3 - Land and the Green Belt 2409
M8 - Verulam Golf Club, St Albans, AL1 1JG 2413
Sustainability Appraisal Note 2419
333 - Samatha Powell 2425
Strategic Policy SP3 - Land and the Green Belt 2425
Chapter 7 - Community Infrastructure 2426
334 - TT Group 2428
Chapter 1 - A Spatial Strategy for St Albans City and District 2428

Strategic Policy SP1 - A Spatial Strategy for St Albans District 2431
Chapter 3 - Sustainable Use of Land and Green Belt 2433
LG4 - Large, Medium and Small Sites 2435
HOU1 - Housing Mix 2436
HOU2 - Affordable Housing 2438
Chapter 5 - Economy and Employment 2440
Strategic Policy SP5 - Employment and the Local Economy 2442
EMP1 - Protected Employment Areas 2444
DES5 - Residential Amenity Standards 2446
DES6 - Building Heights 2448
Part B - Local Plan Sites 2449
335 - Michael Fearn 2453
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 2453
CE2 - Renewable and Low Carbon Energy 2453
LG5 - Green Belt 2454
LG7 - Affordable housing in the Green Belt (rural exception sites) 2455
LG8 - Small Scale Development in Green Belt Settlements 2456
LG9 - Extension or Replacement of Buildings in the Green Belt 2456
HOU1 - Housing Mix 2457
HOU4 - Accessible and Adaptable Housing 2458
Strategic Policy SP5 - Employment and the Local Economy 2459
EMP1 - Protected Employment Areas 2459
EMP3 - St Albans City Principal Office Locations 2460
Strategic Policy SP6 - City, Town and Village Centres and Retail 2461
TCR1 - Protecting Retail and Main Town Centre Uses 2461
TCR2 - Retail Uses outside Existing Centres 2462
COM4 - Public Houses 2463
TRA1 - Transport Considerations for New Development 2464
TRA4 - Parking 2464
UIN1 - Broadband 2465
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure 2465
NEB1 - Woodlands, Trees and Landscape Features 2466
NEB2 - Local Green Spaces 2467
NEB3 - Non-Designated Local Green Space 2468
NEB5 - Blue Infrastructure 2468

NEB6 - Biodiversity and Biodiversity Net Gain 2469
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 2469
NEB8 - Managing Flood Risk 2470
NEB9 - Agricultural Land 2471
NEB10 - Landscape and Design 2471
Strategic Policy SP11 - Historic Environment 2472
HE1 - Designated heritage assets 2473
HE2 - Non-designated heritage assets 2474
HE3 - Archaeology 2475
HE4 - Scheduled Monuments 2476
HE5 - Archaeological Sites for Local Preservation 2477
HE6 - Archaeological Sites Subject to a Recording Condition 2477
HE7 - Change of use and heritage assets 2478
HE8 - Responsible retrofitting 2479
Strategic Policy SP12 - High Quality Design 2480
DES1 - Design of New Development 2481
DES3 - Efficient Use of Land 2481
DES4 - Extensions to Existing Buildings 2482
DES5 - Residential Amenity Standards 2483
DES6 - Building Heights 2484
DES7 - Servicing of Development 2484
DES8 - Shopfronts and Advertisements 2485
HW1 - Air and Noise Pollution 2485
HW2 - Light Pollution 2486
HW5 - Health Impact Assessments 2487
HW6 - New development and existing uses (agent of change principle) 2487
Strategic Policy SP14 - Delivery of Infrastructure 2488
336 - Laura Weinberger 2490
B8 - Harper Lane, North of Radlett, WD7 7HU 2490
337 - HGC Joint Landowners 2491
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2491
Chapter 3 - Sustainable Use of Land and Green Belt 2492
LG1 - Broad Locations 2493
LG2 - Support for Transformation of Hemel Hempstead 2494
LG3 - Hemel Garden Communities Growth Areas Place Principles 2496
Chapter 5 - Economy and Employment 2497

H1 - North Hemel Hempstead, AL3 7AU 2498
H2 - East Hemel Hempstead (North), HP2 7HT 2500
H3 - East Hemel Hempstead (Central), HP2 7LF 2501
H4 - East Hemel Hempstead (South), HP2 4PA 2503
339 - Jayne and Duncan Lewis 2506
M16 - Falconers Field, Harpenden, AL5 3ES 2506
340 - Chris Thom 2507
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2507
Strategic Policy SP8 - Transport Strategy 2508
TRA1 - Transport Considerations for New Development 2509
TRA2 - Major Transport Schemes 2510
Strategic Policy SP14 - Delivery of Infrastructure 2511
341 - Higgins Group 2513
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2513
Chapter 3 - Sustainable Use of Land and Green Belt 2514
Strategic Policy SP3 - Land and the Green Belt 2515
LG4 - Large, Medium and Small Sites 2516
Part B - Local Plan Sites 2517
Sustainability Appraisal Note 2518
342 - Campaign Team 2520
Chapter 1 - A Spatial Strategy for St Albans City and District 2520
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2523
Strategic Policy SP3 - Land and the Green Belt 2526
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 2529
343 - Moralis Group 2533
Chapter 1 - A Spatial Strategy for St Albans City and District 2533
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2538
Strategic Policy SP3 - Land and the Green Belt 2542
HOU5 - Self-Build and Custom Housebuilding 2546
Part B - Local Plan Sites 2548
344 - Richard Martin 2552
L2 - West of Watling Street, Park Street, AL2 2PZ 2552
345 - Sharon Hill 2554
M16 - Falconers Field, Harpenden, AL5 3ES 2554
346 - Mr Malcolm Day 2559
NEB4 - Significant Publicly Accessible Green Areas 2559

B6 - West of London Colney, AL2 1LN 2560
347 - Joanne Williams 2563
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2563
348 - Linda Sibley 2565
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2565
349 - Lisa Peters 2566
Chapter 1 - A Spatial Strategy for St Albans City and District 2566
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2567
Strategic Policy SP2 - Responding to the Climate Emergency 2568
Chapter 3 - Sustainable Use of Land and Green Belt 2569
LG4 - Large, Medium and Small Sites 2570
LG7 - Affordable housing in the Green Belt (rural exception sites) 2571
LG8 - Small Scale Development in Green Belt Settlements 2572
LG9 - Extension or Replacement of Buildings in the Green Belt 2574
HOU2 - Affordable Housing 2575
HOU4 - Accessible and Adaptable Housing 2576
HOU6 - Gypsies, Travellers and Travelling Show People 2577
Strategic Policy SP5 - Employment and the Local Economy 2578
Chapter 6 - City, Town and Village Centres and Retail 2580
Strategic Policy SP6 - City, Town and Village Centres and Retail 2581
COM2 - Cemeteries and Burial Grounds 2582
TRA2 - Major Transport Schemes 2583
TRA4 - Parking 2584
Strategic Policy SP9 - Utilities Infrastructure 2586
UIN2 - Telecommunications 2587
Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure 2588
NEB1 - Woodlands, Trees and Landscape Features 2590
NEB4 - Significant Publicly Accessible Green Areas 2591
NEB9 - Agricultural Land 2592
DES3 - Efficient Use of Land 2593
Strategic Policy SP14 - Delivery of Infrastructure 2595
350 - Hill Residential 2597
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2597
Strategic Policy SP2 - Responding to the Climate Emergency 2602
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 2605
CE2 - Renewable and Low Carbon Energy 2607

Strategic Policy SP3 - Land and the Green Belt 2609
LG4 - Large, Medium and Small Sites 2614
LG6 - Green Belt Compensatory Improvements 2617
HOU1 - Housing Mix 2619
HOU2 - Affordable Housing 2621
HOU4 - Accessible and Adaptable Housing 2623
HOU5 - Self-Build and Custom Housebuilding 2625
Strategic Policy SP5 - Employment and the Local Economy 2628
EMP1 - Protected Employment Areas 2630
TRA4 - Parking 2632
UIN1 - Broadband 2634
NEB6 - Biodiversity and Biodiversity Net Gain 2636
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 2638
NEB12 - Green Space Standards and New Green Space Provision 2640
DES5 - Residential Amenity Standards 2643
DES7 - Servicing of Development 2645
M7 - Townsend Lane, Harpenden, AL5 2RH 2647
351 - Lichfields on behalf of Legal & General 2654
Chapter 1 - A Spatial Strategy for St Albans City and District 2654
Chapter 3 - Sustainable Use of Land and Green Belt 2659
B7 - North West Harpenden, AL5 3NP 2679
352 - Cllr Mike Hobday 2689
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2689
Strategic Policy SP3 - Land and the Green Belt 2691
B6 - West of London Colney, AL2 1LN 2693
353 - Greenbelt 2695
Chapter 1 - A Spatial Strategy for St Albans City and District 2695
Strategic Policy SP3 - Land and the Green Belt 2701
354 - Kitewood 2707
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2707
LG1 - Broad Locations 2708
LG2 - Support for Transformation of Hemel Hempstead 2710
Strategic Policy SP8 - Transport Strategy 2713
TRA1 - Transport Considerations for New Development 2715
Strategic Policy SP14 - Delivery of Infrastructure 2717
H1 - North Hemel Hempstead, AL3 7AU 2719

H2 - East Hemel Hempstead (North), HP2 7HT 2723
H3 - East Hemel Hempstead (Central), HP2 7LF 2726
H4 - East Hemel Hempstead (South), HP2 4PA 2730
355 - Wendy Carruthers 2734
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 2734
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 2734
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 2735
356 - Rachael Donovan 2737
Chapter 1 - A Spatial Strategy for St Albans City and District 2737
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2737
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 2738
Chapter 3 - Sustainable Use of Land and Green Belt 2739
LG1 - Broad Locations 2739
LG5 - Green Belt 2740
Strategic Policy SP4 - Housing 2740
HOU2 - Affordable Housing 2741
HOU3 - Specialist Housing 2741
Chapter 7 - Community Infrastructure 2741
Strategic Policy SP7 - Community Infrastructure 2751
TRA1 - Transport Considerations for New Development 2752
Chapter 14 - Implementation 2752
Strategic Policy SP14 - Delivery of Infrastructure 2753
IMP1 - Additional Infrastructure Requirements for Strategic Scale Development 2753
Part B - Local Plan Sites 2754
H1 - North Hemel Hempstead, AL3 7AU 2755
H2 - East Hemel Hempstead (North), HP2 7HT 2755
H4 - East Hemel Hempstead (South), HP2 4PA 2756
B1 - North St Albans, AL3 6DD 2756
B2 - North East Harpenden, AL5 5EG 2757
B3 - West Redbourn, Redbourn, AL3 7HZ 2757
B4 - East St Albans, AL4 9JJ 2758
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE 2758
B6 - West of London Colney, AL2 1LN 2759
B7 - North West Harpenden, AL5 3NP 2760
B8 - Harper Lane, North of Radlett, WD7 7HU 2760
L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS 2761

L2 - West of Watling Street, Park Street, AL2 2PZ 2762
L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY 2762
OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET 2763
Glossary 2763
357 - Mrs Julia Warren 2765
Chapter 1 - A Spatial Strategy for St Albans City and District 2765
Chapter 3 - Sustainable Use of Land and Green Belt 2766
HOU3 - Specialist Housing 2766
Strategic Policy SP5 - Employment and the Local Economy 2767
Chapter 6 - City, Town and Village Centres and Retail 2767
TCR4 - Visitor Economy 2768
TCR6 - St Albans City Centre Public Realm and movement 2769
Chapter 7 - Community Infrastructure 2769
NEB1 - Woodlands, Trees and Landscape Features 2770
NEB4 - Significant Publicly Accessible Green Areas 2770
Part B - Local Plan Sites 2771
B2 - North East Harpenden, AL5 5EG 2772
M2 - Hill Dyke Road, Wheathampstead, AL4 8TR 2772
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2773
M17 - North of Wheathampstead Road, Harpenden, AL5 1AB 2773
M19 - Piggottshill Lane, Harpenden, AL5 5UN 2774
M20 - Lower Luton Road, Harpenden, AL5 5AF 2774
M25 - Baulk Close, Harpenden, AL5 4LY 2774
UC3 - London Road Car Park, London Road, St Albans, AL1 1NG 2775
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 2776
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 2776
UC50 - Southview Car Park, Lower Luton Road, Harpenden, AL5 5AW 2777
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 2777
358 - St Albans School 2779
Strategic Policy SP3 - Land and the Green Belt 2779
LG5 - Green Belt 2781
LG9 - Extension or Replacement of Buildings in the Green Belt 2782
Strategic Policy SP7 - Community Infrastructure 2783
COM1 - Education 2784
COM3 - Community, Leisure and Sports Facilities 2785

TRA4 - Parking 2786
NEB2 - Local Green Spaces 2787
NEB3 - Non-Designated Local Green Space 2788
359 - Betsy Brown 2790
Chapter 1 - A Spatial Strategy for St Albans City and District 2790
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2791
Strategic Policy SP2 - Responding to the Climate Emergency 2793
LG1 - Broad Locations 2794
LG2 - Support for Transformation of Hemel Hempstead 2795
LG3 - Hemel Garden Communities Growth Areas Place Principles 2797
HOU6 - Gypsies, Travellers and Travelling Show People 2798
Strategic Policy SP8 - Transport Strategy 2799
TRA3 - Development Generating New Lorry Movements 2800
NEB9 - Agricultural Land 2801
NEB11 - Chilterns National Landscape 2802
DES2 - Public Space 2804
HW1 - Air and Noise Pollution 2804
Part B - Local Plan Sites 2805
H1 - North Hemel Hempstead, AL3 7AU 2807
H2 - East Hemel Hempstead (North), HP2 7HT 2808
H3 - East Hemel Hempstead (Central), HP2 7LF 2808
H4 - East Hemel Hempstead (South), HP2 4PA 2809
M4 - North of Oakwood Road, Bricket Wood, AL2 3PT 2810
M6 - South of Harpenden Lane, Redbourn, AL3 7RQ 2811
M7 - Townsend Lane, Harpenden, AL5 2RH 2812
M16 - Falconers Field, Harpenden, AL5 3ES 2813
P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB 2814
UC33 - Land Rear of 53 Snatchup, Redbourn, AL3 7HF 2815
Sustainability Appraisal Note 2816
360 - Cathy Sweeney 2819
B2 - North East Harpenden, AL5 5EG 2819
361 - Mohammad Ahmed 2821
Strategic Policy SP2 - Responding to the Climate Emergency 2821
CE1 - Promoting Sustainable Design, Construction and Building Efficiency 2821
LG1 - Broad Locations 2822
LG4 - Large, Medium and Small Sites 2822

Strategic Policy SP6 - City, Town and Village Centres and Retail 2823
TCR6 - St Albans City Centre Public Realm and movement 2823
Strategic Policy SP7 - Community Infrastructure 2824
COM2 - Cemeteries and Burial Grounds 2824
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure 2824
NEB5 - Blue Infrastructure 2825
NEB6 - Biodiversity and Biodiversity Net Gain 2825
NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces 2826
NEB8 - Managing Flood Risk 2826
HW3 - Contaminated Land 2827
HW4 - Groundwater Pollution 2827
H1 - North Hemel Hempstead, AL3 7AU 2828
P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB 2828
UC53 - Motor Repair Garage, Paynes Yard, Park Street Lane, AL2 2NE 2829
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 2829
UC55 - 44-52 Lattimore Road, St Albans, AL1 3XW 2830
UC56 - Garages to the rear of Portman House, Therfield Road, St Albans, AL3 6BN 2830
UC57 - Telford Court, Alma Road, St Albans, AL1 3BP 2831
UC58 - Cotlandswick Garages B, London Colney, AL2 1EG 2831
362 - EDIT Land Ltd 2833
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2833
Strategic Policy SP2 - Responding to the Climate Emergency 2835
Strategic Policy SP3 - Land and the Green Belt 2837
LG5 - Green Belt 2840
HOU1 - Housing Mix 2842
HOU2 - Affordable Housing 2844
HOU4 - Accessible and Adaptable Housing 2847
NEB6 - Biodiversity and Biodiversity Net Gain 2849
NEB12 - Green Space Standards and New Green Space Provision 2852
DES5 - Residential Amenity Standards 2854
Part B - Local Plan Sites 2856
363 - D'Arblay Investments 2859
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2859
Chapter 3 - Sustainable Use of Land and Green Belt 2862
Strategic Policy SP3 - Land and the Green Belt 2864

Part B - Local Plan Sites 2871
Sustainability Appraisal Note 2872
364 - Pigeon Capital Management 4 Ltd & D'Arblay Investments Limited 2876
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2876
Chapter 3 - Sustainable Use of Land and Green Belt 2882
Strategic Policy SP3 - Land and the Green Belt 2887
TRA2 - Major Transport Schemes 2892
Part B - Local Plan Sites 2894
Sustainability Appraisal Note 2902
365 - Pigeon Capital Management 4 Limited and the Gorhambury Estate 2909
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2909
Chapter 3 - Sustainable Use of Land and Green Belt 2915
Strategic Policy SP3 - Land and the Green Belt 2921
DES6 - Building Heights 2926
Part B - Local Plan Sites 2929
Sustainability Appraisal Note 2936
366 - Chrissie Chadney 2943
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2943
Strategic Policy SP3 - Land and the Green Belt 2944
Strategic Policy SP5 - Employment and the Local Economy 2944
Strategic Policy SP6 - City, Town and Village Centres and Retail 2945
Strategic Policy SP8 - Transport Strategy 2946
Strategic Policy SP9 - Utilities Infrastructure 2947
M2 - Hill Dyke Road, Wheathampstead, AL4 8TR 2948
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2949
367 - Ms Julie Bell 2951
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2951
Strategic Policy SP3 - Land and the Green Belt 2951
Strategic Policy SP5 - Employment and the Local Economy 2952
Strategic Policy SP6 - City, Town and Village Centres and Retail 2953
Strategic Policy SP8 - Transport Strategy 2954
Strategic Policy SP9 - Utilities Infrastructure 2955
M2 - Hill Dyke Road, Wheathampstead, AL4 8TR 2956
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2956
368 - Gee Smedley 2958
Chapter 1 - A Spatial Strategy for St Albans City and District 2958

Chapter 2 - Climate Emergency 2961
Chapter 3 - Sustainable Use of Land and Green Belt 2962
Chapter 4 - Housing 2963
Chapter 7 - Community Infrastructure 2965
Chapter 8 - Transport 2966
Chapter 9 - Utilities Infrastructure 2969
Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure 2971
Chapter 13 - Health and Wellbeing 2973
Chapter 14 - Implementation 2975
B1 - North St Albans, AL3 6DD 2976
Sustainability Appraisal Note 2977
369 - Sue Greenwood 2981
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2981
370 - Diane Black 2982
Strategic Policy SP1 - A Spatial Strategy for St Albans District 2982
Strategic Policy SP3 - Land and the Green Belt 2984
Strategic Policy SP5 - Employment and the Local Economy 2985
Strategic Policy SP7 - Community Infrastructure 2987
Strategic Policy SP8 - Transport Strategy 2988
Strategic Policy SP9 - Utilities Infrastructure 2989
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure 2991
NEB4 - Significant Publicly Accessible Green Areas 2992
M2 - Hill Dyke Road, Wheathampstead, AL4 8TR 2993
M9 - Amwell Top Field, Wheathampstead, AL4 8DZ 2994
UC3 - London Road Car Park, London Road, St Albans, AL1 1NG 2995
UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ 2996
UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ 2997
UC48 - Car Park adj. to 42-46 Adelaide Street, St Albans, AL3 5BH 2999
UC50 - Southview Car Park, Lower Luton Road, Harpenden, AL5 5AW 3000
UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 3001
371 - Tarmac 3003
Part B - Local Plan Sites 3003
372 - Gate Herts (Gypsy & Traveller Empowerment, Hertfordshire) 3007
Chapter 1 - A Spatial Strategy for St Albans City and District 3007
LG7 - Affordable housing in the Green Belt (rural exception sites) 3009

Strategic Policy SP4 - Housing 3011
HOU5 - Self-Build and Custom Housebuilding 3013
HOU6 - Gypsies, Travellers and Travelling Show People 3015
Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure 3022
Part B - Local Plan Sites 3023

1 - Mr Russell Collins

Submission Number: 1 Submission Date: 02/10/24 15:10

Respondent: Mr Russell Collins

M21 - Rothamsted Lodge, Hatching Green, AL5 2JS

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- The draft Local Plan has not been prepared in accordance with the legal and procedural requirements for preparing Local Plans because it is late.
- The draft Local Plan does not provide a strategy which seeks to meet the area's objectively assessed needs; and is not consistent with achieving sustainable development;
- The plan is not based on anappropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
-
- The plan is not consistent with national policy – ie not enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is no logic whatsoever or consistency with government policy to permit building houses on land previously designated as for use by Rothamsted Research. It is merely convenient for St Albans District Council to approve a small development of 5 residential units (as it did previously adjacent to this site, and these houses have been built) and then a slightly larger one for 20 residential units (as proposed in this Plan) and then, presumably, an "enormous" housing development on land currently designate green belt or used by the Research establishment. There

should be a full explanation of the rationale for this site explaining how houses fit in with the designated purpose currently in the Plan for Rothamsted (the houses will be bought by the public not be Rothamsted employees or associated with the research establishment. In addition, it needs to address the sustainability/environmental impact.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M22 - Wood End, Hatching Green, Harpenden, AL5 2JT

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- The draft Local Plan has not been prepared in accordance with the legal and procedural requirements for preparing Local Plans because it is late.
- The draft Local Plan does not provide a strategy which seeks to meet the area's objectively assessed needs; and is not consistent with achieving sustainable development;
- The plan is not basedon an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
-
- The plan does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The location is directly on the west side of Redbourn Lane (partially in a Conservation Area) where there are no other residential developments with direct access in the vicinity and a fully rural outlook. 15 residential units are proposed. The land is currently one house with a "paddock", basically a grassed area, adjacent to trees and fields with a Priority habitat. It is therefore impacting the biodiversity and sustainability of the plan with no remediation given the conservation status.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

OS3 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- The draft Local Plan has not been prepared in accordance with the legal and procedural requirements for preparing Local Plans because it is late.

- The draft Local Plan does not provide a strategy to meet the area's objectively assessed needs because there is no information for the expansion of Rohamsted on employment; and is not consistent with achieving sustainable development because it involves further expansion of buildings on existing diverse rural landscapes, with no provision for mitigation;
- Part of the site is a Conservation Area and nothing is proposed (or will be done) to mitigate building on such a site.
-

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Figures for employment

Impact on biodiversity and the conservation area

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

OS4 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As for previous comment

- The draft Local Plan has not been prepared in accordance with the legal and procedural requirements for preparing Local Plans because it is late.
- The draft Local Plan does not provide a strategy to meet the area's objectively assessed needs because there is no information for the expansion of Rohamsted on employment; and is not consistent with achieving sustainable development because it involves further expansion of buildings on existing diverse rural landscapes, with no provision for mitigation;
- There are significant heritage assets the setting of which will be harmed and nothing is proposed (or will be done) to mitigate building on such a site.
- The plan glibly states that there will need to be improvement to key routes, A1081 corridor without explaining why (related to employment and what the buildings will be used for)

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Figures for employment

Information on biodiversity impact

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

2 - Mr John A Smith

Submission Number: 2 Submission Date: 02/10/24 15:36

Respondent: Mr John A Smith

B2 - North East Harpenden, AL5 5EG

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In the cases of proposed housing developments in north-west and north-east Harpenden, SADC needs to comply with Legal Requirements regarding flooding risk, including off-site impacts on the Luton Road . See the following from January 2024: Substation Action Save East Suffolk Ltd, R (On the Application Of) v Secretary of State for Energy Security and Net Zero [2024] EWCA Civ 12. This case centres on the proper interpretation of paragraphs 159 to 167 of the 2021 version of the NPPF, which dealt with flood risk, and related sections of the PPG. It also deals with the correct approach to assessing cumulative impacts.

The National Planning Policy Framework (NPPF) sets out the strict policy tests, which all local planning authorities are expected to follow. For both plan-making and decision-taking, inappropriate development should be avoided by directing development away from areas most at risk of flooding from all sources (the “sequential test”) to ensure that development can be safely and sustainably delivered. The Strategic Flood Risk Assessment (SFRA) carried out by the local authority will provide the basis for applying the sequential test, informed by internal drainage boards and by the Environment Agency to ensure that local plans are based on a robust evidence base.

If wider sustainability considerations make it necessary for development to be carried out in flood risk locations, then it must be appropriately flood resilient and resistant, safe for the lifetime of the development (this is normally a minimum of 100 years for residential development), having regard to the vulnerability of the end-users, and, where possible, reduce flood risk overall (“the exception test”).

Off-site impacts: It will need to be shown that run-off from the proposed development will not increase flood risk elsewhere (e.g. by giving priority to the use of sustainable drainage systems). The Floods and Water Management Act 2010 establishes a Sustainable Drainage Systems Approving Body in unitary or county councils. This body must approve drainage systems in new developments and re-developments before construction begins.

Where is the evidence that all this has been done?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To hear what the SADC say and propose about Harpenden and understand the damage they will impose on the town, which is really just a village that has grown when you see how narrow the roads are.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

B7 - North West Harpenden, AL5 3NP

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In the cases of proposed housing developments in north-west and north-east Harpenden, SADC needs to comply with Legal Requirements regarding flooding risk, including off-site impacts on the Luton Road . See the following from January 2024: Substation Action Save East Suffolk Ltd, R (On the Application Of) v Secretary of State for Energy Security and Net Zero [2024] EWCA Civ 12. This case centres on the proper interpretation of paragraphs 159 to 167 of the 2021 version of the NPPF, which dealt with flood risk, and related sections of the PPG. It also deals with the correct approach to assessing cumulative impacts.

The National Planning Policy Framework (NPPF) sets out the strict policy tests, which all local planning authorities are expected to follow. For both plan-making and decision-taking, inappropriate development should be avoided by directing development away from areas most at risk of flooding from all sources (the “sequential test”) to ensure that development can be safely and sustainably

delivered. The Strategic Flood Risk Assessment (SFRA) carried out by the local authority will provide the basis for applying the sequential test, informed by internal drainage boards and by the Environment Agency to ensure that local plans are based on a robust evidence base.

If wider sustainability considerations make it necessary for development to be carried out in flood risk locations, then it must be appropriately flood resilient and resistant, safe for the lifetime of the development (this is normally a minimum of 100 years for residential development), having regard to the vulnerability of the end-users, and, where possible, reduce flood risk overall ("the exception test").

Off-site impacts: It will need to be shown that run-off from the proposed development will not increase flood risk elsewhere (e.g. by giving priority to the use of sustainable drainage systems). The Floods and Water Management Act 2010 establishes a Sustainable Drainage Systems Approving Body in unitary or county councils. This body must approve drainage systems in new developments and re-developments before construction begins.

Where is the evidence that all this has been done?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To hear what the SADC say and propose about Harpenden and understand the damage they will impose on the town, which is really just a village that has grown when you see how narrow the roads are.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Regarding the proposed development at the Harpenden railway station car park, I thought this was to be considered outside the Local Plan but has now been sneaked in. It is a ridiculous scheme. Firstly, the number of car park spaces would be reduced, when the Local Plan is set for up to 1,400 new homes in the area. People move to Harpenden for a number of reasons and one key reason is the rail link to London. So this idea to reduce the car parking spaces contradicts the Local Plan and makes no sense. Station Road is an extremely congested road right now and downright dangerous at the turning up to the east side of the station for both vehicles and pedestrians. There is four-way traffic at that point. Building 95 residential units where many, no doubt, will want cars (believing they will want to cycle, you might as well believe in the tooth fairy!), would make Station Road even more dangerous and gridlocked, especially at peak times, even if the entrance is widened. The idea is madness and contravenes the term "Justified", which it isn't, and "Effective", which it most certainly is not.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

One task that SADC and HTC should do with immediate effect is to widen the access road up to the east side of the station and put in some control traffic lights. It is downright dangerous for both pedestrians and vehicles.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

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3 - Mr John A Smith

Submission Number: 3 Submission Date: 02/10/24 16:25

Respondent: Mr John A Smith

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The proposed development at the east car park at Harpenden station is a danger to life. Station Road is already heavily congested and gridlocked at peak times and the entrance to the car park involves 4-way traffic. It is downright dangerous now! To build 95 residential units where the occupants are bound to need a car (if you think they will all cycle then you must also believe in the tooth fairy!). This would just make a dangerous situation even worse with those cars going in and out of the station through the single narrow access track (it is not of a standard to be called a road). Even with proposed widening, the additional traffic and the sharp turn straight onto a zebra crossing is hazardous. Furthermore, the plan to reduce the number of car park spaces is just ridiculous and not thought through. It contradicts the concept of the Local Plan. People move to Harpenden for a number of reasons and one of the main ones being the rail link to London. So, if the new houses are built as set out in the Local Plan, then the demand for car parking at the station from commuters would increase greatly, and more spaces would be needed, not less. Forget the cycling nonsense. This planned development fails the "Positively prepared" test as it does not meet the area's *objectively-assessed* needs as no-one wants this development! It fails the "Justified" test because the *evidence is not proportionate to the facts and the evidence.*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As a matter of urgency, SADC and HTC need to substantially improve the access to the east car park at Harpenden station as it is dangerous. A traffic-light control system would help. I guess they would need to liaise with Network Rail and the Highways Agency, but need to get things moving.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To be present to hear first-hand the damage that would be inflicted on Harpenden which is just a village that has grown - as evidenced by the narrow roads.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

4 - Mr John A Smith

Submission Number: 4 Submission Date: 02/10/24 16:46

Respondent: Mr John A Smith

HW5 - Health Impact Assessments

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The University of Hertfordshire, Smart Mobility Unit, produced a report in September 2023 on "Transport In Harpenden". It is publicly available and here are some extracts, which make grim reading:

"Traffic levels in Hertfordshire as a whole are among the highest in Britain, at 6.6 billion vehicle miles in 2021, around 55,230 miles per head. It is not surprising, therefore, that prosperous places like Harpenden see relatively high traffic levels and consequent congestion, and official maps show Harpenden as one of the county's congestion hotspots. Car ownership in Hertfordshire is 1.38 per household (against the England average of 1.16)."

"It is important to note that the problems of transport and traffic in Harpenden have a wide range of impacts – congestion and delays are just the most noticeable issues. Motor vehicles produce pollution from their exhausts, and also from their brakes and tyres. There are internationally set, by the World Health Organisation, standards for air quality with limits to the pollutants, which aim to reduce the health impacts. **However, in Harpenden, the air quality in some streets breaches these limits. For example, in Church Green, in the centre of town, the air quality breaches THREE WHO limits and is in the 67th percentile nationally, i.e. in the top third nationally for pollution." SADC and Harpenden Town Council are aware of this but have done nothing about it.**

Additional housing in and around Harpenden is bound to exacerbate the problem through more traffic and will probably extend the polluted areas. The residents of Harpenden are exposed to dangerous levels of pollution that may create breathing difficulties, particularly for those with existing problems, like asthma, or those with babies or infants. What mitigations will be put in place by SADC and will they put up warnings for the health and wellbeing of their constituents?

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is no simple answer other than to reduce the traffic flow through Harpenden.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I want to hear how the SADC are going to protect the health and wellbeing of the people of Harpenden whilst facilitating increased vehicular traffic through the narrow streets of Harpenden, particularly the High Street, which is already breaching three WHO pollution limits.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

5 - Mr Alistair Monk

Submission Number: 5 Submission Date: 02/10/24 20:37

Respondent: Mr Alistair Monk

B1 - North St Albans, AL3 6DD

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I consider the Local Plan not to be sound.

The oversized skew towards a large percentage of Housing being placed on the Hemel Hempstead border is a clear attempt to push as much housing as possible away from what residents would know as "St Albans".

Families like my own that live in [redacted] want new housing built in St Albans so our aging Parents, Children and Grandchildren can live close by - not "in Hemel Hempstead" in all but name.

Additionally Inspectors will be well aware that deliverability of such huge projects takes decades and is most often littered with problems, delays and Court filings. SADC was criticised in its earlier failed Local Plan for not considering smaller, more readily deliverable sites and they have gone down the exact same route again - playing the game in the hope they, the Councillors, will get re-elected by their base of local NIMBY voters.

There were a number of sites put forward in the Villages. These were never properly investigated in any way shape or form yet many are decent sized sites that could deliver houses within a few years, not decades.

Lastly I would say that the sudden rush to now, after 30 years, crash through a Plan is not, like the Council will proclaim, an attempt to meet the new Labour Govt desire to see Local Plans put in place, but rather yet another thinly veiled attempt to game the system by putting a Local Plan in place that is driven by the soon to be out of date housing number requirement and thereby delay by many years having a Plan in place that will accommodate the vastly increased housing need in the area that is reflected in the new methodology.

This whole accelerated process is entirely disingenuous and if the Inspector that is reviewing the submission simply takes the time to watch the video recording of 23rd Sept for the Planning Policy & Climate Committee it is glaring obvious what the motivations are. Residents of St Albans have been told for over a year that the previously stated timetable for a new Local Plan was the quickest

that it could possibly be delivered if done properly - presumably because they knew the Conservative Party were generally dragging their feet for Greenbelt dominated LPA's. Now, all of sudden, it can be done a lot quicker. It's laughable if it wasn't so important. This can only mean that the either the Council were lying to its Residents before - or they are now, by their own admission, not doing it properly. I'm not sure which is worst.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Site selection and methodology needs to be completely revisited and there needs to be a realistic assessment of the near term deliverability of sites.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

6 - Liam Beere

Submission Number: 6 Submission Date: 04/10/24 14:57

Respondent: Liam Beere

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am fully supportive of building more houses and believe Redbourn would benefit from more housing. What I do not believe to be sound about the current local plan is the location of the proposed development to the West of Redbourn for two reasons:

- the new development would be adjacent to the M1 motorway which is very loud and near vehicle emissions, which will make the new housing less appealing to people living there

- the proposed development location would involve a very substantial increase in traffic flowing through the village. The existing village road layout is not suited to a substantial increase in vehicle volumes

I believe that an alternative location should be used for new housing as set out in the next section

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I believe that any new housing development should be on the large area of land to the east of Dunstable Road. This land is adjacent to the Redbourn bypass, which will mean that the incremental traffic from the additional houses can be better accommodated. It will also mean that the new housing is located further away from the M1 motorway.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I would like to be able to challenge why the current location has been selected. Having discussed the matter when the plans were on display in Redbourn, it did not sound as though the views of the people in Redbourn had been taken into account

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

7 - mr Clive Swillman

Submission Number: 7 Submission Date: 04/10/24 15:23

Respondent: mr Clive Swillman

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The proposal will ruin our green space, lead to increased traffic flows, increased danger to children as a consequence, decrease air quality and destroy much needed flora and fauna.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

8 - Ms Lynn Tarragano

Submission Number: 8 Submission Date: 06/10/24 10:52

Respondent: Ms Lynn Tarragano

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This plan will negatively impact constituents on the boundary of St Albans specially Site Allocation B8 on land off Harper Lane as the site has proposed use of 274 houses on Green Belt land. This will also ruin our green spaces .

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I propose Brown Field sites are used instead of destroying the Green Belt areas.,

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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9 - Mr Kevin O'Sullivan

Submission Number: 9 Submission Date: 09/10/24 14:35

Respondent: Mr Kevin O'Sullivan

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

With regard to the draft plan for B8 - Harper Lane, North of Radlett, WD7 7HU, there are a number of important factors which make this not a good location for the planned very large development. I have listed these below:

1) Parts of this land are a flood plain - Kitswell Brook is already struggling to manage the water flow during wet periods and any further change to this water system will definitely create flooding.

2) Wildlife - there is a mixture of bats, deer, foxes, badgers, squirrels, rodents, birds and snakes that have their habitat in this area.

3) A large development like this will create town sprawl which is contrary to planning principles which suggest having separation of greenfield between towns.

4) Local infrastructure is unable to support increased numbers of people using the roads, medical centres, schools and rail stations. Since the Harperbury and the ridiculous road design changes at the junction of Harper Lane and Watling Street and entering into Radlett from the north end, the traffic during peak times has been unsustainably bad, bringing total gridlock on occasion and significant pollution to the small town centre and surrounds. Harper Lane during wet periods has signifcant standing water ad mud washed on to the road surface, making it unsafe for users.

5) The plans focus is on the footpath/ cycle path in the plans for sustainability reasons is totally flawed. Local residents have often noted how few people actually use these due to long distances to destinations, fast main roads alongside and that these provisions are just to meet outdated planning guidelines.All new residents will predominantly use cars.

6) Local schools are full without size expansion possibilities - infant, junior and secondary schools are oversubscribed and local children are having to bus long distances to get to secondary schools.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modifications should include:

- only allowing development on the existing brownfield and greyfield land to limit the impact on floodplains, wildlife and protect greenfield land;

- proper development of the junction of Harper Lane and Watling Street, including a widening of the railway bridge to ease traffic flow;

- if development goes ahead, significant investment should be required into local infrastructure, schools and medical care.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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10 - Will Treasure

Submission Number: 10 Submission Date: 27/09/24 09:00

Respondent: Will Treasure

B2 - North East Harpenden, AL5 5EG

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am concerned at two things, particularly in relation to the planned sites B2 (North East Harpenden), B7 (North West Harpenden) and M7 (Townsend Lane Harpenden)

1. The use of greenbelt land
2. The impact on traffic

1.Each of these sites is greenbelt land, and is used for farming, walking and is a green edge for Harpenden, a place where locals can easily walk to. Creating mass housing here will severely impact the locality. These houses should not be built on greenbelt land.

2. The A1081 from both North and South is severely congested into Harpenden now from 7am – 9.15am and from 3pm – 7pm. The additional traffic these housing developments will bring will make the congestion much worse. There are no safe routes for cyclists and there are minimal plans to improve this. I think the local plan has not taken into account the traffic impact of this new housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Treasure_W_[R].pdf

B7 - North West Harpenden, AL5 3NP

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am concerned at two things, particularly in relation to the planned sites B2 (North East Harpenden), B7 (North West Harpenden) and M7 (Townsend Lane Harpenden)

1. The use of greenbelt land
2. The impact on traffic

1.Each of these sites is greenbelt land, and is used for farming, walking and is a green edge for Harpenden, a place where locals can easily walk to. Creating mass housing here will severely impact the locality. These houses should not be built on greenbelt land.

2. The A1081 from both North and South is severely congested into Harpenden now from 7am – 9.15am and from 3pm – 7pm. The additional traffic these housing developments will bring will make the congestion much worse. There are no safe routes for cyclists and there are minimal plans to improve this. I think the local plan has not taken into account the traffic impact of this new housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Treasure_W_[R].pdf

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am concerned at two things, particularly in relation to the planned sites B2 (North East Harpenden), B7 (North West Harpenden) and M7 (Townsend Lane Harpenden)

1. The use of greenbelt land
2. The impact on traffic

1.Each of these sites is greenbelt land, and is used for farming, walking and is a green edge for Harpenden, a place where locals can easily walk to. Creating mass housing here will severely impact the locality. These houses should not be built on greenbelt land.

2. The A1081 from both North and South is severely congested into Harpenden now from 7am – 9.15am and from 3pm – 7pm. The additional traffic these housing developments will bring will make the congestion much worse. There are no safe routes for cyclists and there are minimal plans to improve this. I think the local plan has not taken into account the traffic impact of this new housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Treasure_W_[R].pdf

11 - Richard Carr

Submission Number: 11 Submission Date: 08/10/24 09:00

Respondent: Transport for London (TFL) Richard Carr

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Thank you for consulting Transport for London (TfL). I can confirm that we do not wish to comment on the draft St Albans Local Plan 2041

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. TFL_[R].pdf

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12 - Mrs Alison Rubinson

Submission Number: 12 Submission Date: 14/10/24 09:58

Respondent: Resident Mrs Alison Rubinson

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

please inform me that this has been received and my document can be read.

I feel site b8 should be taken out of the plan. If this site was developed it would have no effect on St Albans at all as it is directly on the Radlett boarders. All inappropriate effects will be on Radlett, and all the benefits of Council tax revenue will be for St Albans.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. My Harper lane objection_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

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13 - Friends of Jersey Lane

Submission Number: 13 Submission Date: 16/10/24 14:37

Respondent: Friends of Jersey Lane Mr. Jim Watson

On Behalf Of Friends of Jersey Lane :

NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We support Policy NEB4 as it will help to protect Jersey Lane as a Key Linear Green Space. We welcome the stated intention to seek development contributions from major developments to mitigate impacts, supporting the maintenance and enhancement of such areas. The final sentence of the policy represents an improvement on the Regulation 18 version of the Plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

14 - Gino Sabatino

Submission Number: 14 Submission Date: 14/10/24 09:00

Respondent: Gino Sabatino

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am sending you comments on above site, with an OBJECTION. St Albans are being very sneaky with the outfilling of it's boundaries into homes, with only a few years ago the build of around 400 homes on Harper Lane for Bloor Homes. With this plan, that will add another 250+, so 600 homes to effectively Radlett, in a matter of years, with zero expansion of schooling, doctors, etc required for st albsns as everyone will use Hertsmeres facilities. No one in these new developments consider themselves to be part of st albans, and the town address will be Radlett. In fact Harperbury Park was supposed to have a school, which got pulled. Harper Lane site is also a source of local employment and skills, once closed, will be gone forever. You cannot approve over a course of 5 years over 600+ homes (circa 1300 people) on to an existing village population of Radlett (about 8000). A near 20% growth with zero infrastructure investment from yourselves as they all use Hertsmere services!

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sabatino_G_[R].pdf

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15 - Trans Link London Limited

Submission Number: 15 Submission Date: 18/10/24 12:13

Respondent: PJB Planning Peter Biggs

On Behalf Of Trans Link London Limited :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Table

Number:

1.3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Strategic Policy SP1 sets out a proposed new settlement strategy for the District, with growth being located to make the most sustainable use of land in both the urban areas and then the Green Belt. The general principles of this statement is supported and it is noted that the approach seeks to develop brownfield land first, before then considering greenfield land.

It is also noted that London Colney has been identified as a Tier 3 settlement, where most growth is to be focussed within and adjacent to settlement boundaries. To the west of London Colney, Napsbury Park Estate has been identified in the Reg 19 Local Plan as a Tier 6 Green Belt village, where the land continues to be washed over by the Green Belt. The description of this tier of settlement (ie. Tier 6) does acknowledge that there is a general functional relationship to settlements in higher tiers within the hierarchy, which provides key services and higher order services. Whilst the principle of the hierarchy approach to settlement classification across the District is supported, in the case of the classification of Napsbury Park Estate, it is considered that this Estate with its proximity and links to London Colney and built-up nature, should also be considered part of that Tier 3 settlement. For that reason Napsbury Park Estate should itself be taken out of the Green Belt. Through reviewing this classification of Napsbury Park Estate and taking it out the Green Belt, this would then give greater weight to the consideration of sustainable urban extensions to

both the south and also to the north of the Estate. As such, it is considered that the Council should review this land classification and consider removing Napsbury Park Estate out from the Green Belt and that the Estate form part of the Tier 3 settlement.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Strategic Policy SP1 and the settlement hierarchy should be amended to include Napsbury Park Estate as part of the Tier 3 Small Town allocation with London Colney, and for the Napsbury Park Estate to the removed from the Green Belt along with a sustainable housing allocation to the north of the estate.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to scrutinise further the Council's strategic approach to not removing Napsbury Park Estate from the Green Belt and including it as part of the Tier 3 Small Town category within the settlement hierarchy.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP1 sets out a proposed new settlement strategy for the District, with growth being located to make the most sustainable use of land in both the urban areas and then the Green Belt. The general principles of this statement is supported and it is noted that the approach seeks to develop brownfield land first, before then considering greenfield land.

It is also noted that London Colney has been identified as a Tier 3 settlement, where most growth is to be focussed within and adjacent to settlement boundaries. To the west of London Colney, Napsbury Park Estate has been identified in the Reg 19 Local Plan as a Tier 6 Green Belt village, where the land continues to be washed over by the Green Belt. The description of this tier of settlement (ie. Tier 6) does acknowledge that there is a general functional relationship to settlements in higher tiers within the hierarchy, which provides key services and higher order services. Whilst the principle of the hierarchy approach to settlement classification across the District is supported, in the case of the classification of Napsbury Park Estate, it is considered that this Estate with its proximity and links to London Colney and built-up nature, should also be considered part of that Tier 3 settlement. For that reason Napsbury Park Estate should itself be taken out of the Green Belt. Through reviewing this classification of Napsbury Park Estate and taking it out the Green Belt, this would then give greater weight to the consideration of sustainable urban extensions to both the south and also to the north of the Estate. As such, it is considered that the Council should review this land classification and consider removing Napsbury Park Estate out from the Green Belt and that the Estate form part of the Tier 3 settlement.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Strategic Policy SP1 and the settlement hierarchy should be amended to include Napsbury Park Estate as part of the Tier 3 Small Town allocation with London Colney, and for the Napsbury Park Estate to the removed from the Green Belt along with a sustainable housing allocation to the north of the estate.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to scrutinise further the Council's strategic approach to not removing Napsbury Park Estate from the Green Belt and including it as part of the Tier 3 Small Town category within the settlement hierarchy.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP2 sets out a strategy to ensure that development during Plan period (and beyond) responds to the increasing demands of Climate Change through mitigation and adaption. The policy emphasises that it will support proposals that help combat Climate Change through promoting development of previously developed land and promoting the most sustainable locations for growth. Objective d. of Policy SP2 emphasises the need to minimise travelling while encouraging walking, cycling and the use of public transport.

In the case of promoting the land to the north of Napsbury Park Estate (Parcel 515), it is highlighted in this representation that the Council have missed an opportunity in the Reg 19 version of the Local Plan to future proof this objective by promoting a rail station within parcel 515 along the Midland Mainline that would connect London Colney/Napsbury Park Estate into St Albans, as well as connecting further north and south into London.

Figure 1.3 - Key Diagram highlights diagrammatically how London Colney and Napsbury Park Estate is not connected to the rail service even though London Colney is categorised as a Tier 3 small town. It is also proposed to allocate housing and secondary school to the south of Napsbury Park Estate and west of London Colney (Allocation 9 on the Key Diagram), with no connection to the Midland Mainline.

Parcel 515 (land north of Napsbury Estate Park) includes both the historic sidings for the hospital and has historic links to the rest of the Napsbury Park Estate, so has elements of brownfield (previous development) land within the parcel and also a direct historic relationship to the Estate. This historic context of the original sidings should be drawn upon through the provision of a new station in the historic location of the sidings and promotion of an urban extension (south and north of Napsbury Park Estate) that promotes sustainable rail travel connections into Napsbury and London. Details of the railway sidings at Napsbury Park are included in the Council's Conservation Area Character Statement dated February 2019.

The Council is therefore requested to give further consideration to the land north of Napsbury Park Estate (Parcel 515) as a potential site for a rail station along the Midland Mainline along with additional housing allocation site. The new housing in the location of Parcel 515 would be within walking distance of the new Secondary schools site proposed to the south of the Estate (west of London Colney) and would promote both a sustainable form of development and effective use of land, as promoted by the objectives of the new Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Greater emphasis through Policy SP2 should be given to providing a new railway station in the historic location of the sidings to the north of Napsbury Park Estate and Figure 1.3 - Key Diagram (and Proposals Map). This approach will therefore promote a strategic sustainable form of transport for Napsbury Park Estate, proposed urban extension (north and south), the proposed new secondary school to the south of Napsbury Park Estate and London Colney.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to scrutinise the Council's response to the Climate Emergency agenda in that it does not go far enough to promote sustainable forms of development and consideration of a railway station along the Midland Mainline to the north of Napsbury Park Estate.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 13

Type:

* Paragraph

Number:

3.29

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Paragraph 3.29 refers to Broad Location are considered to be large developments of 250 or more homes (or equivalent of employment use). Policy LG1 then provides criteria that the development should comply with. In particular, criteria l. requires that it is demonstrated how proposals integrate with and where appropriate seeks to improve the existing transport network, including public transport services upgrades/improvements.

Whilst criteria for Broad Locations set out by Policy LG1 are supported, it is considered that the definition for Broad Locations set out in paragraph 3.29, should be widened to include situations where the cumulative total of a number of parcels of housing within the same locality would provide for 250 or more homes.

This approach could then be applied to the 405 unit proposed site allocation west of London Colney (south of Napsbury Park Estate) and proposed additional 200 unit to the north of Napsbury Park Estate (Parcel 515), which would assist with promoting and providing a new railway station on the Midland Main line on land north of Napsbury Park Estate. This would therefore comply with criteria l. of Policy LG1 and provide significant infrastructure improvements and provision of a sustainable mode of transport for residents of the new development, Napsbury Park Estate and London Colney.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Paragraph 3.29 and Policy LG1 should be widen the definition of Broad Location to include situations where the cumulative total of a number of parcels of development/housing delivery within the same locality would provide for 250 or more homes and potential for significant infrastructure improvements.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To scrutinise the Council approach to defining Broad Locations and to ensure that the sustainability credentials and objectives of Policy LG1 are achieved.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP3 sets out the Council's strategy for delivering a total need of 14,603 dwellings to 2041, and that growth must be supported by suitable supporting infrastructure. The Strategic Policy also highlights the overall aim is to protect Green Belt from inappropriate development, but to ensure that there is most effective use of land and where necessary and in the right areas to adjust Green Belt boundaries.

It is noted that the Regulation 19 draft Local Plan proposes an adjustment of the Green Belt to the south of Napsbury Park Estate (titled west of London Colney) and the provision of housing and new Secondary school. This proposal south of Napsbury Park Estate within the new Local Plan will therefore be a significant provision of educational infrastructure in this location. Taking this factor into account, further consideration should be given to providing more housing in this location to the west of London Colney and on the edge of Napsbury Park Estate to promote a sustainable form of development and make most effective use of land. Such an increase in housing in this location would maximise the benefits of providing family housing within walking distance of the new secondary school.

The current proposal to the south of Napsbury Park Estate only proposes 324 dwellings, which is itself significantly below what would normally be required to provide for a new secondary school. Whilst the new school will also cater for the existing residents of London Colney and Napsbury Park Estate, it is considered that there is an opportunity to deliver more housing in this location that would contribute to the sustainability credentials of identifying land for the new schools within the Local Plan and thus reducing the reliance on cars and motorised vehicles.

With such a sustainable approach in mind, land to the north of Napsbury Park Estate could add an additional 180 to 200 No. dwellings to this total west of London Colney, within walking distance of the proposed new schools.

There is also an opportunity to provide a rail station to the north of Napsbury Park Estate in the location of the original sidings, which is classed as previously developed land (brownfield). Not only should this brownfield land be considered for development because of its PDL status, but there is an opportunity to create a sustainable rail station link along the Midland Main Line between St Albans and London that would serve Napsbury Park Estate, the new development proposed west of London Colney including the new secondary school, and, the whole of London Colney.

This land north of Napsbury Park Estate has been promoted through previous reviews of the Local Plan and put forward in the various Call for Sites by the Council, including the most recent request in 2021. A copy of the location plan of Parcel 515, Heritage and High Level Landscape appraisals are attached (these have been previously submitted, but submitted again to be taken into account through this consultation process). Various other supporting documents for this site have been previously submitted through the Call for Sites and Local Plan process, and should be taken again into account in considering this parcel of land.

It is also noted that in the Council's 2018 Strategic Site Selection Review, the land north of Napsbury Estate (formally part of the hospital grounds and included Napsbury railway station and railway sidings) was included in larger Strategic site review No. 621, which included land to the west and also south of the Napsbury Estate. In relation to the land to the north of the estate, the 2018 Review commented:

The parcel contains Napsbury Park HPG and adjoins London Colney Conservation Area. The Green Belt provides a historic setting and views to and from the countryside. Though much of Napsbury Park has been redeveloped the Parkland is still an important aspect of the historic setting.

The parcel contributes with GB30 to the secondary local gap between London Colney (2nd) and Park Street / Frogmore (2nd) and Radlett Road (3rd). Gaps are 1.9km and 1.8km respectively. The redevelopment of Napsbury Park reduces the gap which is also contains the concealed railway line which provides limited views on to the Green Belt. Any reduction in these gaps would be unlikely to compromise the separation of settlements in physical or visual terms, or overall visual openness.

The conclusion of this 2018 review was therefore that the parcel of land to the north of the Estate would unlikely compromise openness, which is primarily due to its physical containment by the existing row of houses to the north, the existing Napsbury Park Estate to the south and the railway line to the west.

Through the more recent 2023 Green Belt Review undertaken for the Council, the land north of Napsbury Park Estate (identified as Parcel 515) does not appear to have been included in the Green Belt parcel review. As such, it is considered that a full review of this land (ie. Parcel 515, to the north of Napsbury Estate) and its relationship to Napsbury Park Estate and wider strategic parcel was not undertaken and should be given further consideration through the Local Plan process.

Parcel 515 includes both the historic sidings for the hospital and has historic links to the rest of the Napsbury Park Estate, so this creates the PDL (brownfield) status of the land.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Council is therefore requested to give further consideration to the land north of Napsbury Park Estate (Parcel 515) as a location for a new rail station along the Midland Mainline between St Albans and London, and additional housing allocation site, that would be within walking distance of the new Secondary school site proposed to the south of the Estate (west of London Colney). This revised strategic approach would promote both a sustainable form of development and effective use of land, as promoted by the objectives of the new Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Napsbury-Park location plan_[R].pdf
2. 2021_03_08 North of Napsbury Hospital Advice Note V3_[R].pdf
3. 1176 RP001 Napsbury High Level Landscape Appraisal Rev A-compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To allow further scrutiny of the Council approach to Green Belt release and promoting sustainable forms of transport and housing.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 3.29 refers to Broad Location are considered to be large developments of 250 or more homes (or equivalent of employment use). Policy LG1 then provides criteria that the development should comply with. In particular, criteria l. requires that it is demonstrated how proposals integrate with and where appropriate seeks to improve the existing transport network, including public transport services upgrades/improvements.

Whilst criteria for Broad Locations set out by Policy LG1 are supported, it is considered that the definition for Broad Locations set out in paragraph 3.29, should be widened to include situations where the cumulative total of a number of parcels of housing within the same locality would provide for 250 or more homes.

This approach could then be applied to the 405 unit proposed site allocation west of London Colney (south of Napsbury Park Estate) and proposed additional 200 unit to the north of Napsbury Park Estate (Parcel 515), which would assist with promoting and providing a new railway station on the Midland Main line on land north of Napsbury Park Estate. This would therefore comply with criteria I. of Policy LG1 and provide significant infrastructure improvements and provision of a sustainable mode of transport for residents of the new development, Napsbury Park Estate and London Colney.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Paragraph 3.29 and Policy LG1 should be widen the definition of Broad Location to include situations where the cumulative total of a number of parcels of development/housing delivery within the same locality would provide for 250 or more homes and potential for significant infrastructure improvements.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To scrutinise the Council approach to defining Broad Locations and to ensure that the sustainability credentials and objectives of Policy LG1 are achieved.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG4 - Large, Medium and Small Sites

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG4 refers to the allocation of Large, Medium and Small sites, which are listed in Part B of the Local Plan. The policy then sets out the criteria that would apply to such developments, to ensure that they were sustainable forms of development, that contribute to local and district requirements and protect the natural environment. Whilst the principle of Policy LG4 and criteria are supported, by not including land north of Napsbury Park Estate in the list of large sites proposed for allocation in Part B of the Local Plan, an objection is raised to this policy.

The land north of Napsbury Park Estate could deliver up to 200 new dwellings and also the potentially deliver a rail station on the Midland Main line. This form of development would therefore comply with the criteria set out in Policy LG4 and promote a highly sustainable form of development that would not only contribute positively towards new residents, but also existing residents of the Estate and London Colney.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Further consideration should be given to the inclusion of land north of Napsbury as an allocated large site (unless considered as part of a Broad Location under Policy LG3).

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To scrutinise how the Council have discounted the land north of Napsbury Park Estate, which could provide for significant infrastructure improvements and sustainability enhancement by providing a new railway station on the Midland Mainline in this location.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP4 - Housing

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP4 seeks to promote a suitable mix of housing, that promotes specialist housing to meet the needs of older people and with disabilities, along with diversifying the housing market through encouraging self-build and custom build homes in suitable sustainable locations. This housing policy is supported in principle and seeks to provide a range of housing that would cater for both District and Local housing needs. It is considered that the parcel of land promoted to the north of Napsbury Park Estate (Parcel 515) would be able to provide for this type and mix of housing proposed by Strategic Policy SP4, and, other supporting policies within this Chapter. Further consideration should be given to Parcel 515 inclusion as a housing allocation within the new Local Plan for up to 180 to 200 new dwellings.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To scrutinise the Council's policies in terms of the delivery of self-build and custom housebuilding.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU3 - Specialist Housing

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The principles of Policy HOU3 are supported and in particular it is noted that part a. refers to good access to public transport and local facilities as a key requirement of the development proposed. The land north of Napsbury Park Estate could provide for this form of specialist housing accommodation, and, with a proposed new rail station on the Midland Main line into St Albans, could provide direct public transport into St Albans for the elderly occupants.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The principles of Policy HOU5 are supported, in particularly in relation to parts a. and b. that seek to bring forward developments of Self-build and Custom build dwellings to meet the District need. In relation to part b. of the policy further clarification could be given within the pre-amble to the policy as to what is considered to be "suitable, sustainable locations".

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Further clarifications is required as to what is defined in part b. of the policy in terms of "suitable, sustainable locations".

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To scrutinise the Council's policy on delivering Self-build and Custom house building across the District and in particularly within the Green Belt.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP8 - Transport Strategy

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The principles of Policy SP8 and the emphasis about promoting sustainable forms of transport including railways are supported. It is considered the site north of Napsbury Park Estate (Parcel 515) presents such an opportunity to promote alternative forms of transport for Napsbury Park Estate, Napsbury and London Colney through the provision of a new rail station on the Midland Mainline between St Albans and London. Further consideration should be given to this opportunity to improve transport connections between London Colney and St Albans, thus reducing car movements to the surrounding areas.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA1 - Transport Considerations for New Development

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The princples of Policy TRA1 are supported and in particular the emphasis that is given through part b. to ensuring development is served by appropriate public transport, such as by rail. This policy objectives and requirements would be promoted through the development of land north of Napsbury Estate Park (Parcel 515) for housing and a new rail station located on the Midland Main line.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA2 - Major Transport Schemes

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Whilst the principles of Policy TRA2 are supported, it is consider the policy misses an opportunity to promote a new rail station at land north of Napsbury Park Estate (Parcel 515) that would provide a rail link into St Albans and London for residents of Napsbury, Napsbury Park Estate and London Colney, thus significantly reducing the need to use the car.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Further consideration should be given to including a new rail station on land to the north of Napsbury Park Estate (Parcel 515) along the Midland Main line.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To scrutinise policy TRA2 in more detail and put forward the case for a new rail station on land to the north of Napsbury Park Estate along the Midland Mainline between London and St Albans.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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16 - Reserve Forces and Cadet organisation

Submission Number: 16 Submission Date: 19/10/24 12:30

Respondent: Reserve Forces and Cadet organisation Col Andrew every

On Behalf Of Reserve Forces and Cadet organisation :

Strategic Policy SP7 - Community Infrastructure

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

There are no specific facilities for youth aged 12 to 18 and specifically any Cadet Organisation building which would be used in the community. This engages with youth and reduces anti social behaviour.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Refer to Professor Denny Report on the benefits of the Cadet youth organisation and reduction in crime and benefits to the community.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Face to face discussions mean I can put forward why these facilities are important and the importance to the local community.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

17 - Reserve Forces and Cadet organisation

Submission Number: 17 Submission Date: 19/10/24 12:38

Respondent: Reserve Forces and Cadet organisation Col Andrew every

On Behalf Of Reserve Forces and Cadet organisation :

COM3 - Community, Leisure and Sports Facilities

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The wording is open to interpretation and there us nothing specific fir youngsters aged 12 to 18.

The Cadet organisation with a specific building can be used by the community. Cadet organisation has been shown to reduce crime and prevent youngsters going to prison.

Refer to Professor Denny Report.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The provision of land for a Cadet Hut would benefit the community. Due to the size of development there could be two locations.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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18 - Mr Roger Senior

Submission Number: 18 Submission Date: 22/10/24 09:00

Respondent: Mr Roger Senior

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Dear Sirs

I refer to the Revised Local Plan and the proposed use of Townsend Lane ,Harpenden AL52RH for Housing 65 units .(indicative)- exhibit M7

We object to the proposal to include the Townsend Lane Plot M7 in the Local Plan for housing development ,on the following grounds .

1- The adjacent development of Hartwell Gardens is of similar area to that now proposed (1.88 hectares).Hartwell Gardens has 26 properties and the proposed development 65 properties ,an increase of 150%.This would ,if your proposal were accepted ,result in a development that is not in keeping with its neighbour and other properties in the area ,including Townsend Lane, and Claygate Avenue.

2-Traffic on Townsend Lane has to negotiate the dangerous right angled turn at the top of the Lane .This development will result in a significant increase in traffic during building and after completion and will result in more accidents .

3 -Local schools and other facilities can hardly cope with existing local population yet alone another 100-200 people .

4 .The noise and nuisance to existing local residents during construction .

5 The new development is being built on the Green belt which should be preserved.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Senior_R&C_[R].pdf

19 - Ayrat Akchurin

Submission Number: 19 Submission Date: 22/10/24 09:00

Respondent: Ayrat Akchurin

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Collectively, we are disappointed to find that construction, road compromises and reduction of green areas are selected to be conducted in our corner of Radlett. I would like to make clear that I and my neighbours are positively against any activity of the proposed Saint Albans Local Plan by the District Council and St Alban's City Council.

Here are my clear reasons:

1) By restricting our right of way, each household's cost is respectively reduced and each property will endure a significant reduction in the enjoyment of land. This is both in terms of restricting the right of way and also construction that is proposed to take place. I along with everyone on the respective streets, exercise my right in saying I disagree with any construction and possible road changes around our parts of Radlett. As far as I am concerned there is no express consent of any neighbour I know and more essentially voices of the disagreed ought to be heard very clearly.

2) It is still unclear to me where and when precisely the building constructions are planned to be carried out. However, I and my neighbours challenge any construction on our respective roads (The Avenue and The Warren). We do not permit or consent to anything of such. I will add further that if construction must take place it should not be conducted on the Avenue or the Warren, but rather another part of Radlett that has (i) the consent, (ii) the space and (iii) the genuine need for more housing. That I believe is the true best alternative for anyone concerned.

3) The Avenue and the Warren also has the pleasure of security in the form of a private patrol car. Introducing amendments would almost completely compromise this. By making the road public or making the road restricted, either more patrol cars would be needed or worse still, no private patrol car could perform the job if the road becomes public or restricted thereby exposing our properties to theft, damage, vandalism etc. I assure you that it would be wholly wrong to dismiss this on the account that little theft occurs on our streets, in fact it is due to the private security that we can enjoy the safety of our streets and properties. Therefore, such a devastating effect provides a far greater drawback rather than the so stated benefit to supposedly bring the community together.

4) Now, regarding the removal of green areas. From a personal perspective having lived in Radlett for over 10 years, and with the intention of spreading roots here, it makes for a much disappointing measure that Radlett would have to experience any loss of green areas. I have looked into that the intentions of the Saint Alban's council is to maintain the green areas. Construction and otherwise removal of the green is clearly a contradictory intention. Further any removal of green in the two roads I have mentioned is, I would like to highlight also, not under our consent.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Akchurin_A_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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20 - DosTwo Ltd

Submission Number: 20 Submission Date: 22/10/24 12:06

Respondent: DosTwo Ltd Mr Stuart Wilson

On Behalf Of DosTwo Ltd :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

All

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

I am deeply concerned that the feedback provided during the Local Plan consultation has been largely ignored. After reviewing the 16 pages of comments regarding site L2 (pages 114 to 130 in the "Local Plan Consultation Summary Response Table"), it's clear that my input, as well as the concerns raised by others, has been met with dismissive and standardized responses.

For instance, when I raised specific issues during the Regulation 18 consultation last year regarding [insert specific concerns, such as environmental impact, infrastructure strain, etc.], they were essentially dismissed with stock phrases like "Noted," or "The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023," or "The Council is working with Herts County Council as the Highway Authority to undertake the transport impact assessments for the Reg 19 draft Plan."

This approach makes me question the genuine purpose of these consultations. What is the point of asking for public feedback if it is not going to be meaningfully addressed? It's disheartening to see that other residents who raised similar concerns have also received the same generic responses, with no real engagement from the Council.

I urge the Council to reconsider its approach and take the concerns of its residents seriously. A proper consultation process should include thoughtful responses and clear actions, not just dismissive acknowledgments. We deserve more than "noted" when the future of our community is at stake.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I have significant concerns regarding the flaws in the Regulation 18 consultation process, which have hindered proper public engagement and scrutiny of the Local Plan.

Firstly, I was not made aware of the consultation about site allocations last year. Now I'm being told that it's too late to raise objections about specific site allocations. This feels like a failure in communication, as many residents, including myself, would have participated if the consultation had been more widely publicized.

Additionally, the consultation took place during the summer of 2023, a time when many people, including myself, were away. This limited my opportunity to comment, and I suspect many others were similarly affected. It's unreasonable to expect comprehensive engagement from the community when the consultation is held at a time when participation is likely to be lower.

Furthermore, I'm concerned by the lack of scrutiny that preceded the Regulation 18 process. It appears that there was no formal examination of the Draft Plan prior to this stage, and now the comments made during the consultation have been largely ignored. The dismissive responses given in the summary table are evidence of this.

Looking ahead, the timeline for Regulation 19 is also troubling. With the Council planning to proceed to Examination only three weeks after the Regulation 19 consultation ends, it's clear there won't be enough time for a thorough review of the public's feedback. This undermines the credibility of the entire process.

Finally, the choice of Green Belt sites seems to have been driven by speculative developers through the "call for sites" process, rather than being based on a transparent and systematic assessment. This raises concerns about whether these locations were chosen with the best interests of the community in mind or simply to appease development pressures.

In reviewing the webcasts of PP&CC meetings since December 2023, it's apparent that there has been little opportunity for proper consideration of individual site issues. It appears that planning officers have pushed the Plan through without giving these concerns the attention they deserve.

In summary, the Regulation 18 consultation process has been deeply flawed, and I urge the Council to address these shortcomings before moving forward.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I have serious concerns that the site allocation process for L2 has breached the Council's own methodology, particularly in relation to the Arup Green Belt Review. The standard response from Planning Officers, which states, *"The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration,"* is dismissive and fails to address the real issues raised in the consultation.

Firstly, it appears that Planning Officers have not properly scrutinized the Arup Green Belt Review. During the Regulation 18 consultation, several flaws in the methodology were highlighted, yet none of these concerns seem to have been addressed. Despite detailed feedback from the public, including myself, pointing out specific issues with the way Arup evaluated Green Belt sub-areas, defensible boundaries, and buffers concerning site L2, these issues have been ignored.

Moreover, the methodology itself is flawed. The criteria used by Arup to assess Green Belt boundaries, including for L2, do not seem to follow a systematic or transparent process. For example, the identification of defensible boundaries and the establishment of appropriate buffers are critical elements in any Green Belt review, yet Arup appears to have neglected these when evaluating site L2. This raises the question of why these critical aspects were not applied, despite being part of the established methodology.

Additionally, the concerns raised in the Regulation 18 process regarding the flaws in the Arup Green Belt Review have not been addressed in the Regulation 19 process. Instead, the same proposals have been brought forward with no visible effort to correct the shortcomings identified earlier.

In summary, the site allocation process for L2 has not followed the Council's own methodology. The failure to scrutinize Arup's recommendations, address public feedback, and correct the methodological flaws undermines the legitimacy of the entire process. I urge the Council to revisit these concerns and provide a more thorough and transparent evaluation of site L2.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am deeply concerned that the feedback provided during the Local Plan consultation has been largely ignored. After reviewing the 16 pages of comments regarding site L2 (pages 114 to 130 in the "Local Plan Consultation Summary Response Table"), it's clear that my input, as well as the concerns raised by others, has been met with dismissive and standardized responses.

For instance, when I raised specific issues during the Regulation 18 consultation last year regarding [insert specific concerns, such as environmental impact, infrastructure strain, etc.], they were essentially dismissed with stock phrases like "Noted," or "The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023," or "The Council is working with Herts County Council as the Highway Authority to undertake the transport impact assessments for the Reg 19 draft Plan."

This approach makes me question the genuine purpose of these consultations. What is the point of asking for public feedback if it is not going to be meaningfully addressed? It's disheartening to see that other residents who raised similar concerns have also received the same generic responses, with no real engagement from the Council.

I urge the Council to reconsider its approach and take the concerns of its residents seriously. A proper consultation process should include thoughtful responses and clear actions, not just dismissive acknowledgments. We deserve more than "noted" when the future of our community is at stake.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I have significant concerns regarding the flaws in the Regulation 18 consultation process, which have hindered proper public engagement and scrutiny of the Local Plan.

Firstly, I was not made aware of the consultation about site allocations last year. Now I'm being told that it's too late to raise objections about specific site allocations. This feels like a failure in communication, as many residents, including myself, would have participated if the consultation had been more widely publicized.

Additionally, the consultation took place during the summer of 2023, a time when many people, including myself, were away. This limited my opportunity to comment, and I suspect many others were similarly affected. It's unreasonable to expect comprehensive engagement from the community when the consultation is held at a time when participation is likely to be lower.

Furthermore, I'm concerned by the lack of scrutiny that preceded the Regulation 18 process. It appears that there was no formal examination of the Draft Plan prior to this stage, and now the comments made during the consultation have been largely ignored. The dismissive responses given in the summary table are evidence of this.

Looking ahead, the timeline for Regulation 19 is also troubling. With the Council planning to proceed to Examination only three weeks after the Regulation 19 consultation ends, it's clear there won't be enough time for a thorough review of the public's feedback. This undermines the credibility of the entire process.

Finally, the choice of Green Belt sites seems to have been driven by speculative developers through the “call for sites” process, rather than being based on a transparent and systematic assessment. This raises concerns about whether these locations were chosen with the best interests of the community in mind or simply to appease development pressures.

In reviewing the webcasts of PP&CC meetings since December 2023, it’s apparent that there has been little opportunity for proper consideration of individual site issues. It appears that planning officers have pushed the Plan through without giving these concerns the attention they deserve.

In summary, the Regulation 18 consultation process has been deeply flawed, and I urge the Council to address these shortcomings before moving forward.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I have serious concerns that the site allocation process for L2 has breached the Council’s own methodology, particularly in relation to the Arup Green Belt Review. The standard response from Planning Officers, which states, *“The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration,”* is dismissive and fails to address the real issues raised in the consultation.

Firstly, it appears that Planning Officers have not properly scrutinized the Arup Green Belt Review. During the Regulation 18 consultation, several flaws in the methodology were highlighted, yet none of these concerns seem to have been addressed. Despite detailed feedback from the public, including myself, pointing out specific issues with the way Arup evaluated Green Belt sub-areas, defensible boundaries, and buffers concerning site L2, these issues have been ignored.

Moreover, the methodology itself is flawed. The criteria used by Arup to assess Green Belt boundaries, including for L2, do not seem to follow a systematic or transparent process. For example, the identification of defensible boundaries and the establishment of appropriate buffers are critical elements in any Green Belt review, yet Arup appears to have neglected these when evaluating site L2. This raises the question of why these critical aspects were not applied, despite being part of the established methodology.

Additionally, the concerns raised in the Regulation 18 process regarding the flaws in the Arup Green Belt Review have not been addressed in the Regulation 19 process. Instead, the same proposals have been brought forward with no visible effort to correct the shortcomings identified earlier.

In summary, the site allocation process for L2 has not followed the Council’s own methodology. The failure to scrutinize Arup’s recommendations, address public feedback, and correct the methodological flaws undermines the legitimacy of the entire process. I urge the Council to revisit these concerns and provide a more thorough and transparent evaluation of site L2.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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21 - helen Gillett

Submission Number: 21 Submission Date: 22/10/24 13:01

Respondent: helen Gillett

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The document is based on 2014 housing numbers which are out of date.

You have not provided sufficient justification for changing Green Belt boundaries.

The combination of the Hemel Hempstead Garden Community development and the St Albans City and District Council developments will lead to urban sprawl and towns are very close to merging.

Your policy takes little note of the Green Belt review that you commissioned.

I see no apparent response to the results of the consultation undertake after 18 in the document 19.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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22 - Mr Kenneth Lancashire

Submission Number: 22 Submission Date: 22/10/24 16:48

Respondent: Mr Kenneth Lancashire

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 2

Type:

* Site

Number:

L2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Mine and other people objections as raised last year in the Regulation 18 consultation have been simply brushed aside by the planners with the dismissive comment "The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023". Did they actually bother to read the objections or was this response simply a copy and paste exercise on their part.

It seems to me the consultation about Site allocation in the Local Plan last year was not very well advertised. At best I consider it incompetent that this consultation was such low profile, at worst deliberate. Now I am told that it is too late to object to object to the inclusion of site L2.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Loads of local residents made their objection to the loss of this Green Belt land (L2) last year and the council initially listened to us and rejected the building on the site. If the council has decided its Green Belt, why has it been included in this Regulation 19 review.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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23 - Mr Martin Holderness

Submission Number: 23 Submission Date: 24/10/24 06:08

Respondent: Hammond Land and Consulting Limited mr James Hammond

On Behalf Of : Mr Martin Holderness

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I note that the legal challenge made by ‘Keep Chiswell Green’ to a secretary of state consent for up to 721 homes on two green belt sites in Hertfordshire was dismissed, following the judgement dated 29 October 2024. I enclose a copy of the judgement. I write on behalf of Mr Martin Holderness, who owns land immediately to the east of the Chiswell Green North site. The indicative site layout for the Chiswell Green North site is attached, and this document was referenced as document 'CD4.20.2 Indicative Proposed Site Layout’ as a supporting document into the Inquiry relating to the site in question. The purpose of this representation is to seek that the Regulation 19 Proposals Map for Chiswell Green accurately reflects and incorporates the boundaries of strategic sites that have been granted planning permission in 2024.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The digitisation of the corresponding site boundaries subsequently requires a revision to the settlement limits to the settlement of Chiswell Green, and this process should also include logical “rounding off” of settlement based on defensible boundaries.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CD 4_20_2 Indicative Proposed Site Layout copy_[R].pdf
2. Green belt assessment land at Ragged Hall Lane_[R].pdf
3. Holderness_M_2_[R].pdf
4. Judicial review judgement 1730201039003_[R].pdf
5. Land at Ragged Hall Lane and Cherry Hill, Chiswell Green_[R].pdf
6. Appeal Decision and Inspector Report 3313110 3312277_Redacted_[R].pdf

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Regulation 19 Local Plan does not meet the district's objectively assessed needs, and specifically in reference to self-build and custom housebuilding provision. The Local Plan is unsound/not legally complaint as drafted as it does not meet the tests of 'soundness' as set out in the National Planning Policy Framework (NPPF), paragraph 35.

The requirements of the NPPF 2023, and specifically paragraphs 60, 61, 63, 67 and 70 are of greatest relevance in the context of plan making requirements, and the process of local plan making now places significant emphasis on the ensuring that the Self Build and Custom Housebuilding (SBCH) statutory requirement is appropriately reflected in strategic policies, which are to be informed by a local Housing Need Assessment (HMA).

The clear and obvious attempt of St Albans District Council to speed up their plan preparation to avoid having to meet a higher housing need requirement should not be at the detriment of appropriately meeting the district's objectively assessed need for self-build and custom housebuilding.

Evidence that supports the representation comprises:

- The Bullens Green Lane appeal decision (references APP/B1930/W/20/3265925 and APP/C1950/W/20/3265926)

- South West Herts Local Housing Needs Assessment Update (March 2024)

- The South West Hertfordshire Local Housing Needs Assessment (September 2020)

- Email correspondence with Chris Briggs (Spatial Planning Manager) dated February 2024

The requirement of policy HOU5 for strategic sites to provide for SBCH provision will only yield 285 plots being permitted across the plan period to 2040/41. As a result, the shortfall against the statutory duty by 2040/41 has been modelled at 1,448 plots when applying the lowest demand figure for a single base period. The actual demand figure could, therefore, be materially higher at 2,168 plots. This figure does not take account of data provided by secondary sources.

Indeed, the number of permitted plots across the plan period (285) won't even satisfactorily address the shortfall in provision that persists at the end of base period 7 (October 2022), which stands at 593 plots. To express this in a different manner, the total amount of SBCH plots likely to be delivered through the implementation of policy HOU5 will only address 48% of the shortfall that persisted as of October 2022 (i.e. 285/593) *100 = 48%.

In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Regulation 19 draft of the St Albans Local Plan plainly fails to meet the test of 'soundness' as set out in the National Planning Policy Framework (NPPF) (2023), paragraph 35.

The Council must play its part by ensuring that when it submits its plan for examination the evidence base is complete. The evidence base that supports the Regulation 19 Local Plan is not complete.

Section 20(2) of the PCPA specifically states that the LPA must not submit the plan unless they think it is ready for independent examination. Having considered the Regulation 19 consultation responses, the LPA should only submit a plan if they consider it to be sound and there will not be delays of over 6 months during the examination because significant changes or further evidence work are required. It must not be assumed that examinations can always rectify significant soundness or legal compliance problems, which would require more than limited additional work to address. Before submission, the LPA must do all it can to resolve any substantive concerns about the soundness or legal compliance of the plan, including any raised by statutory undertakers and government agencies.

The legislation (PCPA, sections 20(7), (7A),(7B) & (7C)) allows for three possible outcomes to the examination. One of these outcomes is that Inspector finds the plan unsound and/or legally non-compliant as submitted, and that it is not possible to make it sound and legally compliant by making main modifications to it. In these circumstances the Inspector must recommend non-adoption of the plan. In practice, the LPA would be asked to consider withdrawing the plan before any such recommendation was made.

It is contended there is a high probability that such an outcome, whereby the LPA would be asked to consider withdrawing the plan, is a step that could be taken by the appointed Inspector to examine the emerging St Albans Local Plan if the Regulation 19 Local Plan in its current format is submitted for examination.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

St Albans City & District Council will need to undertake further work to appraise and identify (allocate) a sufficient number of sites to meet the statutory requirement for self-build and custom housebuilding through a revision to its Regulation 19 publication.

It is recommended that tackling the acute shortfall in provision would be most proactively achieved by maximising the number of small and medium-scale sites, and identifying opportunities for community-led self and custom build sites alongside provision of a sufficient number of serviced plots in line with the statutory duty will form a key part of this exercise.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation against policy HOU5 of the Regulation 19 Local Plan on behalf of M Holderness_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

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24 - Gerry Brophy

Submission Number: 24 Submission Date: 17/10/24 09:00

Respondent: Hertfordshire Constabulary Gerry Brophy

Chapter 12 - High Quality Design

Comment Number: 1

Type:

* Paragraph

Number:

12.6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Dear Planning,

Thank you for sight of the Draft St Albans Local Plan 2041 and for including a reference to the official UK Police security initiative, Secured by Design (Chap 12 Para 6.).

This crime reduction initiative has been independently and academically assessed almost continually since its inception 35 years ago and has consistently demonstrated dramatic reductions in burglary, anti-social behaviour and other crimes.

Over the years the tested products that SBD has recommended have become much more common-place and due to economies of scale, have become ever more cost effective.

If the decision to build to the police specification of SBD is taken at the design stage, the costs involved are quite minimal. The last evaluation carried out by consultants (Davis Langdon Construction Consultants), resulted in an average figure of less than £170 per unit. I would expect this figure to have fallen considerably since the last evaluation.

If you consider the benefits that the occupiers of these St Albans homes can hope to derive in terms of quality of life, this figure is almost insignificant and not a reason to back away from SBD.

Living in a home that you feel safe and secure within has multiple benefits, which should be enjoyed by all. I invite you to ‘Google’ the question ‘Why is it important to live in a safe and secure home UK’.

When I did this myself, I was surprised to find an ‘AI’ generated answer along with the numerous other replies (all worth reading).

‘Why is it important to live in a safe and secure home UK’

Safety- *Homes without security measures are five times more likely to be burgled than those with simple security measures. Burglary can impact your finances, emotional wellbeing, and sense of security*

.

Family*– A secure home can provide the foundation for supporting your family. Families without a secure home may be forced to split up to survive, especially if they have dependents like young children or elderly relatives.*

Wellbeing*- The sense of security impacts your physical health, emotional wellbeing and how you manage stress.*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I would ask that the wording in the final Plan 2041 be altered to reflect the fact that SBD is a minimum standard and one that should be seriously considered by all builders wishing to construct new homes in St Albans, and to follow a national 'best practise'.

I respectfully ask the wording to be changed to that shown below.

12.6 National policy sets out that policies should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. In providing for a high standard of amenity, the design of new development should take account of the needs of users including where they may change over time, and should seek to ensure that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. This may be through following the principles set out in 'Secured by Design', which is the official UK Police security initiative supporting the principles of 'designing out crime' through physical security. *Building new homes to the police specifications contained within Secured by Design, which is a basic security standard, will demonstrate to this council that the applicant is complying with national planning policy with regards to building developments that create safe and secure places that people want to live and work in.*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reply to planning12672024_[R].pdf

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26 - Nikki Bugden

Submission Number: 26 Submission Date: 22/10/24 09:00

Respondent: Nash Mills Parish Council Nikki Bugden

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans Regulation 19 Consultation-Nash Mills Parish Council Response Oct 2024.

Nash Mills Parish Council have previously expressed views at Regulation 18 stage for the St Albans Local Plan. The impact of the proposed development so close to our parish has an impact on infrastructure affecting our residents. Councillors have asked me to reiterate the points raised as it is unclear how these concerns have been addressed or mitigated for the Regulation 19 stage. We do not feel that the process has enabled us to adequately make representations for the points raised below and therefore would like to make representation calling for scrutiny of the 'soundness' of this local plan.

Healthcare

We cannot see evidence that our point 5 below has been addressed. What reassurance can we obtain for our residents that this request has been adequately scrutinised and raised with the relevant dept in central government?

Whilst there is some mention in the Reg19 draft around healthcare there is no confirmation that there has been proven engagement with the relevant authorities to ensure that the population growth within Dacorum and the wider area has been adequately scrutinised. It is imperative that the currently under resourced local healthcare provision be made fit for purpose, ideally predevelopment but certainly from when the first inhabitants move in and of course going forward to support the population growth caused by these developments. There is a danger that there will be a long wait with still no adequate facilities for Dacorum and St Albans residents or that funding may not be adequately earmarked to meet the obvious need.

Traffic Calming

We cannot see evidence that our points 2 and 3 below have been addressed. What reassurance can we obtain for our residents that these requests has been adequately scrutinised and raised with the relevant department at Herts County Council Highways?

Bunkers Park

We cannot see evidence that our point 5 below has been addressed. What reassurance can we obtain for our residents that this request has been adequately scrutinised and raised with the relevant department at Dacorum Borough Council.

Previous email below from August 2023

Good Afternoon

Nash Mills Parish Council have asked me to send across the following comments in relation to your recent consultation.

We do have some concerns relating to traffic and services within the parish and look forward to the opportunity to express these in further detail as the process develops.

In response to the consultation NMPC would ask ST Albans DC to note that NMPC

1. *Welcomes an extension to Bunkers Park as part of SANG (Suitable Alternative Natural Green Space) whilst noting that the increased usage would exacerbate the need for an increase in parking provision.*
2. *Would be wishing to make representation for width restrictions on Bunkers Lane.*
3. *Would be wishing to make representation on the concerns received from residents regarding the impact of additional traffic on both Chambersbury Lane and Georgewood Road.*
4. *Would be looking forward to future consultation on the details of the proposed St Albans local plan as it affects land bordering Nash Mills.*
5. *Would be recommending an impact assessment of the St Albans (and Dacorum) revised local plans on the WHHT hospital redevelopment plans.*

We look forward to making these representations in greater detail in due course and look forward to receiving your acknowledgment of receipt of this email

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024 OCT NMPC response to St Albans reg 19 Consultation v2_[R].pdf

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H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans Regulation 19 Consultation-Nash Mills Parish Council Response Oct 2024.

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Healthcare

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Whilst there is some mention in the Reg19 draft around healthcare there is no confirmation that there has been proven engagement with the relevant authorities to ensure that the population growth within Dacorum and the wider area has been adequately scrutinised. It is imperative that the currently under resourced local healthcare provision be made fit for purpose, ideally predevelopment but certainly from when the first inhabitants move in and of course going forward to support the population growth caused by these developments. There is a danger that there will be a long wait with still no adequate facilities for Dacorum and St Albans residents or that funding may not be adequately earmarked to meet the obvious need.

Traffic Calming

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Previous email below from August 2023

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We look forward to making these representations in greater detail in due course and look forward to receiving your acknowledgment of receipt of this email

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024 OCT NMPC response to St Albans reg 19 Consultation v2_[R].pdf

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27 - Dr Nicky Winch

Submission Number: 27 Submission Date: 24/10/24 18:57

Respondent: Dr Nicky Winch

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I feel that my comments and those of my fellow residents, from the Regulation 18 consultation regarding the Park Street proposed development (L2), have largely been dismissed and / or ignored. This is very frustrating as the comments are highly justified and the impact of this development coupled with the Rail Freight development just up the road is likely to be devastating to this area in terms of traffic, road safety, noise, loss of wildlife and open, green space. Given the nature and number of objections, why is L2 still in the Regulation 19 process?

To put that “The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration” feels like you are deliberately missing and failing to address the point that many residents made that with respect to L2, Arup **did <u>not</u> apply their own methodology** in their Green Belt Review e.g. around defensible boundaries. In January, the Council agreed that L2 fulfils the purposes of Green Belt; rejecting the planning application and it is currently the subject of appeal so why is it still in the plan?

Given the extremely rapid time between consultation ending and the plan being finalised, when is the traffic assessment referred to in the responses, taking into account the Rail Freight Terminal, and proper assessment of the Regulation 19 comments going to take place?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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28 - Sarah Heighton

Submission Number: 28 Submission Date: 24/10/24 09:00

Respondent: Aldenham Parish Council Sarah Heighton

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

On behalf of Aldenham Parish Council (APC) I thank you for including APC in your latest consultation on the St Albans Local Plan. In general APC has no comment on the plan except for 'Site B8 – Harper Lane, north of Radlett'. APC finds it disappointing that the comments made by it in July 2023 have been ignored.

APC acknowledges that although this is a largely brownfield site within St Albans's St Stephens parish, the effects of any developments at this site will fall primarily and heavily on Radlett, its community, infrastructure and services.

Therefore, APC would like the following points to be noted as the basis for its strong opposition to this proposed development.

Green Belt

The idea of this legislation is to ensure that there is a buffer point between neighbourhoods. This application does not allow for that with the parish of St Stephens literally on the boundary of Aldenham Parish, to a point where a boundary review may be requested.

Traffic and roads

APC would like to remind this consultation of the chaos caused by the previous Harperbury Hospital site redevelopment by Bloor Homes in Harper Lane. Radlett residents remember well the long lines of traffic on both carriageways caused by the badly thought-out (and implemented) traffic management plan for the Watling Street/Harpers Lane junction/bridge. Although a new bridge layout has been configured, this still leads to long queues, especially at peak times which will only be exacerbated by the introduction of 274 further residential units. Remember that the nearest shops, community services and transport links to London are via Radlett.

Travel

- Available buses are negligible, and are barely used as can be seen by the current Bloor Homes subsidised bus that runs into Radlett.
- There is a newly installed cycle path along Harper Lane, and across the bridge, but then there is nothing, even though a cycle route has been stated in the Radlett Neighbourhood Plan Policy GA1.
- Footpaths break off, requiring crossing the busy Watling Street to Radlett, and unless there is new access is created, all kinds of traffic to and from the site will use Harper Lane.
- The car park at Radlett Station has only 309 spaces, and Newberries Car Park limited to 203.

Services

There are no police or fire services in Radlett.

Medical

There is only one GP surgery to serve Radlett, and a few vets.

Schools

There are a number of oversubscribed nursery and junior schools, but no secondary schools, or any other provision for higher education. Secondary/higher education pupils have to travel to St Albans, Watford, Bushey, or Borehamwood, and they mostly travel by dedicated bus services or by car; a small number of use trains.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Section 106 agreement

Should any application be agreed on this site, APC would ask that it is included in any Section 106 agreements as there would be long term impact on Radlett by this development, with monies being required towards pedestrian and cycle infrastructure etc.

APC will object, and anticipates extremely strong objections from local residents to this application, should it be made.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Response to St Albans Draft Local Plan_[R].pdf

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29 - ms lynne whittaker

Submission Number: 29 Submission Date: 26/10/24 15:06

Respondent: ms lynne whittaker

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

It looks like there are failings in the Regulation 18 Consultation steps in the Plan as it appears that the sites for the Green Belt have been led by speculative developers through 'call for site' processes and have not been ascertained by an orderly undertaking.

The council has neglected their own procedures for site allocation processes. The council consistently state the same phrase response -' The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration.' However, I cannot see how the faults that were pointed out in Regulation 18 process with Arup's Green Belt Review were dealt with particularly with reference to sub-area, defensive boundaries and buffers (with respect to L2). Why have these not been addressed?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please remove L2 Watling Street Site from the Plan. This site is still included in Regulation 19 process even when the planning application to build houses has been rejected by the Planning Committee. Why is this?

No proper traffic assessment was undertaken in relation to L2 especially as the Strategic Rail Freight Terminal has now been given the 'go ahead' to be built. An assessment was done when the country was in lockdown, so it was it was a totally inaccurate measurement.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

30 - MS REGINE JEANNIN

Submission Number: 30 Submission Date: 27/10/24 20:26

Respondent: MS REGINE JEANNIN

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Number:

L2 West of Watling street

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

My concerns previously raised have not been addressed: The Plan generally appears to have taken ARUPs Green Belt review and just used these sites, without further consideration of other important factors, such as traffic, schools, doctors and other sustainabilty aspects. In addition, there appears a general desire to concrete over the Green Belt, rather than redeveloping Brownfield sites.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

My concerns previously raised have not been addressed: The Plan generally appears to have taken ARUPs Green Belt review and just used these sites, without further consideration of other important factors, such as traffic, schools, doctors and other sustainabilty aspects. In addition, there appears a general desire to concrete over the Green Belt, rather than redeveloping Brownfield sites.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

My concerns previously raised have not been addressed: The Plan generally appears to have taken ARUPs Green Belt review and just used these sites, without further consideration of other important factors, such as traffic, schools, doctors and other sustainabilty aspects. In addition, there appears a general desire to concrete over the Green Belt, rather than redeveloping Brownfield sites.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I'd like someone to explain to me why the L2 is still in the draft local plan process when a planning appeal has been lodged.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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31 - Oren Arush

Submission Number: 31 Submission Date: 28/10/24 11:03

Respondent: hgh Consulting Ltd Mrs Melanie Mantell

On Behalf Of : Oren Arush

Part B - Local Plan Sites

Comment Number: 1

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

On behalf of our client, we submitted a detailed representation for the Reg 18 consultation relating to our client's land at River Junction, which is considered suitable for circa 185 homes. This has not been considered at all within the Reg 19 policy or evidence base, specifically the Site Selection and Allocation 2024. We therefore re-submit this information for consideration.

Please refer to the attached supporting representation with regards to Images, Maps and Figures referenced.

These representations have been prepared by hgh Consulting and are submitted on behalf of our clients, Yuval Hen, Oren Arush and Rabbi Asaf Portal, in response to the consultation on the Regulation 19 version of St Albans City and District Council's (SACDC) Local Plan. Our clients own approximately 24ha of land to the north of Radlett, which is known as River Junction. A site location plan is included at Figure 1 below.

It is considered that the site at River Junction is suitable for a mixed-use development providing approximately 185 new homes, employment space targeted towards micro, starter and SME businesses, shared workspace, a café and community facilities. A concept masterplan has been

developed by Mountford Pigott Architects which is based upon a comprehensive understanding of the site and surrounding area in addition to the aspirations and requirements of the Draft Local Plan.

This representation provides a detailed description of the site, its surrounding context and its suitability for development (including an assessment of the Green Belt designation). It provides a summary of the concept masterplan and demonstrates how this responds and contributes to the identified housing and employment need within SACDC.

This representation also looks at the wider context, providing commentary on the Council's proposed housing and employment floorspace delivery and site allocations.

Site and Surrounding Area

The site currently comprises an area of low-quality agricultural land (predominantly grass and scrub), with no agriculture currently taking place. It is located within Colney Street, approximately 2km to the north of Radlett and 2km to the west of Brickett Wood.

The primary access to the site is from Radlett Road (A5183) to the east. There is also limited access from Smug Oak Lane to the north, although this is constrained and would not be suitable for larger vehicles. The two points of access are shown in Figure 2 below:

The site is bounded by several residential properties to the east, agricultural land to the north, the River Colne to the south and River Ver to the west. The surrounding area is primarily agricultural in nature interspersed with residential dwellings. Directly opposite the site on the other side of Radlett Road is a large industrial/business estate known as Ventura Park, which is designated as a Protected Employment Area in the Draft Local Plan.

The majority of the site is located within Flood Zones 2 and 3, which means the land has a medium to high probability of land having a 1 in 100 or greater annual probability of river flooding. The extent of these flood zones is shown on the map below:

With regard to public transport links, the site is only 5 minutes walk from a bus stop on Radlett Road which provides an hourly service to Radlett Train Station (5 minute bus journey) Park Street Railway Station (7 minute journey) and St Albans (25 minute journey). There are direct services from Radlett to St Albans, Luton and central London. The M25 motorway is approximately 150m to the north.

Planning Designations

Within the St Albans and District Council adopted Policies Map the site is currently designated within the Metropolitan Green Belt and a Landscape Development Area. This Green Belt designation is carried through in the Regulation 18 Draft Local Plan, however the Landscape Development Area designation is not.

Assessment of site suitability for development

This section of the submission addresses the suitability of the site for mixed-use development,in the context of its location in the Green Belt and with consideration to environmental considerations including flood risk and transport and highways.

Green Belt

A detailed Green Belt Assessment has been carried out by Bryant Landscape Planning and is enclosed with this submission. The assessment considers the site's contribution to the purposes of the Green Belt (as set out within the NPPF), which are as follows:

- *Purpose 1: To check the unrestricted sprawl of large built-up areas;*
- *Purpose 2: To prevent neighbouring towns merging into one another;*
- *Purpose 3: To assist in safeguarding the countryside from encroachment;*

- *Purpose 4: To preserve the setting and special character of historic towns; and*
- *Purpose 5: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

The assessment concludes that the site does not contribute to purposes 1, 2, 4 or 5, as it does not lie adjacent to any built-up areas (and therefore doesn't function as a barrier against urban sprawl), nor does it lie within a strategic gap between neighbouring towns (historic or otherwise) and it is not within an urban location. The key contribution of the site to the Green Belt is therefore to purpose 3 (safeguarding the countryside from encroachment), against which it is considered to perform significantly.

The assessment considers that the development of the eastern part of the site could provide a new settlement edge which would be defensible in landscape terms (for example, with a native hedgerow) and would not give rise to a perception of excessive encroachment into the wider countryside. Indeed, the western part of the site is within a flood plain (as discussed below) and the topography of this part of the site would make any future development unlikely.

Due to the topography of the site, while the development would be visible from some locations,it would be viewed within the context of existing built form and development on Radlett Road.

The assessment concludes that development within the eastern part of the site would not weaken the integrity or contribution of adjacent Green Belt land. It is therefore considered that the site is appropriate for development, subject to addressing other planning policy requirements.

Flood Risk

The site is located adjacent to the River Ver and River Colne. As shown in Figure 3 above, the eastern part of the site is in Flood Zones 1 and 2 and is suitable for a variety of uses (including residential), while the western part the site is located within Flood Zone 3 and is therefore only suitable for less vulnerable uses. Full details are provided within the enclosed Flood Risk Statement prepared by Canham Consulting.

The eastern part of the site is considered to be appropriate for development, and the Statement confirms that the flood risk to this area can be mitigated through the implementation of an appropriate drainage strategy (incorporating SuDS) and mitigation measures such as level design and consideration to exceedance flows.

It is therefore considered that the eastern part of the site is appropriate for development from a flood risk perspective, which will be demonstrated through a detailed Flood Risk Assessment should a planning application be submitted in the future.

Transport and highways

The site is located to the east of the A5183 Radlett Road, from which it is accessed via an agricultural access. A second agricultural access is from Smug Oak Lane to the north. These points of access are shown in Figure 2 above.

A Transport Assessment has been undertaken by Markides Associates and is enclosed with this submission. The assessment demonstrates that the site can be safely accessed by vehicles, cyclists and pedestrians via an appropriately designed access point on Radlett Road.

The Assessment confirms that the site is located within cycling distance of key social infrastructure and there are also existing public bus services in proximity on Radlett Road, providing an hourly service to Radlett Train Station (5 minute bus journey) Park Street Railway Station (7 minute journey) and St Albans (25 minute journey).

The development of the site, as set out in the proposals prepared by Mountford Pigott Architects,

is not anticipated to result in a material impact on the local highway network. The site is therefore considered to be suitable for development in terms of transport and highways.

Proposed concept masterplan

A concept masterplan has been prepared by Mountford Pigott Architects, which has been

informed by a detailed understanding of the site and surrounding area. This comprehensive site analysis is set out in the enclosed design document, along with a detailed narrative explaining how the site brief has been developed to respond to this context and setting out design principles for the masterplan.

The concept masterplan seeks to provide a mix of uses on the site, including up to 185 homes,

supporting employment and commercial uses and a small-scale community floorspace. Full details are provided in the enclosed design document, but in summary, the masterplan proposes:

- Up to 185 new homes, all of which would be discounted market sale
- Up to 35 new employment units, suitable for SMEs (a total of 6,800sqm employment floorspace)
- A café with outdoor seating (up to 275sqm)
- Flexible community floorspace (up to 425sqm)
- Approximately 12.5ha of public open space with enhanced public access and biodiversity enhancement
- Policy compliant car and cycle parking provision

The concept layout has been developed to provide development areas appropriate in terms of

flood risk, which will be connected through new vehicle, pedestrian and cycle routes and supported by open spaces, with the western part of the site dedicated to biodiversity enhancement. The illustrative layout is as follows:

Figure 4: Concept masterplan

Details of the character areas within the masterplan and indicative street and building typologies are set out within the enclosed design document.

A Landscape Strategy has been developed for the site by the Landscape Agency. The strategy for the eastern part of the site includes character areas including areas of native woodland, open green space with playspace and green and leafy streets with trees and planting. The strategy also incorporates attenuation features which will play an integral role in surface water management, with ponds and swales.

The western part of the site will be dedicated as public open space, with biodiversity enhancements, new habitats, rewilding and pedestrian access.

Overall the proposed landscaping strategy will provide significant opportunity for Biodiversity Net Gain (BNG) across the site.

St Albans Context Analysis

Housing Need and Supply

The Council has a significant unmet housing need, with a five-year housing land supply of only 2.2 years (as set out in the 2021 AMR) which equates to a shortfall of 3,195 market homes and 4,360 affordable homes. This situation is not anticipated to improve as the Council has failed to meet the Housing Delivery Test (HDT) since 2016/17 and is only able to demonstrate a supply of 395 affordable homes over the next five years.

The requirement for housing is acknowledged within the emerging planning policy and the Regulation 18 Local Plan identifies a need for 888 dwellings per annum, which equates to 15,096 new homes until 2041.

The Draft Local Plan Housing Trajectory identifies that 11,681 of these homes will be delivered through the draft site allocations, with the majority of these to be in Hemel Garden Communities (a programme to regenerate Hemel Hempstead town centre and 'growth areas') and 12 identified 'Broad Locations' (areas of significant urban extension). The distribution of these site allocations is focussed upon extending existing urban settlements.

There is a significant number of homes (2,880 in total, 180 per year) which are expected to be delivered through windfall sites. This is a significant number of homes, and there is a considerable uncertainty that these numbers will be achieved, given the Council's historic failure to deliver on housing. We consider that SACDC should seek to increase the number of homes delivered through site allocations to address this shortfall.

With regard to housing mix, the Regulation 18 Local Plan Policy HOU1 requires a mix of dwelling types and sizes to meet the needs of current and future households and confirms that the greatest opportunity to provide for the specific locally needed mix of housing is provided by housing sites with a capacity of 100+ units. We note that the River Junction site has capacity for 185 residential dwellings, and as such is well placed to respond to the specific housing needs of Colney Street and the surrounding area.

The emerging policy position seeks to secure 40% on-site affordable housing under Policy HOU2. The site is able to exceed this provision, with the concept masterplan based upon 100% of homes to be provided as discount market sale.

Housing Delivery

We note that the Draft Local Plan Housing Trajectory identifies a significant delay before any of the housing identified in the site allocations is delivered, with no completions estimated to take place before 2028. Up until this point, the Council is relying upon existing planning permissions and windfall sites to deliver housing. Although the annual housing requirement has been identified as 888 per year, the Trajectory indicates a stepped approach, with only 398 units to be delivered per year until 2026, rising to 710 per year until 2031 and then increasing to 1,200 per year. This means that the Council will not be meeting their annual housing targets until 2031. It is therefore essential that additional sites are allocated which can be delivered in the short to medium term.

The River Junction site currently comprises vacant land which is in a single ownership and can be delivered as soon as planning permission is achieved.

Employment Floorspace Need and Supply

With regard to current employment provision, St Albans lies within the Southwest Hertfordshire Functional Economic Area (FEMA). The 2019 South West Herts FEMA Economic Study Update carried out for the relevant local authorities (the '2019 Update') concluded that there is a very limited supply of office space in St Albans, which acts as a significant barrier to growth and investment, and will make it increasingly difficult to attract and retain growing businesses. There is a requirement for 188,000sqm of additional office space and 481,500sqm of industrial space between 2018 and 2036 within Southwest Herts as a whole, which equates to 39,500sqm of office floorspace and 75,900sqm of industrial floorspace within St Albans.

The need for a significant amount of employment floorspace is acknowledged within the Reg 18 Local Plan, which identifies Protected Employment Areas and new industrial and business locations in East Hemel Hempstead and the Radlett aerodrome. The Local Plan notes that the District has experienced a loss in office floorspace in recent years due to Permitted Development Rights allowing residential conversions.

While the Local Plan suggests that the allocated employment sites will result in an oversupply of floorspace, we note that the Plan is relying upon the delivery of the Strategic Rail Freight Interchange at the former Radlett aerodrome to achieve this floorspace provision. Policy EMP2 acknowledges that this may not be delivered, stating there is only 'a reasonable prospect that the SRFI will be

delivered during the Plan period', and the FEMA Study Update states 'there is still significant uncertainty about whether this development will go ahead'. Without the delivery of the SRFI, there appears to be a significant undersupply of employment floorspace. We therefore believe that the Council should seek additional site allocations to address this shortfall, and that the inclusion of 6,800sqm of employment floorspace at River Junction would significantly contribute towards this need.

River Junction Site Allocation

There are numerous benefits associated with allocating the site at River Junction for a mixed- use development. as follows:

Site suitability

The site is clearly suitable for mixed-use development, as demonstrated within the submitted reports; notably the detailed site and surrounding area analysis undertaken by Mountford Pigott, the Green Belt Assessment prepared by Bryant Landscape Planning, the Flood Risk Statement prepared by Canham Consulting and the Transport Assessment prepared by Markides Associates.

Availability of site for development

The site is in a single ownership and is available to be developed immediately. A scheme could be delivered quickly and within minimal delay, subject to obtaining planning permission.

Provision of housing and affordable housing

There is an identified need for housing within SACDC, and while the Local Plan goes some way to addressing this, it places significant reliance on the delivery of windfall sites. In addition, the current site allocations do not result in the substantial delivery of homes until 2031, due to the nature of these allocations (namely the large-scale of the urban extension sites and the timeframe taken to achieve planning permission for such schemes).

The site at River Junction is able to provide a significant contribution towards the identified housing need, with the provision of 185 affordable homes. The nature of the site (which is available for development) and the advanced stage of the concept masterplan development means that a planning application for the proposals could be submitted without delay and the scheme delivered quickly.

Provision of employment and jobs

The Draft Local Plan identifies a requirement for a substantial amount of employment floorspace, however it relies on the delivery of the Strategic Rail Freight Interchange at the former Radlett aerodrome to achieve the required employment floorspace provision, and the Plan itself identifies that there is a high level of uncertainty associated with the delivery of the SRFI.

The concept masterplan for River Junction includes a significant quantum of employment floorspace which would contribute towards this identified need, and could be delivered with minimal delay, providing employment and benefitting the local economy.

Provision of supporting retail/community facilities

The concept masterplan includes the provision of community floorspace, comprising a small shop to provide a valuable amenity for residents and employees.

Provision of public open space and BNG gain

The concept masterplan proposes a significant quantum of public open space, with over 12.5ha; far in excess of draft policy requirements.

The Landscape Strategy for the eastern part of the site includes character areas including areas of native woodland, open green space with playspace and green and leafy streets with trees and planting. The Strategy also incorporates attenuation features which will play an integral role in surface water management, with ponds and swales.

The western part of the site will be dedicated as public open space, with biodiversity enhancements, new habitats, rewilding and pedestrian access.

Overall, the landscape strategy will result in significant Biodiversity Net Gain across the site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Consideration of our client's site, River Junction, within the Site Selection and Allocation 2024

Summary

This submission has clearly demonstrated that the site at River Junction is suitable for development, and that the allocation of the site for housing and employment uses would make a significant contribution towards the identified need for these land uses within SACDC,

There are numerous benefits associated with allocating the site at River Junction for a mixed-use development, including the provision of housing and employment floorspace in a sustainable location within a well-considered scheme which will deliver significant BNG gain.

We therefore request that the site is allocated within the St Albans Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SACDC Regulation 19 Representations - River Junction_[R].pdf
2. Design Document_[R].pdf
3. Landscape Strategy_[R].pdf
4. Transport Assessment [R].pdf
5. Flood Risk Note_[R].pdf
6. Green Belt Assessment_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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32 - John Whiting

Submission Number: 32 Submission Date: 27/10/24 09:00

Respondent: Radlett Society & Green Belt Association (RSGBA) John Whiting

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

Various

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We are encouraged to see suitable mention of the 'Duty to Cooperate' with neighbouring boroughs on 'strategic planning matters' (para 1.9). We hope this is interpreted to mean cooperation on all matters that cross or impact boundaries. If St Albans is to designate a major site on Harper Lane as suitable for development, this must be carried out in liaison with Hertsmere and Aldenham Parish Council, as any such development will have a significant impact on Radlett, as the neighbouring settlement, and hence Hertsmere. This liaison must include joint consideration of infrastructure issues, together with the impact on schooling, shopping and medical provision, and of course transport aspects.

Leading on from that, we note that para 1.13 says:
'The Local Plan must be read in conjunction with the statutory Local Transport Plan (LTP) prepared by the Local Highways Authority, Hertfordshire County Council.'
We find it a little surprising that the Local Plan and Local Transport Plan are seemingly prepared independently. Surely there must be an obligation to prepare them in conjunction?

We commend the list of Objectives at para 1.28. These seem appropriate in range and number. We do wonder if all the objectives are in effect equal or does St Albans see some as more important than other? To put it another way, if a proposed development or other action in favour of one objective goes against another objective, what mechanism is there for resolving the conflict?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. RSGBA ltr to St Albans re draft Local Plan Oct24 (002)_[R].pdf

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CE2 - Renewable and Low Carbon Energy

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Chapter 2 gives appropriate coverage to the Climate Emergency. However, whilst the listing at CE2 does mention solar power, it does not, to us, make it clear that the Council will support – or indeed call for – solar panels on all new housing and encourage their fitting to existing housing. Can that be made more explicit – or explained if it is not the case?

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Paragraph

Number:

3.5

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We naturally welcome the clear support for the preservation of the Green Belt at para 3.5; the processes outlined in LG5 & LG6 are helpful. We do think, however, that there needs to be stress on the reasons for the Green Belt, including in particular the prevention of nearby settlements merging. This to us is a key principle that must be part of Local Plans.

LG5 - Green Belt

Comment Number: 4

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We naturally welcome the clear support for the preservation of the Green Belt at para 3.5; the processes outlined in LG5 & LG6 are helpful. We do think, however, that there needs to be stress on the reasons for the Green Belt, including in particular the prevention of nearby settlements merging. This to us is a key principle that must be part of Local Plans.

LG6 - Green Belt Compensatory Improvements

Comment Number: 5

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We naturally welcome the clear support for the preservation of the Green Belt at para 3.5; the processes outlined in LG5 & LG6 are helpful. We do think, however, that there needs to be stress on the reasons for the Green Belt, including in particular the prevention of nearby settlements merging. This to us is a key principle that must be part of Local Plans.

Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure

Comment Number: 6

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We applaud the importance attached to 'Blue infrastructure' and flood risks.

Chapter 11 - Historic Environment

Comment Number: 7

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The coverage of the historic environment is also very good; we accept that historic aspects cannot be an automatic 'trump card' to prevent any development, but it is vital to ensure that full and careful consideration is given to these aspects – and of course that all relevant sites are properly logged.

DES6 - Building Heights

Comment Number: 12

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The commentary about building heights in 12.19 and related paragraphs is welcome. However, we do wonder if there need to be more said about adding an additional storey to some buildings. Would a third storey be acceptable on a block of shops with flats above? Or a fourth storey on top of an existing three storey block? (Always assuming the structure is appropriate of course.)

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. RSGBA ltr to St Albans re draft Local Plan Oct24 (002)_[R].pdf

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Part B - Local Plan Sites

Comment Number: 11

Type:

* Site

Number:

Existing development site

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

As a final point, we find it curious that there is no mention in the documents of the Harperbury development by Bloor Homes. The site straddles St Albans and Hertsmere (about 2/3 in St Albans). It makes sense to continue development on this site it but it needs some local facilities (a few shops) and proper consideration of transport links (as mentioned in the previous paragraph, the roundabout on Harper Lane to Shenley and to London Colney is already congested and needs improvement; the impact on the Harper Lane bridge; establishing a proper bus route). In simple terms, this site needs proper strategic planning consideration given to it rather than just being left to grow randomly or just left.

B6 - West of London Colney, AL2 1LN

Comment Number: 10

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We note the welcome proposal for a new secondary school and a new primary school to be built in London Colney on the large site south of Napsbury Park. We have long argued that Radlett warrants a secondary school and having a new school at least reasonably close to Radlett would help (and also help Shenley and Borehamwood). It would, though, add further to the traffic along Harper Lane and over the rail bridge; it would also add to the existing congestion at the B556(Harper Lane)/B5378(Shenley Lane) roundabout.

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We are naturally focussed on Site B8, the 'Ivory's' site on Harper Lane. This is identified as having the potential for a significant number of houses (274) which would make a material difference to Radlett which, although in a different borough, would be the natural destination for the services that the new residents would require. It is therefore crucial that any development of this site is done in liaison with Hertsmere.

We have commented before about this site. To summarise our concerns:

- It is currently an active business site; what happens to the variety of businesses operating there? Surely there is a risk to employment from turning the site over to housing?

- Although much of the site would be ranked as 'brownfield', it is surrounded by Green Belt land and would need to be properly screened off from the Green Belt. Indeed, the full development seems to include some Green Belt land; this does not seem to pass the 'Very Special Circumstances' necessary for building on Green Belt.

- Access to the site, if development proceeds must not be across the fields to streets such as The Avenue and The Warren in Radlett; that would be unacceptable and destroy the Green Belt in the area.

- The proposed development risks eroding significantly the remaining green gaps between Radlett and settlements to the north. This would especially be the case if the whole proposed site, including Green Belt, were developed.

- Transport is key and we welcome the acknowledgement that development would need proper investment in cycleways along Watling Street into Radlett.

However, the key issue with the site is the Harper Lane railway bridge which is very close to the exit from the site. This single carriageway bridge is already a bottleneck and should have been improved when the Harperbury Hospital site redevelopment started. The additional traffic generated by the proposed new site would exacerbate this and has the potential to cause significant blockages and risks to pedestrians and cyclists trying to cross the bridge.

The comment in the site development requirements says that:

"3. Support for enhancements of the junction of the B556 and A5183 will require attention due to capacity and constraints."

This massively understates the issue. It must surely be a prerequisite for any development proposal that there is a replacement bridge. It is not acceptable for this to be left to the Highways authorities: it needs to be clearly tied to development of the site and if the bridge cannot be improved (or of course another, separate bridge across the railway installed) then the development cannot proceed. This is a matter of safety and must outweigh a simplistic approval for a brownfield site.

We have to point to the Radlett aerodrome development which has the potential to generate a lot more heavy traffic over the Harper Lane bridge as lorries seek to access the M25 (given that this supposed railfreight/distribution depot is in the nonsensical situation of having no direct motorway or rail access access). Again, it points to the crushing need to solve the problem of the Harper Lane bridge before any development can take place that puts extra strain on it.

We note the reference (at point 5) that development "…should deliver enhancements that would better reveal the significance of the Grade II Listed Harper House; this may include the creation of open space between Harper Lane and the frontage of the Listed Building and adjacent Coach House to better reveal their significance." We just wonder how practical that is if it means the frontage of the new development is pushed back from Harper Lane.

33 - Mr Nigel Smith

Submission Number: 33 Submission Date: 28/10/24 09:00

Respondent: North Hertfordshire District Council Mr Nigel Smith

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The St Albans draft Local Plan sets a target of 14,603 new homes or 885 dwellings per annum (for the period 1 October 2024 to 31 March 2041). This figure is based on the current standard method for assessing housing need. Under the draft consultation NPPF 2024, the standard methodology is proposed to change and the new housing target for St Albans is likely to rise to 1,544 dwellings per annum (above the 200-home threshold in the proposed transitional arrangements). St Albans should consider how they might accommodate this additional growth.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHC Officer Response to St Albans LP Reg 19 Consultation_Oct24_[R].pdf

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COM1 - Education

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy COM1 (Education) states that major development will be required to make appropriate provision for new schools and the Plan makes provision for Secondary Schools (e.g. at East of Hemel Hempstead, St Albans and London Colney). We note that a growth of around 1,427 new dwellings is proposed in Harpenden, but no provision is made for a new secondary school there. Residents in Kimpton and Blackmore End in North Herts currently rely on Secondary School provision in Harpenden. Therefore, we are concerned that the additional growth proposed in Harpenden may lead to under provision in secondary school places for North Herts residents.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Clarification of this point would be appreciated.

Chapter 8 - Transport

Comment Number: 4

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The Council should consider the cumulative impacts of Local Plan allocations, North Herts sites (east of Luton and Codicote) and the expansion of Luton Airport (both the consented expansion to 19mppa and the to-be-decided expansion to 32mppa) on traffic through the villages within the rural area east of the A1081, north of the A1057, west of the A1(M) and south of the A505. This area has poor transport provision for all modes.

B2 - North East Harpenden, AL5 5EG

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The northeast Harpenden site (B2) allocation for 738 homes would benefit from the inclusion of a requirement to provide support for bus provision in the rural area north-east of Harpenden to offset car trips generated by the new development. This would help reduce traffic in Harpenden and also benefit local villages such as Kimpton and Blackmore End in North Herts.

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34 - Ian Spary

Submission Number: 34 Submission Date: 28/10/24 16:09

Respondent: Ian Spary

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is clear the Council have completely dismissed both mine and the huge number of others objections to this which completely defeats the point of your feedback request. You have completely ignored ANY and ALL feedback and simply responded with standard non sensical responses. Hundreds of valid points on why this land should not be built on were raised and they have all been completely dismissed without any process by flimsy copy and paste remarks.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This land (Watling Street site L2) is totally unsuitable for development. It is valuable greenbelt and should not be sacrificed whilst there is ample bown field sites that coudl be developed on. This has been ignored by the planning officers that have failed to follow Arup's green Belt Review and as a rseult have ignored vital comments in the Regulation 18 process.

Watling Street site L2 was rejected by planning in January 2024. This raises the question of why it has been included in the Regulation 19 process?

A large number of people objected to the inclusion of Watling Street site L2 so I fail to see why this is still being included int he Regulation 19 process

To top this off the Watling Street site L2 is totally inappropriate for development. There isn't a valid traffic assement, no consideration has been taken intot he account fo the SFRI that will add over 10,000 vehicle movements a day. The roads are already over capacity and the site is on very busy roads next to the most dangerous and difficult roundabout in the county, if not the whole UK

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

35 - Mrs Emma Hart

Submission Number: 35 Submission Date: 28/10/24 16:23

Respondent: Mrs Emma Hart

B1 - North St Albans, AL3 6DD

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This section is not sound. The site in question fulfils an important criteria of the Greenbelt in preventing sprawl between settlements.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This site is not a sound choice. It has been recognised that access cannot be via Amwell Lane and therefore any access would have to come via encroachment on yet more green space. Furthermore this site fulfils an important Greenbelt function of stopping sprawl between settlements.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M17 - North of Wheathampstead Road, Harpenden, AL5 1AB

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This site is not sound. It forms a critical green space around a protected heritage dwelling. It also sits in an area already oversubscribed in terms of car traffic, and next to a school which should provide cause for concern in terms of increased air pollution and increased traffic and risk to the pupils.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M20 - Lower Luton Road, Harpenden, AL5 5AF

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Fundamentally an unsound choice. In a flood zone, opposite a school resulting in increased traffic and risk to the pupils, and in an area which requires the Greenbelt to fulfil its function of stopping sprawl between settlements.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This site would be fine provided that the requirement were added to retain the existing number of parking spaces either by creating a multistorey or going underground. Losing parking spaces within the Harpenden business district is insane - it will result in a loss of traffic to the restaurants and shops and fundamentally endanger the town's ability to thrive.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This site would be fine provided that the requirement were added to retain the existing number of parking spaces either by creating a multistorey or going underground. Losing parking spaces in the train station carparks is ridiculous. Harpenden has a significant commuter population and the rate of return to office working is only going to continue to increase post Covid. The car parks are already almost back to full capacity on most days during the week.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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36 - Mr Duncan Lewis

Submission Number: 36 Submission Date: 29/10/24 09:32

Respondent: Emmaus Hertfordshire Mr Duncan Lewis

HOU2 - Affordable Housing

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

It is good to see that the plan addresses the huge need in the district for greater provision of affordable housing. Without this those looking to live independently and work in important, but modestly paid roles in the 'everyday economy' along with key workers in the social and voluntary sectors are forced out of district. The ability of organisations in those sectors to function effectively is then compromised, to the detriment of the district as a whole.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

37 - Miss Catherine McNeill

Submission Number: 37 Submission Date: 29/10/24 12:16

Respondent: Miss Catherine McNeill

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As paragraph 6.8 on pg62 points out during COVID there was a rise in online shopping. This has had a knock-on effect in terms of noise, as per household more people are having more items delivered. In high density areas with flats, this means the noise implication is getting really bad. Deliveries can begin at 6.30am and end at 10.30pm Monday-Sunday. This is not conducive to reducing noise pollution in high density areas or indeed any area. The policy could encourage a limitation on hours, say 8am-9pm at night. These are reasonable hours. Also, make housing less dense, as less people means less deliveries.

In terms of transport and parking, this entire local plan nseems to be written from the male point of view. It is therefore not inclusive.

[redacted], 24/7/365 I have to think about my safety. I now don't use public transport for safety reasons. I only walk or cycle in daylight hours. If I have to take a journey more than 1 mile and for work or lots of shopping, I'll use my car. I only use my car for all work journeys as not safe on public transport. Also, don't earn enough to use public transport.

ITV News commissioned a survey recently which said that 81% of young women aged 18-25 feel unsafe walking home in dark. I'm older, but I haven't felt safe for about 25 years walking in the dark. [redacted]

Women need parking. We can't reduce our reliance on cars, as we're not safe. There's an epidemic of violence against women.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Take into account women's point of view for safety and need to use cars. Unless of course, men will be on a curfew for night-time hours.

Reduce density of housing. Reduce delivery hours for online and home-delivered food shopping, which is incredibly noisy delivery process.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To make sure women's views are included.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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38 - Mr Chris Robb

Submission Number: 38 Submission Date: 29/10/24 18:14

Respondent: Mr Chris Robb

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[redacted]

B3 – West Redbourn, Redbourn AL3 7HZ

There are many reasons why I think this proposal will be a bad idea for the village. These are the main ones:

1. **Metropolitan Green Belt** – This should be sacrosanct and not interfered with unless the proposal improves the area. This proposal certainly does not. Green Belt is justified as a buffer to separate existing villages and towns. The new plan on green belt land would see Hemel Hempstead and Redbourn almost merge to create an urban sprawl. This would be undesirable to the extreme. Using the M1 as an artificial buffer is not acceptable.

There are better sites in the St Albans District Council area to build new homes on. There is little mention of brownfield sites. Surely they would be a better option. The area around Leavesden aerodrome for example.

2. **Loss of Agricultural Land** – We are seeing food sourced from abroad increasing hugely in price over the past year. As a nation we need to become more self sufficient. To promote this, our agricultural land needs to be protected.
3. **Access to the site –** The proposal discusses the impact on Flamsteadbury Lane and Lybury Lane, but there is no mention of Mansdale Road or Ben Austins which are adjacent to the site. There is also no detail about access to the site. The surrounding roads are not built to cope with potentially an extra 1,200 cars.
4. **Highways considerations in development control** – St Albans District Council should want to make sure the roads in the surrounding area are suitable for the amount of traffic that will be generated. This applies not only to the vast increase in car numbers, but also the construction traffic which may have to go around the Common (**Protected Common Land)**,

as well as Flamsteadbury Lane and Ben Austins. An extra 593 homes would mean at least another 1,200 cars and possibly more. The surrounding roads are not built or capable of supporting this.

Furthermore, issues with the M1 are increasing. When this happens traffic comes off at junction 8 and goes around the Redbourn ring road to junction 9. It is gridlocked currently at least twice a week. Many drivers cut through the village as a 'shortcut'. Adding an additional 1,200 cars to the area is only going to worsen the situation.

5. **Access to the site –** The proposal discusses the impact on Flamsteadbury Lane and Lybury Lane, but there is no mention of Mansdale Road or Ben Austins which are adjacent to the site. There is no detail about access to the site. The surrounding roads are not built to cope with potentially an extra 1,200 cars.
6. **Noise & Traffic Pollution –** Following on from the increased number of cars, the levels of noise and traffic pollution would increase significantly and negatively impact the village in a serious way.
7. **Affordable Housing –** This is generally defined as being 80% of the local market value. Given that the average house price in the surrounding area are £660,000+ I would suggest that £528,000 is hardly affordable for a number of families. Details on 'affordable housing' are misleading.
8. **Loss of Privacy –** Living on [redacted] means we face the proposed site. If this project goes ahead then we will lose privacy as we will be overlooked.
9. **Environmental Impact** – There is an oil pipe running underneath this field, from Humber to Heathrow. Building on top of this is a concern in itself. Buncefield is still fresh in many residents minds. The air quality and noise pollution for the homeowners, who would be living right next to the M1 would be unacceptable.
10. **Infrastructure –** The Village is already at capacity for doctors and schools. There is little detail in the plan about additional resources being available. There would need to be concrete details regarding the provision of extra schools, doctors and extra infrastructure. The additional strain on existing local services would be intolerable.
11. **Site Location –** This site will not stimulate the local economy as the site is too far away from Redbourn High Street. Residents are more likely to drive out to Hemel Hempstead because of its proximity.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan Proposal Objections - Sep 23_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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39 - mr kenneth arnold

Submission Number: 39 Submission Date: 31/10/24 11:32

Respondent: mr kenneth arnold

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site allocation B8; greenbelt land off Harper Lane.

1. the site is as indicated green belt land; the proposal would add to ribbon development which haphazardly decreases the amenity available to people living in the vicinity and raises living density in the area which is and should remain primarily rural

2. The roads are narrow and the proposal neither takes into account the needs of the anticipated new residents(there are no shops, places of worship, schools or other amenities in the immediate vicinity) and will increase traffic on what is a two lane road with just one lane traffic controlled at the junction with Watling Street where there are already traffic hold ups and accidents (one of which recently lead to the closing of the junction for weeks).

3. The proposal envisages that there will ne access or public rights of way over private roads namely the Warren, The Avenue, Beech Avenue, The Heath, Paddock View , Hill Croft, Park Avenue and Longridge and likewise it envisages access through adopted roads such as Lodge End, The Dive and Shenley Hill . Private rods have their upkeep contributed to by the residents who use them and will result un an unfair burden being placed on those residents. Some properties are on or almost on the roads themselves such as Avenue Farm on the Avenue whose owners will be unduly affected by extra traffic (personal, cycle and car). The rods risk being made rat runs and given that there are no pavements will add to risk to children who play and cycle on them. Some (such as Longridge) are one lane only and cannot be suitable for further access. The homes are already high risk for burglary and other petty crimes and will become more so with the further general use envisaged of them .

4. The land at the back of the Warren/ Longridge etc is agricultural land and that should be preserved and valued as such

5. There are other proposals such as the building of 180 houses or so between Shenley Hill and Borehamwood which already risk if approved making Radlett a mere offshoot and continuation of Borehamwood and it losing its individual character as a small rural town and this proposal accentuates or adds thereto risking making a rural community just one part of a sprawling urban area

6. There are many sites within the urban area of St Albans ripe for development and further afield such as Potters Bar also

7. There has been insufficient attention given to grey sites, to sites already developed which could be further developed and in doing so improved which are nearer to amenities such as places of worship, shops and restaurants and leisure activity areas and sites

8. An example of the above is the small retail park off the North Orbital road at present home amongst other thigs to a cinema complex; that could be further developed to provide housing.

9. Whilst a smaller housing development could in theory be accommodated off Harper Lane that would be cut off from proper amenities, encourage the use of cars and not provide a decent environment for people to live, to work in the area without having to use cars and other means of transport

10. if contrary to my submissions this is approved it should be without the use of or access to local at present unadopted roads whether for cycle or pedestrian or vehicular use

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

please see above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

all objectors should have the right to be heard

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

40 - mrs corinne fishman

Submission Number: 40 Submission Date: 31/10/24 12:55

Respondent: mrs corinne fishman

B6 - West of London Colney, AL2 1LN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In Local Plan Objectives (1.28), under the section Climate Change and Spatial Preferences it refers to the need to 'Prioritise the effective use of land by locating new development on previously developed land first, where appropriate; and protecting and enhancing the Green Belt'. On this basis, why does the plan for development to the West of London Colney (B6) include a proposal for access from the new development for pedestrians, bicycles and vehicles through Grade 2 historic parkland in Napsbury Park when access can be accommodated through the site to Shenley Lane? Enhanced access through the parkland is likely to incur the destruction of areas which have been designated as having Tree Preservation Orders and will significantly alter the existing character of the parkland with potentially thousands of people using the park to access the school and housing area. This access road contravenes the overall guidance stated in 1.28.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

No additional access routes should be provided through Napsbury Park to the proposed development. All access routes should be provided directly to Shenley Lane.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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41 - mrs corinne fishman

Submission Number: 41 Submission Date: 31/10/24 15:17

Respondent: mrs corinne fishman

B6 - West of London Colney, AL2 1LN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In Local Plan Objectives (1.28), under the section Natural and Historic Environment, there is a reference to the Natural Environment and Biodiversity which stipulates 'Protect, maintain and enhance the natural environment, including biodiversity, the landscape, green infrastructure and our waterways'. Any felling of trees which have a TPO against them and destruction of woodland in Napsbury Park as documented in B6 could result in the destruction of protected species such as bats which regularly fly over the tree canopy. A full assessment needs to be conducted by a licensed ecologist and arboriculturist to ensure that you're not destroying a bat habitat and acting illegally.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A full assessment needs to be conducted by a licensed ecologist and arboriculturist to ensure that you're not destroying a bat habitat. Government guidance states that 'All bat species, their breeding sites and resting places are fully protected by law'. https://www.gov.uk/guidance/bats-protection-surveys-and-licences

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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42 - Mr Alan Mason

Submission Number: 42 Submission Date: 31/10/24 16:17

Respondent: Mr Alan Mason

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Table

Number:

1.1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The consultation process was not undertaken with any intention to take feedback and therefore was not proper consultation. As a resident of Redbourn I went to the Reg 18 public consultation meeting on 4/9/23. There were no District Councillors present. There was only one employee from the District Council present. He wasn't taking any notes. He couldn't answer questions on why, for instance, the Rothamsted site had been excluded when they had put themselves forward (he said they he thought they hadn't, which we know from speaking to Rothamsted representatives is not true). He couldn't explain why the plan disproportionately affected Redbourn as he wasn't involved in those discussions. The plan more than doubles the Redbourn population with inadequate infrastructure proposals (in particular, the narrow roads in and around the village that cannot sustain regular 2 way cars, the impact on Harpenden rail station where car parks are already full mid-week, and the lack of regular 7 days a week bus services to St Albans and, in particular, Harpenden). Before we could ask further questions on subjects like, what account had been taken of the Redbourn Neighbourhood Plan that had been adopted in a vote by residents the previous May, or how more cycling and walking paths would benefit our local population given that it is disproportionately elderly compared to national averages, he walked out!! He said he wanted a break. I don't know if/when he came back but I was there for a further 20 mins and saw nothing more of him.

It is also quite clear from the fact that little or no change has been made between the Reg 18 draft and the Reg 19 draft that none of the written submissions were properly considered. Indeed, there are rumours that the Council Leader wants to retire and so instructed the other Councillors to carry on the process unchanged as having to re-draft the plan would set his retirement plans back!!

The National Planning Policy Framework prohibits councils from meeting housing needs in full where doing so would mean building densities are significantly out of character with the existing area. The proposals for Redbourn - more than doubling its population without commensurate changes to infrastructure, would at the very least destroy the character of the village. Moreover the plan does not provide sufficient justification for the use of Green Belt land, The National Planning Policy Framework requires the plan to "fully" evidence and justify the use of Green Belt land and explain the "exceptional" circumstances - including the absence of viable alternatives - that have lead to these proposals. The Plan has not done this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

This plan needs to be re-drafted from scratch, taking proper account of the feedback submitted to date, and ensuring it is properly consistent with the National Planning Policy Framework and the adopted Neighbourhood plans. The planning process should follow applicable rules, regulations and legal requirements in substance as well as form, which has not been the case to date.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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43 - Dr Michelle Styles

Submission Number: 43 Submission Date: 31/10/24 18:47

Respondent: Dr Michelle Styles

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I have objected to this proposal on a number of occasions, primarily on the grounds of traffic which is absolutely horrendous. However, I am disappointed to see that my valid concerns have, essentially, been dismissed with the vague response that Herts Highways will carry out a traffic assessment. I cannot see that any traffic assessment has been carried out to date. Any resident of Watling Street will tell you that most days of the week, the traffic queue to the Park Street roundabout tails back all the way into the village (just ask us residents for Ring doorbell footage if you need evidence!). There is no point in asking residents to comment on proposals when you blatantly ignore or dismiss our valid concerns. Many residents have raised concerns about the traffic here but all have been dismissed. In addition, the effects of the new Strategic Rail Freight Terminal do not seem to have been taken into consideration. This will generate much more traffic along the A5183 past site L2 than we already have - please tell me how any traffic assessment has accounted for these extra vehicle movements?

In addition, I believe there are serious flaws in the Regulation 18 consultation process. Firstly, I was not aware that there was a consultation about site allocation in the Local Plan last year - what was your process for ensuring that local residents were informed and had the opportunity to comment? I have now learnt that it is too late to object to site allocation - how is this a fair and equitable process? The Green Belt locations identified in the Plan have been driven by developers who have just randomly earmarked any piece of land that looks like it hasn't already been built on. There has been no systematic process to identify suitable land to build on and certainly traffic has not been considered when identifying land.

Having looked in detail at the planning officers' responses to comments relating to criticism of the Arup Green Belt review, I see that the standard response has been, “The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration”. However, I believe that Planning Officers have not scrutinised the Arup Green Belt Review and consequently have ignored comments in the Regulation 18 process.

I can see from the comments that many people, myself included, have objected to the inclusion of the Watling Street (L2) in the local plan last year. An application to build houses on this site was, rightly, rejected by the Council In January, as it fulfils the purpose of Green Belt. Therefore I am baffled as to why site L2 has been included in the Regulation 19 process.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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44 - Dr Daniel Fishman

Submission Number: 44 Submission Date: 31/10/24 22:11

Respondent: Dr Daniel Fishman

B6 - West of London Colney, AL2 1LN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As a resident of Napsbury Park, I wish to raise several significant objections to the proposal to provide access to the new developments in B6. Why does the council wish that *"safe and attractive site access for pedestrians, bicycles and vehicles must be provided that connects through and outside the site via Napsbury Park."*?

The Council's Local Plan ignores the Grade II listed nature of the Parkland, subjecting the grounds to wholly unnecessary additional pedestrian, but especially car, traffic. The plans would entail widening existing roads, with the potential destruction of trees, all of which in the Park have TPOs, damaging the habitat of bats and other local wildlife, and significantly impacting upon the domestic and social amenity of the residents of the Park, who moved there for the express reason of living in peaceful parkland.

The Local Plan Objectives 1.28 (Natural and Historic Environment) make reference to 'Protect, maintain and enhance the natural environment, including biodiversity, the landscape, green infrastructure and our waterways'. Allowing access to an area of 324 residential units, and an 8FE school, would result in a significant increase in traffic through the Park, to its detriment, and the detriment of its residents. These residents - through their service charges to the managing agents - pay for the maintenance and upkeep of the Park, which would be jeopardised by these unnecessary access plans.

The Council have ignored the Conservation Area Character Statement for Napsbury Park (February 2019), notably 10.5: *"Careful consideration should be had for any proposed development outside the Conservation Area that could impact on its setting as historic parkland."*

There is no justification whatsoever for adapting the Park for access to the new development, when plenty of access sites can be constructed on Shenley Lane.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Key development requirement point 3 for B6 should be amended to replace the requirement for any access to the new development through the Grade II historic Napsbury Park. This will mitigate against the potential damage to the Park. Instead, point 3 should require that adequate access is developed to enter the new site from Shenley Lane alone.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Napsbury Conservation Area Character Statement_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As a resident of Napsbury Park, I am extremely concerned about the impact on the Parkland, its wildlife and biodiversity, which the significant increase in pedestrian, cycle and motor vehicle traffic would bring, if *"safe and attractive site access for pedestrians, bicycles and vehicles"* was allowed to go ahead.

In addition, my house is immediately adjacent to the road proposed for adaption to allow this access to occur. Therefore,mine and my families domestic amenity would be directly impacted by such a change to the character of the Grade II listed Historic Parkland. Hence I consider it essential that I am allowed to participate in the hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

45 - Mr Barry Silverman

Submission Number: 45 Submission Date: 01/11/24 13:10

Respondent: Mr Barry Silverman

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I feel that the concerns, objections and previous comments of local people have been treated in a dismissive way by the council. Our concerns have not been addressed and it's as though the council are just paying lip service and going through the motions of asking for comments, having already made their minds up.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

46 - Mr Barry Silverman

Submission Number: 46 Submission Date: 01/11/24 13:30

Respondent: Mr Barry Silverman

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

There have been a lot of objections to the Watling Street site L2 being included in the plan already. I don't understand how this L2 site is still being considered seeing that the planning permission was rejected. it makes not sense to include the L2 site in the Regulation 19 process.
I would also say that the I am not convinced that the correct approach has been taken to asses traffic. There were lots of questions raised as to the validity of the traffic report. I would also say especially, that no thought has been given to the increase in traffic from the Rail Freight.
The location of the Watling Streel L2 site in beside the dangerous Watling Street roundabout and alongside two congested roads. I just don't think the correct weight has been given to the current heavy traffic on Watling Street.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

47 - Mrs Sylvia Calvert

Submission Number: 47 Submission Date: 01/11/24 15:46

Respondent: Mrs Sylvia Calvert

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Proposed development B8 is not compliant because

1.It is for a large development on Green Belt land.

2. Part of the site is in a high Flood Risk area

3. It will significantly increase demand for public services in Radlett, whereas residents of the development will pay Council Tax to St Albans

4. Access into Radlett for pedestrians or vehicles via the southern boundary of the site is into a network of unsuitable residential roads which are poorly lit and do not have pavements

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

48 - Mr Rodney Allen

Submission Number: 48 Submission Date: 01/11/24 16:26

Respondent: Mr Rodney Allen

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As I originally requested the planning team take note of, but was IGNORED! With the strategic rail freight terminal now being build, the traffic assessment that was conducted is NULL and VOID (if it did indeed even take place?!). It does not take into account all the extra traffic that will come from it in the years moving forward. It was agreed that there would be a further traffic assessment, but that has not been done either! It is estimated approx 10,000 additional vehicle movements will come from the STRIFE along Watling Street past reference L2 - what traffic assessment has been undertaken to account for this??

If you do not carry out this assessment then the development CANNOT be allowed to move forward.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

You MUST carry out a correct and proper assessment of the traffic, taking into account the new Strategic Rail Freight Terminal which is being built just a couple of hundred metres from this proposed L2 new development. To not carry out a correct and proper assessment MUST be deemed non-compliant.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. R Allen 1 -11 - 24_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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49 - Ms Liz Wall

Submission Number: 49 Submission Date: 02/11/24 10:05

Respondent: Resident Ms Liz Wall

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Whilst the intent of the draft St Albans Local Plan 2041 is generally good, I do not agree to converting current car parking in Harpenden into housing sites.

The objective to build over the car parks in Harpenden will surely destroy the currently thriving and sought after centre of Harpenden. Harpenden and surrounding areas are currently a desirable place to live predominantly because it is an attractive town with fast rail links to London so that people can live in a countrified area whilst working in the city. If the Harpenden Railway Station Car Park (UC54) is turned into housing and there will be nowhere for commuters to park, which will eventually lead to people moving away from Harpenden and its inevitable decline.
Additionally, if the town centre car parks at Waitrose (UC14) and Bowers Way East (UC15) are no longer available, then people will not come to do their main shop in the town and will shop at out-of-town centres or elsewhere. This initiative combined with the St Albans City and District Council plans to enforce addition street parking fees in Harpenden will mean there is nowhere to park which will cripple local businesses. It is disappointing that the council have not learnt from previous similar initiatives that have resulted in killing the local community and facilities in towns and villages around the country. Shops are already struggling to compete with the internet for customers and so the reduction of parking opportunities with only add to their burden.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I do not agree to converting current car parking in Harpenden into housing sites. Please remove plans to build housing on car parks UC14, UC15 and UC54.

The objective to build over the car parks in Harpenden will surely destroy the currently thriving and sought after centre of Harpenden. Harpenden and surrounding areas are currently a desirable place to live predominantly because it is an attractive town with fast rail links to London so that people can live in a countrified area whilst working in the city. If the Harpenden Railway Station Car Park (UC54) is turned into housing and there will be nowhere for commuters to park, which will eventually lead to people moving away from Harpenden and its inevitable decline.
Additionally, if the town centre car parks at Waitrose (UC14) and Bowers Way East (UC15) are no longer available, then people will not come to do their main shop in the town and will shop at out-of-town centres or elsewhere. This initiative combined with the St Albans City and District Council plans to enforce addition street parking fees in Harpenden will mean there is nowhere to park which will cripple local businesses. It is disappointing that the council have not learnt from previous similar initiatives that have resulted in killing the local community and facilities in towns and villages around the country. Shops are already struggling to compete with the internet for customers and so the reduction of parking opportunities with only add to their burden.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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50 - mr David Mears

Submission Number: 50 Submission Date: 02/11/24 12:55

Respondent: Decorascene ltd mr David Mears

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

it seems all of the objections get answered with a generic response,

seem to be wasting our time when all we get is dismissed on the subject.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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57 - Mr & Mrs Roger Gibbs

Submission Number: 57 Submission Date: 03/11/24 13:16

Respondent: Mr & Mrs Roger Gibbs

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Response to St Albans Draft Local Plan 2041 Regulation 19 Publication - Nov 2024

Our below comments relate to site M16 - Falconers field, Harpenden, AL5 3ET (Proforma Ref: C-050; HELAA Ref: HT-04-21; Green Belt Sub Area Ref: SA-17 / RA-14). Known locally and referred to below as the horse field.

Recently increased parking restrictions on Roundwood Park have resulted in a significant increase in schools traffic and trades vehicles parking in Falconers Field, westerly from the junction with Roundwood Park and extending down Falconers Field beyond the existing entrance to the horse field. This is creating a potentially dangerous situation particularly around school opening and closing times with vehicles conflicting with large numbers of pedestrians and cyclists (many of them young children). Any residential development of the horse field would simply add to the congestion and create a new junction in the midst of an already congested area, thus adding to the risk of injury to pedestrians and cyclists.

Falconers Field is a narrow, winding residential road with a cul-de-sac and fork. Visibility around the fork is very restricted, especially when exiting either right or left from the cul-de-sac, and there have been numerous minor accidents and near misses at this location. Any residential development of the horse field would inevitably increase the volume of traffic using Falconers Field, for which it is unsuited and would increase the risk of further accidents occurring.

As a result of the recently increased parking restrictions on Roundwood Park, Falconers Field is increasingly being used by residents of e.g. Redbourn, Markyate and Flamstead as an access road and parking place when delivering/collecting their children to/from Roundwood schools. This actual increase in traffic makes it even less desirable to introduce additional traffic which would arise from any development of the horse field.

The key development requirements include “traffic calming on Roundwood Lane”. Previously a proposal to develop a sports ground on New Farm at the rear of the horse field, accessed via Roundwood Lane, was refused due to Roundwood Lane being designated a rural road and any development must not increase its use by 10% or more - which, if the proposal to develop the horse field were to be approved would very likely happen.

We have been advised that there are numerous other serious flaws in the current proposal to earmark the horse field for development. These flaws include the following:-

The wrong area has been assessed in the St Albans Stage 2 Green Belt Review (the "GBR") as regards this site. This is because in the plan and description of the site in the draft Local Plan (as shown in Appendix 1 – Local Plan Sites) it is clear that this site M16 only includes the horse field itself, whereas the GBR incorrectly assesses (as sub-area SA-17) the horse field together with the adjoining school playing field (which is part of Roundwood Park School and is not, and has never been, part of this process/the call for sites) as one unbroken area. The assessment of the site in the GBR is therefore invalid.

In the GBR assessment sub-area SA-17 scored very highly for some of the green belt purposes - particularly for both criteria of Purpose (1) (To check the unrestricted sprawl of large built-up areas). This compellingly demonstrates the very important contribution that the site currently makes to the green belt.

The recommendation that the loss of the horse field from the green belt would require replacement through the addition of land elsewhere to the green belt clearly reveals the truth that it would be much much better not to allow the horse field to be removed from the green belt in the first place!

We understand that it is an established rule of planning law that development in the green belt should not be approved unless “very special circumstances” apply. Such “very special circumstances” patently do not exist in the case of the horse field.

We believe that the horse field is highly unsuitable for development and must be removed from the list of sites that are being considered for development under the Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Response to the draft St Albans Local Plan 11-2024_[R].pdf

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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58 - Mr Eric Cheek

Submission Number: 58 Submission Date: 03/11/24 16:38

Respondent: Individual Mr Eric Cheek

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We write to strongly object to Site Allocation B8 on land off Harper Lane north of Radlett that it is proposed to be built on Green Belt Land.

This proposed development adversely and substantially affect Radlett.

There are various ground of objection including but not limited to:

This proposal would be an overdevelopment in that Radletts roads are inadequate for the present level of use. Due to the expansion of Radlett that has already occurred significant large Traffic jams occur very frequently - almost every day of the week.

Traffic jams are always very bad when a development is taking place. A development of the size of that proposed will will ensure that Radlett will be permanently jammed on a permanent basis.

This affects all of Radletts residents and is a hinderance to all - including emergency services.

The site does ,I understand, require public access or rights of way onto residential roads including The Avenue, Beech Avenue,The Heath,Paddock View,Hill Croft Park and Longridge Avenues.

This would severely damage the amenity of the residents and destroy the character of those roads. From what are sufficient and normally quiet access to one’s property would be plagued constant passing traffic.

This would make it difficult for residents to enter of leave their own properties.

The roads are clearly unsuitable for such access as ,amongst other things, they are nowhere near wide enough.

This traffic itself would be in difficulties as some present resident already park in the Street as they are entitled to do. This would cause traffic to be impeded - certainly lorries and the like trying to pass through while the development contuses.

It is understood that no provision is being made for eg doctors surgeries or schools to serve any incoming residents. The use of these facilities presently existing is already saturated.

We have lived in Radlett for [redacted] years and what attracted us was the almost village-like atmosphere including green spaces. While Radlett's nature has changed over the years it is remains a pleasant place to live.

We consider that the developments that have taken place already can be considered an overdevelopment that will destroy the character and attractiveness of Radlett forever

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Untitled_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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59 - Mr John Edge

Submission Number: 59 Submission Date: 03/11/24 19:24

Respondent: Mr John Edge

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The plan does not meet the area's objectively assessed needs nor is it consistent with achieving sustainable development. There is no need in Harpenden or this area for further development. Any development in this area is not sustainable.
Further development will destroy the nature of Harpenden.
Local services cannot support any further development.
Traffic in and around Harpenden is already excessive. Further development will only lead to increased gridlock particularly at busy times.

Roundwood Lane and Roundwood Park cannot sustain any more traffic. Roundwood Lane is designated a rural road. Further development will increase traffic levels by at least 10%.

Falconers Field itself cannot sustain more traffic. It is already becoming dangerous due to its narrowness and the increasing number of parked cars particularly by parents picking up children from Roundwood School.
Development on the greenbelt should not be approved unless very special circumstances apply. There are no very special circumstances here. Furthermore this site is within the Chilterns Beechwood Special Area of Conservation Zone of Influence.

This site should accordingly be removed from the local plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

No modifications are appropriate as this site should be removed from the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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60 - Victoria Heath

Submission Number: 60 Submission Date: 04/11/24 11:03

Respondent: Victoria Heath

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The L2 site was the single more objected to site from the entire local plan consultation. So why is it still included in the local plan? SADC is a body of elected councillors to represent the local residents. 9% of the condensed comments attached to this plan (17/190) refer to this one site and demonstrates that SADC have dismissed the public consultation and not addressed any resident concerns on this matter.

Considering this site is Greenbelt and that building on it will irrevocably destroy the attached wildlife reserve and significantly impact the adjacent Traveller's site which breaches the Council's commitment to support during a climate emergency, and may not upheld their commitment to EDI .

This site is also subject to a development application and as the resident comments and concerns were ignored (highlighting again that this was the single more objected site across the District), it appears that the inclusion is driven by applications and not by suitability. As a local resident who will be impacted, this is particularly concerning.

It's also contradictory as in January 2024, the Planning Committee rejected a development application as they agreed this site fulfills the requirements of a Greenbelt. So it is difficult to understand why this has not been removed from the local plan by planning officers?

The L2 site has a particular issue with traffic. The current traffic assessment was carried out during COVID-19 restrictions so doesn't reflect the current traffic state. In recent months the work has become on the Segro Freight Terminal and this will add significant traffic, including HGVs until the road. SADC told local residents that HCC would carry out a new traffic assessment, but no results have been shared and yet the L2 site is still in the Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is a Neighbourhood Plan in the St Stephen's Parish that demonstrated where housing could be built in the Parish that was voted for by the local residents. This locally supported neighbourhood plan had appropriate housing that would have the backing and co-operation of local residents.

Why has SADC not used this plan in their local plan and dismissed all comments from local residents?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

If resident representation is needed, I am happy to take part.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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61 - Mrs Susan Edge

Submission Number: 61 Submission Date: 04/11/24 14:42

Respondent: Mrs Susan Edge

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Local plan contradicts that the natural environment and biodiversity is sustained. The Plan states to protect, maintain and enhance the natural environment landscape and green infrastructure which will be eradicated if this site is developed. This site is in the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI).

To allow speculative and profit seeking development on this site and to then replace green belt land in another area will erode the green belt bit by bit.

Falconers Field is accessed by two roads. One is a rural road - Roundwood Lane which is designated as a rural road and so it is not allowed to have development which would increase its use more than minimally. The other road is Roundwood Park which due to Roundwood Park Schools access on to it is already at capacity with considerable parking restrictions and is also heavily used by school buses. This road in turn leads to Luton Road via Park Hill. Given the protected Nickey Line and bridge it is not possible to improve access to the Roundwood area and it is already suffering bottlenecks and drivers resorting to dangerous manoeuvres on pavements busy with school children.

Pollution would be increased with the amount of traffic generated by developing this site. Not only does controlling congestion help our air quality. The greenbelt is an effective way to reduce pollutant concentration in the ambient air.

Falconers Field is a winding road with sharp bends and a poor visibility fork leading to the cul-de-sac. Having a cul-de-sac in the area has been very precious to the community as a place to walk, a place for children to play or ride bicycles and used by the majority of the homes for street parties. An important function of the greenbelt is to safeguard the character of a community and this site has been an integral part of the community given it is visible open green land in the Roundwood area and the only one with an adjacent pavement.

Any houses built on this site won't be genuinely affordable housing. That is totally unrealistic. It would only be the developers who would gain financially.

The site is often under water in heavy rain and absorbs a great amount of water for the area which given the frequent flooding on the main road at the bottom of the hill serves an important function. This became evident when the local fire service were called to one of the homes on the estate.

A further point to question is why the whole of this site was suddenly included in the plan and not the original part which was level with the gardens of the houses on the field building line. Again is this to seek financial gain? Why does this site now protrude into the area beyond the building line?

The Plan states to prioritise and enable safe use of transport . The Roundwood area is already congested and unsafe for further development.

I accordingly consider that this site should be removed from the Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

No modifications are appropriate as this site should be removed from the Local Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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62 - Ms Johan Fraser

Submission Number: 62 Submission Date: 04/11/24 15:29

Respondent: Ms Johan Fraser

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The site UC54 should be deleted from the plan as it is incompatible with encouraging residents to use greener transport. Those living outside of Harpenden in rural areas are not able to get to the station in a timely manner by public transport in order to commute to London on a daily basis. By developing on that site, local roads would get more congested with parked cars and there would not enough room on Station Car Park West for these commuters. Until such times that there is a reliable local bus service or working policies in London change, it is not viable to develop this site without an adverse impact on the surrounding area or villages. It also does not take into account the parking needs of the less mobile if this area is developed as not all less mobile have Blue Badges and there will be competition for the reduced number of parking spaces in the west car park. This decision to develop the station car park could be detrimental to people moving to the Harpenden area as many do so as a result of the current easy access to Central London.

Sites UC14 and UC15 should also be deleted from the plan as this is not compatible with the policy to enhance and encourage the town centre of Harpenden to thrive. By reducing parking, those from surrounding villages will be unable to easily visit the town centre to spend money in the local economy. With reduced parking these visitors may well decide to go elsewhere such as out of town shopping centres, which do provide free and plenty of parking. In addition, the Farmers Market is held on a Sunday so without adequate parking, the numbers visiting will be impacted as there is a next to none bus services running on a Sunday from outlying villages. Equally, these sort of events attract people from St Albans itself and the bus service would not be adequate to

cope with the numbers. In addition, those who are less mobile or with young children, rely on being able to park near to the shops when doing their weekly supermarket shop as it would be too much to carry their shopping to and from a bus stop.

The strategy of converting these car parks into housing developments will have a detrimental impact on the very heart of Harpenden with its varied small businesses that sets it apart from other towns in the area. It is bad enough that it appears that the free parking is being removed in the town centre but then building on these sites will just make the situation worse. I urge the council to reconsider these recommendations.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The site UC54 should be deleted from the plan as it is incompatible with encouraging residents to use greener transport. Those living outside of Harpenden in rural areas are not able to get to the station in a timely manner by public transport in order to commute to London on a daily basis. By developing on that site, local roads would get more congested with parked cars and there would not enough room on Station Car Park West for these commuters. Until such times that there is a reliable local bus service or working policies in London change, it is not viable to develop this site without an adverse impact on the surrounding area or villages. It also does not take into account the parking needs of the less mobile if this area is developed as not all less mobile have Blue Badges and there will be competition for the reduced number of parking spaces in the west car park. This decision to develop the station car park could be detrimental to people moving to the Harpenden area as many do so as a result of the current easy access to Central London.

Sites UC14 and UC15 should also be deleted from the plan as this is not compatible with the policy to enhance and encourage the town centre of Harpenden to thrive. By reducing parking, those from surrounding villages will be unable to easily visit the town centre to spend money in the local economy. With reduced parking these visitors may well decide to go elsewhere such as out of town shopping centres, which do provide free and plenty of parking. In addition, the Farmers Market is held on a Sunday so without adequate parking, the numbers visiting will be impacted as there is a next to none bus services running on a Sunday from outlying villages. Equally, these sort of events attract people from St Albans itself and the bus service would not be adequate to cope with the numbers. In addition, those who are less mobile or with young children, rely on being able to park near to the shops when doing their weekly supermarket shop as it would be too much to carry their shopping to and from a bus stop.

The strategy of converting these car parks into housing developments will have a detrimental impact on the very heart of Harpenden with its varied small businesses that sets it apart from other towns in the area. It is bad enough that it appears that the free parking is being removed in the town centre but then building on these sites will just make the situation worse. I urge the council to reconsider these recommendations.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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The strategy of converting these car parks into housing developments will have a detrimental impact on the very heart of Harpenden with its varied small businesses that sets it apart from other towns in the area. It is bad enough that it appears that the free parking is being removed in the town centre but then building on these sites will just make the situation worse. I urge the council to reconsider these recommendations.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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63 - Jeffrey Calvert

Submission Number: 63 Submission Date: 04/11/24 15:35

Respondent: Jeffrey Calvert

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1 It is unclear how the residents and services are going to access and leave the site. The junction of the B553 and Watling Street would not appear, despite improvements, to be capable of handling this extra traffic and the queues into Radlett along Watling Street at rush hour is already severe. There should not be any passage allowed by vehicles or pedestrians permitted via the boundary closest to Radlett (ie where the site boundary and district boundary coincide). The residential roads have no pavements and are frequented in daylight and at nighttime by dog walkers and those with young children. It is far too dangerous to put non- essential traffic into these streets

2 the diagram is unclear, but if the site does require development of the green belt, then it should be opposed.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

64 - mrs joy mendelsohn

Submission Number: 64 Submission Date: 04/11/24 17:48

Respondent: Park Street Residents Association (PSRA) mrs joy mendelsohn

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Local people have been ignored, as this land is a vital lung between St Albans and Park Street. The traffic is already far too heavy along this road and the Rail Freight terminal will only add to this problem. There is a narrow footpath alongside a very busy road which is unsuitable for mums with push chairs. Access into this site will lead to major traffic hold ups impacting the notorious Park St roundabout.

There is not the infrastructure to support such a large number of developments. Roads are already at capacity- every day an accident impedes on the traffic flow. Schools and surgeries are at capacity in Park Street. We will lose a vital lung between the village and St Albans if the land opposite the BP garage is developed. It is good farmland which we can not afford to lose. Access to amenities is difficult along a very busy road with a narrow footpath

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Listen to local opinion

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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65 - Mrs Suzanne Clark

Submission Number: 65 Submission Date: 04/11/24 21:55

Respondent: none Mrs Suzanne Clark

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The consultation process for Regulation 18 was flawed, with the inevitable result that Regulation 19 is also flawed. It took place over the summer of 2023, while I was away, and unaware of the local "plan" for the site up the road from my home. Now I'm being told it's too late to object. Reading Council responses to other objections, it seems to me that there is no will to take citizen objections seriously. There has been no proper assessment of the Regs 19 comments, it is all being rushed through so that speculative developers can make money out of the destruction of our Green Belt fields in and and around Park Street, specifically site L2.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

66 - Mrs Suzanne Clark

Submission Number: 66 Submission Date: 04/11/24 22:03

Respondent: Mrs Suzanne Clark

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

a) Traffic assessment as to how housing on this Green Belt site will add to the already impossible situation on the A5183 roundabout, irrespective of whether the Strategic Rail Freight introduces as additional 10,000 vehicle movements daily, has FAILED TO BE CARRIED OUT despite promises from the council. This main route out of Park Street village is already hazardous, overcrowded and unfit for purpose as it is.

b) Flooding in Watling Street along the junction with Park Street Lane is a historic problem for businesses and residents. My own Grade 2 listed property has been flooded on numerous occasions causing thousands of pounds of reparation work needed to restore its livability. As climate change is showing increased storm and rainfall, building on one of the few remaining Greem Belt sites acting as both a "lung" and a drainage space, will exacertbate the situation further.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

67 - Mrs christine Kavanagh

Submission Number: 67 Submission Date: 05/11/24 10:43

Respondent: Mrs christine Kavanagh

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I do not consider that the SADC local plan is consistent and in line with National policy as in the plan it states that:

'National policy sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. While local authorities should regard the construction of new buildings as inappropriate in the Green Belt, exceptions include limited affordable housing for local community needs under policies set out in the development plan, and limited infilling'

By proposing to build 2400 homes and 3 schools on green fields adjacent to the village of Leverstock Green, the character of this village will be irrevocably changed and it will become a small town. This is directly against what is stated in the plan that even building new homes as infill in villages will 'risk of eroding the character of the village and the openness and character of the Green Belt over time'

It appears that while SADC is keen to protect villages within its own district, it is happy to destroy villages at the boundary of its district whose residents have no voting rights within its district. SADC objected to 700 homes being built in Chiswell Green as it wanted to protect the green belt and village character yet is proposing to harm Leverstock Green in exactly the same way.

I also do not believe that SADC has fulfilled its duty to cooperate in the drawing up of its local plan. There was limited consultation with Leverstock Green residents when the draft plan was published in 2023. After pressure from our local councillors, representatives from SADC met with residents at a meeting in our village hall. The meeting was attended by a great many residents and there were objections made to the lack of proposed improvements to local infrastructure such as transport, sewage, water, electricity supply and frequent flooding in Green lane. None of these concerns

have been answered in this final draft of the plan and the development has now increased in its scope to incorporate land on the A4147 adjacent to Bartel Close. Leverstock Green residents feel strongly that their concerns have not been listened to, let alone addressed by SADC.

Leverstock Green is a village with a strong sense of community. We have a thriving village hall which hosts a range of community events. We have a very popular cricket club and a tennis club and we host a variety of events for residents throughout the year. By annexing 2400 homes to our village, this sense of local community will be lost and the character of our village will be destroyed. We are surrounded by beautiful green fields and hedgerows which residents can enjoy while walking and cycling along Westwick Row. Any major development will destroy this forever.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To make this plan sound and consistent with National policy, SADC must use the same criteria to protect Leverstock Green as a village as it does to protect villages within its own district. Protecting the nature of villages is a important part of the vision of SADC as stated in its local plan. '

The Council attaches great importance to the Metropolitan Green Belt, which will be protected from inappropriate development. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt are its openness and permanence.'

I believe that vision should be applied consistently throughout its plan and be applied to Leverstock Green. Building 2400 on green fields adjacent to the village of Leverstock Green goes against the stated principles in the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

68 - NHS Property Services Ltd

Submission Number: 68 Submission Date: 05/11/24 10:48

Respondent: NHS Property Services Ltd Miss Ellen Moore

On Behalf Of NHS Property Services Ltd :

HOU2 - Affordable Housing

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

NHSPS welcomes acknowledgement in Supporting Text Para 4.8 of the need for affordable housing for key workers.

As part of preparing additional guidance to inform detailed delivery of Policy HOU2, we suggest the Council consider the need for affordable housing for NHS staff and those employed by other health and care providers in the local authority area. The sustainability of the NHS is largely dependent on the recruitment and retention of its workforce. Most NHS staff need to be anchored at a specific workplace or within a specific geography to carry out their role. When staff cannot afford to rent or purchase suitable accommodation within reasonable proximity to their workplace, this has an impact on the ability of the NHS to recruit and retain staff.

Housing affordability and availability can play a significant role in determining people's choices about where they work, and even the career paths they choose to follow. As the population grows in areas of new housing development, additional health services are required, meaning the NHS must grow its workforce to adequately serve population growth. Ensuring that NHS staff have access to suitable housing at an affordable price within reasonable commuting distance of the communities they serve is an important factor in supporting the delivery of high-quality local healthcare services. We recommend that the Council:

- Engage with local NHS partners such as the local Integrated Care Board (ICB), NHS Trusts and other relevant Integrated Care System (ICS) partners.
- Ensure that the local need for affordable housing for NHS staff is factored into housing needs assessments, and any other relevant evidence base studies that inform the local plan (for example employment or other economic policies).
- Consider site selection and site allocation policies in relation to any identified need for affordable housing for NHS staff, particularly where sites are near large healthcare employers.

NHSPS considers Policy HOU2 sound as currently drafted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

NHSPS considers Policy HOU2 sound as currently drafted.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP7 - Community Infrastructure

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy SP7 seeks to protect existing community facilities which would include health facilities. NHSPS supports the provision of sufficient, quality community facilities. Where healthcare facilities are included within the Local's Plan definition of community facilities, policies aimed at preventing the loss or change of use of community facilities and assets can potentially have a harmful impact on the NHS's ability to ensure the delivery of essential facilities and services for the community.

The NHS requires flexibility with regards to the use of its estate to deliver its core objective of enabling excellent patient care and support key healthcare strategies such as the NHS Long Term Plan. In particular, the disposal of sites and properties which are redundant or no longer suitable for healthcare for best value (open market value) is a critical component in helping to fund new or improved services within a local area. Requiring NHS disposal sites to explore the potential for alternative community uses and/or to retain a substantial proportion of community facility provision adds unjustified delay to vital reinvestment in facilities and services for the community.

All NHS land disposals must follow a rigorous process to ensure that levels of healthcare service provision in the locality of disposals are maintained or enhanced, and proceeds from land sales are re-invested in the provision of healthcare services locally and nationally. The decision about whether a property is surplus to NHS requirements is made by local health commissioners and NHS England. Sites can only be disposed of once the operational health requirement has ceased. This does not mean that the healthcare services are no longer needed in the area, rather it means that there are alternative provisions that are being invested in to modernise services.

Where it can be demonstrated that health facilities are surplus to requirements or will be changed as part of wider NHS estate reorganisation and service transformation programmes, it should be accepted that a facility is neither needed nor viable for its current use, and policies within the Local Plan should support the principle of alternative uses for NHS sites with no requirement for retention of a community facility use on the land or submission of onerous information.

Whist we consider the Policy sound as currently drafted, we do request that Part D or the supporting text be amended to acknowledge that where healthcare facilities are declared surplus or identified as part of an estates strategy or service transformation plan by the NHS that this will be sufficient to demonstrate that the facility is no longer required and this will satisfy Part D without requiring reprovision of floorspace on or off site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As above, whist we consider the Policy sound as currently drafted, we do request that Part D or the supporting text be amended to acknowledge that where healthcare facilities are declared surplus or identified as part of an estates strategy or service transformation plan by the NHS that this will be sufficient to demonstrate that the facility is no longer required and this will satisfy Part D without requiring reprovision of floorspace on or off site.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

N/A

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP13 - Health and Wellbeing

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy SP13 sets out the Council's commitment to making sure that new developments promote healthier lifestyles and improve overall health and wellbeing. We thank the Council for the amends made to this Policy since Regulation 18 stage. NHSPS welcomes and supports the inclusion of policies that support healthy lifestyles. There is a well-established connection between planning and health, and the planning system has an important role in creating healthy communities. The planning system is critical not only to the provision of improved health services and infrastructure by enabling health providers to meet changing healthcare needs, but also to addressing the wider determinants of health.

NHSPS considers Policy SP13 sound as currently drafted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

NHSPS considers Policy SP13 sound as currently drafted.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HW5 - Health Impact Assessments

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HW5 sets out the Council's commitment to making sure that new developments promote healthier lifestyles and improve overall health and wellbeing. NHSPS welcomes and supports the inclusion of policies that support healthy lifestyles, and the requirement for Health Impact Assessment on significant residential developments of 100 units or more. There is a well-established connection between planning and health, and the planning system has an important role in creating healthy communities. The planning system is critical not only to the provision of improved health services and infrastructure by enabling health providers to meet changing healthcare needs, but also to addressing the wider determinants of health.

NHSPS considers Policy HW5 sound as currently drafted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

NHSPS considers Policy HW5 sound as currently drafted.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy SP14 states that proposals should make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development.

Whilst we consider Policy SP14 to be sound as currently drafted, we request that the Council continue its engagement with the NHS ICB to further refine the identified healthcare needs and proposed solutions to support the level of growth proposed by the Local Plan, as identified in the Infrastructure Development/Delivery Plan (IDP), prior to submission. Further comments on IDP are provided below.

Healthcare providers should have flexibility in determining the most appropriate means of meeting the relevant healthcare needs arising from a new development. Where new developments create a demand for health services that cannot be supported by incremental extension or internal modification of existing facilities, this means the provision of new purpose-built healthcare infrastructure will be required to provide sustainable health services. Options should enable financial contributions, new-on-site healthcare infrastructure, free land/infrastructure/property, or a combination of these. It should be clarified that the NHS and its partners will need to work with the council in the formulation of appropriate mitigation measures.

Comments on the Infrastructure Delivery Plan (2024) (as part of the Evidence Base)

The provision of adequate healthcare infrastructure is in our view critical to the delivery of sustainable development. A sound IDP must include sufficient detail to provide clarity around the healthcare infrastructure required to the level of growth proposed by the Plan, and to ensure that both planning obligations and the capital allocation process for the Community Infrastructure Levy (CIL) effectively support and result in capital funding towards delivery of the required infrastructure.

We welcome identification in the IDP at Section 5.2.1 of projects to provide new health infrastructure. To ensure that any mitigation options secured align with NHS requirements we suggest the following process (set out in bullet points below) for determining the appropriate form of contribution for the provision of healthcare infrastructure associated with new development is included in the IDP:

The requirement for a contribution towards healthcare infrastructure from new development will be determined by working with the ICB and other key stakeholders as appropriate, in accordance with the following process:

- *Assessing the level and type of demand generated by the proposal.*
- *Working with the ICB to understand the capacity of existing healthcare infrastructure and the likely impact of the proposals on healthcare infrastructure capacity in the locality.*
- *Identifying appropriate options to increase capacity to accommodate the additional service requirements and the associated capital costs of delivery.*
- *Identifying the appropriate form of developer contributions.*

Comments on the Local Plan Viability Assessment (2024) (as part of the Evidence Base)

The draft policy requirements identified in the Plan are supported by the Local Plan Viability Assessment. Having reviewed the Assessment, we note that where contributions towards healthcare have been identified in the policy requirements for site-specific testing, the assessment does not

include a specific allowance for contributions towards healthcare. The report appears to test a minimum lump sum for S106 contributions of at least £5,000 per unit for residential development to cover site specific mitigation.

Without prejudice to any future representations the NHS or its partners may make on specific planning applications or applications for CIL funding, in our view the S106 headroom identified as part of the site-specific testing is generally sufficient to enable financial contributions to be secured for healthcare, and therefore we consider that overall the assessment of plan-wide viability demonstrates that policy requirements in relation to healthcare infrastructure contributions are deliverable. However, we are concerned that without explicit mention of required healthcare mitigation in the viability assessment, healthcare mitigation will compete with other planning obligations or be ignored entirely, rendering development unsustainable and putting future residents' health at risk.

Healthcare facilities are currently experiencing significant strain. Furthermore, if appropriate mitigation is not secured, the growth strategy outlined in the Plan is expected to exacerbate this situation. We would recommend that the viability assessment includes a separate cost input for typologies where a healthcare contribution is expected. This would ensure that healthcare mitigation is appropriately weighted when evaluating the potential planning obligations necessary to mitigate the full impact of a development.

A separate cost input for health would also mean that developers are adequately informed in advance, in accordance with ICB's estate strategy and the development's location and size, that they may be required to make on-site provision or off-site financial contributions to mitigate the impact on healthcare infrastructure resulting from their development. Such an approach would also support the effective implementation of Draft Policy SP14 in situations when a viability assessment demonstrates that development proposals are unable to fund the full range of infrastructure requirements. We would welcome further engagement with the Council to on this issue to determine a reasonable cost assumption that could be used in future viability assessments.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As above, whilst we consider Policy SP14 to be sound as currently drafted, we request that the Council continue its engagement with the NHS ICB and include the following process for determining the appropriate form of contribution for the provision of healthcare infrastructure associated with new development in the IDP:

The requirement for a contribution towards healthcare infrastructure from new development will be determined by working with the ICB and other key stakeholders as appropriate, in accordance with the following process:

- *Assessing the level and type of demand generated by the proposal.*
- *Working with the ICB to understand the capacity of existing healthcare infrastructure and the likely impact of the proposals on healthcare infrastructure capacity in the locality.*
- *Identifying appropriate options to increase capacity to accommodate the additional service requirements and the associated capital costs of delivery.*
- *Identifying the appropriate form of developer contributions.*

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

IMP1 - Additional Infrastructure Requirements for Strategic Scale Development

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy IMP1 requires applicants for Broad Locations and other Strategic Scale developments, defined as 100+ homes or 10,000 square metres of 139 commercial floorspace (retail, leisure and industrial) to engage with the Council and infrastructure providers and service delivery organisations in early pre-application discussions and deliver infrastructure to a set of timescales agreed with the Council, infrastructure providers, service delivery organisations and any other relevant organisations.

Whilst we consider Policy IMP1 to be sound as currently drafted, we request that the Council continue its engagement with the NHS ICB to further refine the identified healthcare needs and proposed solutions to support the level of growth proposed by the Local Plan, as identified in the Infrastructure Development/Delivery Plan (IDP), prior to submission. Further comments on IDP are provided below.

Healthcare providers should have flexibility in determining the most appropriate means of meeting the relevant healthcare needs arising from a new development. Where new developments create a demand for health services that cannot be supported by incremental extension or internal modification of existing facilities, this means the provision of new purpose-built healthcare infrastructure will be required to provide sustainable health services. Options should enable financial contributions, new-on-site healthcare infrastructure, free land/infrastructure/property, or a combination of these. It should be clarified that the NHS and its partners will need to work with the council in the formulation of appropriate mitigation measures.

Comments on the Infrastructure Delivery Plan (2024) (as part of the Evidence Base)

The provision of adequate healthcare infrastructure is in our view critical to the delivery of sustainable development. A sound IDP must include sufficient detail to provide clarity around the healthcare infrastructure required to the level of growth proposed by the Plan, and to ensure that both planning obligations and the capital allocation process for the Community Infrastructure Levy (CIL) effectively support and result in capital funding towards delivery of the required infrastructure.

We welcome identification in the IDP at Section 5.2.1 of projects to provide new health infrastructure. To ensure that any mitigation options secured align with NHS requirements we suggest the following process (set out in bullet points below) for determining the appropriate form of contribution for the provision of healthcare infrastructure associated with new development is included in the IDP:

The requirement for a contribution towards healthcare infrastructure from new development will be determined by working with the ICB and other key stakeholders as appropriate, in accordance with the following process:

- *Assessing the level and type of demand generated by the proposal.*
- *Working with the ICB to understand the capacity of existing healthcare infrastructure and the likely impact of the proposals on healthcare infrastructure capacity in the locality.*
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As above, whilst we consider Policy IMP1 to be sound as currently drafted, we request that the Council continue its engagement with the NHS ICB and include the following process in the IDP to determine the appropriate form of contribution for the provision of healthcare infrastructure associated with new development:

The requirement for a contribution towards healthcare infrastructure from new development will be determined by working with the ICB and other key stakeholders as appropriate, in accordance with the following process:

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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69 - Trustees of the G A Simons Family Settlement

Submission Number: 69 Submission Date: 05/11/24 12:42

Respondent: Bidwells MR Derek Bromley

On Behalf Of Trustees of the G A Simons Family Settlement :

LG4 - Large, Medium and Small Sites

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy Objections

18) The policies LG4 h) and DES3 a) provide a density of 40 d.ph as a minimum, these are simply unrealistic and unobtainable when it comes to small sites (up to 9 dwellings) and to a lesser extent for medium sites. These sites are not of a size which can accommodate a housing mix to achieve this density. As an example, a site proposed for 9 self- build/custom build (Policy HOU5) would be for individual plots for detached dwellings, (such as the successful council scheme Graven Hill, Bicester, Oxfordshire). Building co -operatives would be needed where the plots are not for detached dwellings, these are fraught with challenges which deters interest. Whilst it is recognised there are proposed requirements for such plots in the Broad Locations, discussions with housebuilders indicate is they are seldom taken up. They are unattractive to the market. Cause many issues concerning site security/ health and safety procedures and responsibilities. A minimum density for small/ medium sites should be deleted from the policy wording.

19) Policy HOU5 d) needs further wording that where the custom/self- build plots have not sold in the open market, then if offered to the Council or Registered Provider it will be at the open market value and failing that sold to a small/medium enterprise housebuilder.

Is the Plan Justified

20) Given the above, the Plan is not justified as an appropriate strategy as it does not take into and its evidence base for not doing so is not proportionate or indeed reasonable. In respect of Sites A and B the Councils Green Belt study conclusions to not stand up to scrutiny.

21) The plan policy for minimum densities to be applied to small/medium sites should be deleted. New wording should be inserted where this is an aim, but to have regard to the surrounding character and density and uses.

22) Whilst the Government's final definition of Grey Belt and the inclusion of Grey Belt as not being inappropriate development within the Green Belt, has yet to be confirmed; the proposed wording for Grey Belt includes *'any other parcels and/or areas of Green Belt land that make a limited*

contribution to the five Green Belt purposes'. The case for the Trustees is that Sites A and B do not contribute to the five purposes. It is not the case these sites make a "limited contribution" to Green Belt purposes, but rather they make "no contribution". The Government consultation "Proposed reforms to the NPPF and other changes to the planning system" 24/09/2024 suggests an effective way of providing guidance and refers

"Grey Belt Land which makes a limited contribution to the Green Belt purposes will:

1. *a) Not strongly perform against any Green Belt purpose; and*
2. *b) Have at least one of the following features : Land containing substantial built development or which is fully enclosed by built form.*

ii Land which makes no or very little contribution to preventing neighbouring towns from merging into one another.

iii Land which is dominated by urban uses, including physical developments

iv Land which contributes little to preserving the setting and special character historic towns".

Sites A and B satisfies all Grey Belt tests.

Has The Plan Been Positively Prepared

23) This is a qualified objection. Our client raises no objection to the overall housing provision based upon the current standard methodology, though has issues with the housing delivery during the plan period given the Council only has a 1.5 years housing land supply. Should the Governments new standard methodology apply for the purposes of this Plan, then there is a gross under provision of housing. The new methodology would increase the housing numbers from 885 d.p.a. to 1,554 d.p.a., a 75% increase.

24) Whilst there have been Ministerial Statements regarding when the new standard methodology for housing need will apply, nothing is certain as to the final wording and timing when it will apply.

25) The current expectation based upon the Council's programme is that the local plan will be submitted before the Government's proposed Standard Methodology for determining housing need takes effect. It is important a Plan is in place given the acute housing shortfall with only a 1.5 years housing land supply and to enable early new housing delivery. A further period of time without an up to date Plan will only add to an already difficult situation, so getting the Plan to Adoption is important. However, given the circumstances the Council has found itself, with a significant risk of unmet housing need, it is very important to identify and allocate in this plan more sites where possible and appropriate.

26) Given that planning policy and the plan process is a bit of a "moveable feast" the expectation in 25) above, may not be realised and there is no certainty. It is in any event clear the proposed housing provision will not meet the future development needs during the local plan period and an early review will be required.

27) In the event the new Standard Methodology does not apply to this Local Plan and the Council meets the deadline for submission, then our client is of the view the Council should commit to an immediate review following the Adoption of the Plan. There will a period between the Inspector's report and the Council's formal Adoption for Council officers to start the preliminary internal processes.

Housing Trajectory

28) The Council's housing trajectory (Table 3.2) for delivering housing from the Broad Locations is overly optimistic given the timelines for all the necessary planning approvals and lead in times for infrastructure.

29) Lichfields, produced a report in 2020 "Start to Finish" which reviewed build out rates of large housing sites across te country. This showed that nationally the average planning approval period for large sites of say 1,000 dwellings was 4.6 years. Given the local councils do not embrace new development but are reluctant participants when it comes to development on green fields, locally the time is longer. The Lichfield report also analyses tbuild out rate on large sites. The averages for sites 500-1 ,000 was 68 d.p.a., 1,000-1499 was 107 d.p.a. It is generally acknowledged that the early development years of schemes the completion rates are far less than the average. The build out rate in the early years for the Broad Locations is again overly optimistic.

30) My experience of the delivery of large sites in Hertfordshire, a county which has been reluctant to housing growth for decades, is that it will not be until the early/mid 2030's that many of the "Broad Locations" begin to deliver housing, the exceptions possibly being part of West Redbourn and part of North St Albans where permission has either granted or the application is well advanced. I set out below examples I have been involved with or are aware.

31) **Hemel Hempstead.** Allocated site for 900 dwellings in the Sites Allocations, Adopted 2017. Hybrid Planning Application submitted 21/12/2018. Granted 03/12/2021. Price negotiation with land owners and following approvals of pre- commencement conditions, start date on site November 2024. First dwelling for occupation November 2025. Total time for an allocated site from planning application to delivery of first dwelling 7 years.

32) **Stevenage.** Allocated site for 1,350 dwellings in Adopted Local Plan 22/05/2019. Hybrid planning application 07/04/2021 . Following Section 106 negotiations expected planning permission November 2024. There will be a period of negotiations on value which involves the Council and Homes England, with probable reference to an Expert, allow 18 months. Planning precommencement condition approvals, allow further 9 months. Lead in time for infrastructure to first dwelling allow further 18 months. Total time for an allocated site from planning application to first occupation just under 7.5 years.

33) **Hitchin.** Outline Planning Application for up to 700 dwellings submitted in advance of Local Plan on the 26/04/2018. Site allocated in the Adopted Local Plan November 2022 for 700 dwellings. Awaiting a decision. First occupation is likely to be in excess of 9 years from application.

34) On the basis of the above it is my view a reasonable expectation is that for large sites there is a 7 year gap between the submission of a planning application to first delivery of a completed dwelling. Given that to date with a couple of exceptions, applications on large sites have not been registered I think my estimate of early to mid 2030's is supported by the evidence. There are varied reasons why these sites have taken so long (continued public and councillor resistance, officer workload) .This will apply to all sites. That is why the timescales envisaged in the Housing Trajectory are not in some instances likely to be achieved. In my view based upon evidence, the first housing on most of the larger sites will not be delivered until the early/mid 2030's.

35) From the Councils own housing figures there is a substantial shortfall in delivery up to the 2030's. This under provision needs to be reduced with more small sustainable sites. Small sites are usually less constrained by infrastructure delivery because this is already available, or complicated Section 106 agreements involving both District and County. Early delivery is essential given the Council only has a 1.5 year housing land supply.

36) A greater number of smaller sites which do not have constraints to delivery need to be identified. Sites A and B are an obvious example.

37) The Council's identified urban sites include many which are Council owned comprising many garage blocks with poor access, city and town car parks and community buildings. It is very unlikely the total housing numbers indicated from these sites will be achieved. There will be objections to the loss of vehicle parking land, this loss of spaces creates further pressure for "on street" parking and in the case of public car parks the impact this will have upon the vitality and vibrancy of the

town centres. Any loss of car parking provision or community buildings is likely to be strongly resisted by the local community. Access to many is substandard for residential development and comprise of back land plots out of character to the surrounding area.

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The Policy wording in LG4 h) and DES3 a) should be amended to provide greater flexibility for densities on small /medium sites.

The Policy wording in HOU5 d) should be amended to make it clear the price to be paid by the Council or Registered Provider will be at the open market value and failing that, the plots can be sold to small/medium enterprise housebuilders.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. G A Simons Reg 19 Subs 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important that the Council is questioned upon its approach to Green Belt Release given the apparent inconsistences where some sites have been identified and other more obvious ones omitted. The Councils minimum density for all sites irrespective of size is not reasonably achievable for small sites. The housing trajectory is overly optimistic. It's reliance on urban sites delivering the numbers indicated, is not reasonably achievable given the constraints of many of the sites.

It is evident that more sites need to be allocated to meet the housing numbers, particularly in the short term.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy Objections

18) The policies LG4 h) and DES3 a) provide a density of 40 d.ph as a minimum, these are simply unrealistic and unobtainable when it comes to small sites (up to 9 dwellings) and to a lesser extent for medium sites. These sites are not of a size which can accommodate a housing mix to achieve this density. As an example, a site proposed for 9 self- build/custom build (Policy HOU5) would be for individual plots for detached dwellings, (such as the successful council scheme Graven Hill, Bicester, Oxfordshire). Building co -operatives would be needed where the plots are not for detached dwellings, these are fraught with challenges which deters interest. Whilst it is recognised there are proposed requirements for such plots in the Broad Locations, discussions with housebuilders indicate is they are seldom taken up. They are unattractive to the market. Cause many issues concerning site security/ health and safety procedures and responsibilities. A minimum density for small/ medium sites should be deleted from the policy wording.

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Is the Plan Justified

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES3 - Efficient Use of Land

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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"Grey Belt Land which makes a limited contribution to the Green Belt purposes will:

1. *a) Not strongly perform against any Green Belt purpose; and*
2. *b) Have at least one of the following features : Land containing substantial built development or which is fully enclosed by built form.*

ii Land which makes no or very little contribution to preventing neighbouring towns from merging into one another.

iii Land which is dominated by urban uses, including physical developments

iv Land which contributes little to preserving the setting and special character historic towns".

Sites A and B satisfies all Grey Belt tests.

Has The Plan Been Positively Prepared

23) This is a qualified objection. Our client raises no objection to the overall housing provision based upon the current standard methodology, though has issues with the housing delivery during the plan period given the Council only has a 1.5 years housing land supply. Should the Governments new standard methodology apply for the purposes of this Plan, then there is a gross under provision of housing. The new methodology would increase the housing numbers from 885 d.p.a. to 1,554 d.p.a., a 75% increase.

24) Whilst there have been Ministerial Statements regarding when the new standard methodology for housing need will apply, nothing is certain as to the final wording and timing when it will apply.

25) The current expectation based upon the Council's programme is that the local plan will be submitted before the Government's proposed Standard Methodology for determining housing need takes effect. It is important a Plan is in place given the acute housing shortfall with only a 1.5 years housing land supply and to enable early new housing delivery. A further period of time without an up to date Plan will only add to an already difficult situation, so getting the Plan to Adoption is important. However, given the circumstances the Council has found itself, with a significant risk of unmet housing need, it is very important to identify and allocate in this plan more sites where possible and appropriate.

26) Given that planning policy and the plan process is a bit of a "moveable feast" the expectation in 25) above, may not be realised and there is no certainty. It is in any event clear the proposed housing provision will not meet the future development needs during the local plan period and an early review will be required.

27) In the event the new Standard Methodology does not apply to this Local Plan and the Council meets the deadline for submission, then our client is of the view the Council should commit to an immediate review following the Adoption of the Plan. There will a period between the Inspector's report and the Council's formal Adoption for Council officers to start the preliminary internal processes.

Housing Trajectory

28) The Council's housing trajectory (Table 3.2) for delivering housing from the Broad Locations is overly optimistic given the timelines for all the necessary planning approvals and lead in times for infrastructure.

29) Lichfields, produced a report in 2020 "Start to Finish" which reviewed build out rates of large housing sites across te country. This showed that nationally the average planning approval period for large sites of say 1,000 dwellings was 4.6 years. Given the local councils do not embrace new development but are reluctant participants when it comes to development on green fields, locally the time is longer. The Lichfield report also analyses tbuild out rate on large sites. The averages for sites 500-1 ,000 was 68 d.p.a., 1,000-1499 was 107 d.p.a. It is generally acknowledged that the early development years of schemes the completion rates are far less than the average. The build out rate in the early years for the Broad Locations is again overly optimistic.

30) My experience of the delivery of large sites in Hertfordshire, a county which has been reluctant to housing growth for decades, is that it will not be until the early/mid 2030's that many of the "Broad Locations" begin to deliver housing, the exceptions possibly being part of West Redbourn and part of North St Albans where permission has either granted or the application is well advanced. I set out below examples I have been involved with or are aware.

31) **Hemel Hempstead.** Allocated site for 900 dwellings in the Sites Allocations, Adopted 2017. Hybrid Planning Application submitted 21/12/2018. Granted 03/12/2021. Price negotiation with land owners and following approvals of pre- commencement conditions, start date on site November 2024. First dwelling for occupation November 2025. Total time for an allocated site from planning application to delivery of first dwelling 7 years.

32) **Stevenage.** Allocated site for 1,350 dwellings in Adopted Local Plan 22/05/2019. Hybrid planning application 07/04/2021 . Following Section 106 negotiations expected planning permission November 2024. There will be a period of negotiations on value which involves the Council and Homes England, with probable reference to an Expert, allow 18 months. Planning precommencement condition approvals, allow further 9 months. Lead in time for infrastructure to first dwelling allow further 18 months. Total time for an allocated site from planning application to first occupation just under 7.5 years.

33) **Hitchin.** Outline Planning Application for up to 700 dwellings submitted in advance of Local Plan on the 26/04/2018. Site allocated in the Adopted Local Plan November 2022 for 700 dwellings. Awaiting a decision. First occupation is likely to be in excess of 9 years from application.

34) On the basis of the above it is my view a reasonable expectation is that for large sites there is a 7 year gap between the submission of a planning application to first delivery of a completed dwelling. Given that to date with a couple of exceptions, applications on large sites have not been registered I think my estimate of early to mid 2030's is supported by the evidence. There are varied reasons why these sites have taken so long (continued public and councillor resistance, officer workload) .This will apply to all sites. That is why the timescales envisaged in the Housing Trajectory are not in some instances likely to be achieved. In my view based upon evidence, the first housing on most of the larger sites will not be delivered until the early/mid 2030's.

35) From the Councils own housing figures there is a substantial shortfall in delivery up to the 2030's. This under provision needs to be reduced with more small sustainable sites. Small sites are usually less constrained by infrastructure delivery because this is already available, or complicated Section 106 agreements involving both District and County. Early delivery is essential given the Council only has a 1.5 year housing land supply.

36) A greater number of smaller sites which do not have constraints to delivery need to be identified. Sites A and B are an obvious example.

37) The Council's identified urban sites include many which are Council owned comprising many garage blocks with poor access, city and town car parks and community buildings. It is very unlikely the total housing numbers indicated from these sites will be achieved. There will be objections to the loss of vehicle parking land, this loss of spaces creates further pressure for "on street" parking and in the case of public car parks the impact this will have upon the vitality and vibrancy of the

town centres. Any loss of car parking provision or community buildings is likely to be strongly resisted by the local community. Access to many is substandard for residential development and comprise of back land plots out of character to the surrounding area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Policy wording in LG4 h) and DES3 a) should be amended to provide greater flexibility for densities on small /medium sites.

The Policy wording in HOU5 d) should be amended to make it clear the price to be paid by the Council or Registered Provider will be at the open market value and failing that, the plots can be sold to small/medium enterprise housebuilders.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. G A Simons Reg 19 Subs 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important that the Council is questioned upon its approach to Green Belt Release given the apparent inconsistences where some sites have been identified and other more obvious ones omitted. The Councils minimum density for all sites irrespective of size is not reasonably achievable for small sites. The housing trajectory is overly optimistic. It's reliance on urban sites delivering the numbers indicated, is not reasonably achievable given the constraints of many of the sites.

It is evident that more sites need to be allocated to meet the housing numbers, particularly in the short term.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New sites

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The Trustees own the land shown as Sites A and B on the attached plan (Appendix 1) which are separated by a school access owned by Herts C.C.

3) Site A has an area of 0.4614 hectares.

Site B has an area of 0.295 hectares.

4) The sites adjoin the settlement edge of Harpenden and are severed from the wider Green Belt by the Katherine Warington Secondary School and residential development to the north. The sites do not perform the five purposes for including land within the Green Belt.

Background

5) Sites A and B originally formed part of a larger agricultural field which was a subject of a resolution by Herts County Council to exercise compulsory purchase powers to acquire the land for the purposes of a secondary school. The compensation provisions mean that land to be compulsory acquired is only land which is needed/required for the purposes of the acquisition. The County Council accepted that it did not require the whole of the field for the purposes of providing a secondary school. In order to prevent a successful objection to a compulsory purchase order a lesser was agreed. The land was transferred to the County Council in 2018. This left Sites A and B and the farm buildings and paddock land to the north out of the purchase by the County Council, which used the compulsory purchase powers in the background.

6) The Katherine Warington Secondary School was constructed a few years ago and the early pupils now joining the newly opened Sixth (Sept 2024).

7) The agricultural buildings to the north of Site A obtained permission for change of use to four dwellings under Class Q of the General Permitted Development Order 2015 in February 2021 (P/A5/2020/3143 and 3142). The site of the buildings was then sold together with the adjoining paddock to a developer. The developer then obtained planning permission for three new dwellings in April 2022 (P/A5/2021/3482) on the same footprint as the original farm barns. Subsequent to that a further planning permission for an agricultural building was granted in January 2023 (P/A5/2022/2279). This agricultural building was 162sqm. A further planning application for a barn is pending determination (P/A5/2024/0208).

8) It will be evident both from plan and site inspection that the two parcels Sites A and B are severed from the wider countryside by the built form which surrounds them, (see photo's Appendix 2)

9) The sites no longer perform any of the five purposes for including land within the Green Belt due to the developments around the boundaries.

Green Belt Study

10) The Council's Green Belt study as part of its evidence base does not properly adopt a finer grain approach to considering Sites A and B in isolation and in the context of the surrounding development. Had it separately assessed these sites as identified in the "Call for Sites", it could not have reasonably concluded that Sites A and B should remain within the Green Belt, as they do not perform the five purposes for including land within the Green Belt. The Green Belt Study upon which the Council relies, assessed Sites A and B as part of SA-29, which includes the school, playing fields, paddock and the 3 new dwellings and agricultural building. It was wrong to do so and the Study is flawed in respect of our clients land.

11) The omission of Sites A and B as a Green Belt release is in contrast to a number of the Council's proposed sites for Green Belt release to meet housing need; sites which have a wider and greater Green Belt impact. We would wish to review these comparisons ss part of the Examination.

Sustainability

12) Sites A and B adjoin the Harpenden settlement edge. They are on a bus route, adjoin a secondary school, within 490 metres of primary and nursery schools. There are pubs, petrol filling stations and shops within 480 metres and employment within 225 metres and 650 metres. The town centre and mainline railway station are within 1.5 kilometres. All of which can be reached safely by pedestrians.

13) Close to the site the Council is proposing an urban extension comprising site 82 northeast Harpenden which is identified for delivering 738 dwellings, extra care home, primary school and outdoor sports provision and new local centre.

14) The Reg 19, Para 1. 30 refers that the strategy is to locate growth in the most sustainable locations. Para 3.4 refers to "meet the needs within or close to existing settlements". Policy SP2 d) seeks to make "use of the most sustainable locations for growth "

Proposed Housing

15) Sites A and B have frontage to Common Lane. The sites have a depth of a minimum 37 metres.

16) Common Lane has all main services for the length of the two sites. Given the minimal infrastructure and servicing costs the sites closely fit towards a market requirements for small and medium enterprises and custom/self- build. Para 1.31 seeks opportunities for self build/custom build. Policy HOU5 makes provision for self build/custom build plots.

17) The expectation is that 9 x 3/4 bed detached houses with garages could be accommodated on Site A with a maximum of 30% 4 bed. On Site B, 9 smaller x 3 bed detached houses with/without garages. This would provide dwellings which takes into account the adjacent housing character and would represent attractive plot sizing for custom/self- build. The provision of a high proportion of 3 bed dwellings is where there is the highest need (Policy HOU1).

Policy Objections

18) The policies LG4 h) and DES3 a) provide a density of 40 d.ph as a minimum, these are simply unrealistic and unobtainable when it comes to small sites (up to 9 dwellings) and to a lesser extent for medium sites. These sites are not of a size which can accommodate a housing mix to achieve this density. As an example, a site proposed for 9 self- build/custom build (Policy HOU5) would be for individual plots for detached dwellings, (such as the successful council scheme Graven Hill, Bicester, Oxfordshire). Building co -operatives would be needed where the plots are not for detached dwellings, these are fraught with challenges which deters interest. Whilst it is recognised there are proposed requirements for such plots in the Broad Locations, discussions with housebuilders indicate is they are seldom taken up. They are unattractive to the market. Cause many issues concerning site security/ health and safety procedures and responsibilities. A minimum density for small/ medium sites should be deleted from the policy wording.

19) Policy HOU5 d) needs further wording that where the custom/self- build plots have not sold in the open market, then if offered to the Council or Registered Provider it will be at the open market value and failing that sold to a small/medium enterprise housebuilder.

Is the Plan Justified

20) Given the above, the Plan is not justified as an appropriate strategy as it does not take into and its evidence base for not doing so is not proportionate or indeed reasonable. In respect of Sites A and B the Councils Green Belt study conclusions to not stand up to scrutiny.

21) The plan policy for minimum densities to be applied to small/medium sites should be deleted. New wording should be inserted where this is an aim, but to have regard to the surrounding character and density and uses.

22) Whilst the Government's final definition of Grey Belt and the inclusion of Grey Belt as not being inappropriate development within the Green Belt, has yet to be confirmed; the proposed wording for Grey Belt includes *'any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes'.* The case for the Trustees is that Sites A and B do not contribute to the five purposes. It is not the case these sites make a "limited contribution" to Green Belt purposes, but rather they make "no contribution". The Government consultation "Proposed reforms to the NPPF and other changes to the planning system" 24/09/2024 suggests an effective way of providing guidance and refers

"Grey Belt Land which makes a limited contribution to the Green Belt purposes will:

1. *a) Not strongly perform against any Green Belt purpose; and*
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iii Land which is dominated by urban uses, including physical developments

iv Land which contributes little to preserving the setting and special character historic towns".

Sites A and B satisfies all Grey Belt tests.

Has The Plan Been Positively Prepared

23) This is a qualified objection. Our client raises no objection to the overall housing provision based upon the current standard methodology, though has issues with the housing delivery during the plan period given the Council only has a 1.5 years housing land supply. Should the Governments new standard methodology apply for the purposes of this Plan, then there is a gross under provision of housing. The new methodology would increase the housing numbers from 885 d.p.a. to 1,554 d.p.a., a 75% increase.

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25) The current expectation based upon the Council's programme is that the local plan will be submitted before the Government's proposed Standard Methodology for determining housing need takes effect. It is important a Plan is in place given the acute housing shortfall with only a 1.5 years housing land supply and to enable early new housing delivery. A further period of time without an up to date Plan will only add to an already difficult situation, so getting the Plan to Adoption is important. However, given the circumstances the Council has found itself, with a significant risk of unmet housing need, it is very important to identify and allocate in this plan more sites where possible and appropriate.

26) Given that planning policy and the plan process is a bit of a "moveable feast" the expectation in 25) above, may not be realised and there is no certainty. It is in any event clear the proposed housing provision will not meet the future development needs during the local plan period and an early review will be required.

27) In the event the new Standard Methodology does not apply to this Local Plan and the Council meets the deadline for submission, then our client is of the view the Council should commit to an immediate review following the Adoption of the Plan. There will a period between the Inspector's report and the Council's formal Adoption for Council officers to start the preliminary internal processes.

Housing Trajectory

28) The Council's housing trajectory (Table 3.2) for delivering housing from the Broad Locations is overly optimistic given the timelines for all the necessary planning approvals and lead in times for infrastructure.

29) Lichfields, produced a report in 2020 "Start to Finish" which reviewed build out rates of large housing sites across te country. This showed that nationally the average planning approval period for large sites of say 1,000 dwellings was 4.6 years. Given the local councils do not embrace new development but are reluctant participants when it comes to development on green fields, locally the time is longer. The Lichfield report also analyses tbuild out rate on large sites. The averages for sites 500-1 ,000 was 68 d.p.a., 1,000-1499 was 107 d.p.a. It is generally acknowledged that the early development years of schemes the completion rates are far less than the average. The build out rate in the early years for the Broad Locations is again overly optimistic.

30) My experience of the delivery of large sites in Hertfordshire, a county which has been reluctant to housing growth for decades, is that it will not be until the early/mid 2030's that many of the "Broad Locations" begin to deliver housing, the exceptions possibly being part of West Redbourn and part of North St Albans where permission has either granted or the application is well advanced. I set out below examples I have been involved with or are aware.

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34) On the basis of the above it is my view a reasonable expectation is that for large sites there is a 7 year gap between the submission of a planning application to first delivery of a completed dwelling. Given that to date with a couple of exceptions, applications on large sites have not been registered I think my estimate of early to mid 2030's is supported by the evidence. There are varied reasons why these sites have taken so long (continued public and councillor resistance, officer workload) .This will apply to all sites. That is why the timescales envisaged in the Housing Trajectory are not in some instances likely to be achieved. In my view based upon evidence, the first housing on most of the larger sites will not be delivered until the early/mid 2030's.

35) From the Councils own housing figures there is a substantial shortfall in delivery up to the 2030's. This under provision needs to be reduced with more small sustainable sites. Small sites are usually less constrained by infrastructure delivery because this is already available, or complicated Section 106 agreements involving both District and County. Early delivery is essential given the Council only has a 1.5 year housing land supply.

36) A greater number of smaller sites which do not have constraints to delivery need to be identified. Sites A and B are an obvious example.

37) The Council's identified urban sites include many which are Council owned comprising many garage blocks with poor access, city and town car parks and community buildings. It is very unlikely the total housing numbers indicated from these sites will be achieved. There will be objections to the loss of vehicle parking land, this loss of spaces creates further pressure for "on street" parking and in the case of public car parks the impact this will have upon the vitality and vibrancy of the town centres. Any loss of car parking provision or community buildings is likely to be strongly resisted by the local community. Access to many is substandard for residential development and comprise of back land plots out of character to the surrounding area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

That our client's sites identified as A and B on the attached plan should be included as a Green Belt release and allocated for housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. G A Simons Reg 19 Subs 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important that the Council is questioned upon its approach to Green Belt Release given the apparent inconsistences where some sites have been identified and other more obvious ones omitted. The Councils minimum density for all sites irrespective of size is not reasonably achievable for small sites. The housing trajectory is overly optimistic. It's reliance on urban sites delivering the numbers indicated, is not reasonably achievable given the constraints of many of the sites.

It is evident that more sites need to be allocated to meet the housing numbers, particularly in the short term.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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70 - Mr Philip Anderson

Submission Number: 70 Submission Date: 05/11/24 15:27

Respondent: Mr Philip Anderson

Appendix 1 - Cycle and Car Parking Guidance and Standards for New Development

Comment Number: 1

Type:

* Table

Number:

Figure 1 Amount of car parking to be provided in each Zone

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Appendix 1 Figure 1 states that in Zone 1 that the amount of Car Parking to be Provided “Must normally meet parking standards in full” The use of the word “normally" allows planners to ignore parking requirements by introducing any justifications they choose to invent. I reference as an example a recent approval (5/17/2481) which allowed a six bedroom house to reduce its in-curtillage parking from two to one space with the following justification: “Given the site’s sustainable location, its proximity to local shops, and its accessibility to local bus networks and St Albans City Railway, it is considered that the provision of one car parking space would be sufficient for the needs of the application site. " Justifications for reducing parking requirements are typically "access to local shops, bus services, train services" which are then argued make the site “sustainable”. Such justifications clearly apply to nearly all locations within the St Albans’s area and allow parking requirements to be ignored. Strict adherence to required parking standards are absolutely necessary in order to maintain safe access to local roads for local traffic and therefore the proposed wording shows that the Plan is not Positively Prepared.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The suggested wording for Zone 1 is : "Must meet parking standards in full except in exceptional circumstances.”A reference is then required to advise on what does, or does not, consist of exceptional circumstances. The suggested wording for this condition is: "The parking requirement must be met unless the reasons for changing it are truly exceptional and do not apply to the majority of houses in St Albans."

These wording changes and additions are intended to make it more difficult for planners to ignore the in-curtilage parking requirements of the Local Plan particularly when considering changes to existing buildings. The broader reason for strengthening the wording is that if the plan allows in-curtillage parking to be reduced more vehicles will park in the roads resulting in increased hazards for pedestrians and motorists. It will also impede traffic flows and increase congestion. The interests of road users must surely be prioritised over those whose interest is simply to increase a building's size.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

71 - Mr Philip Anderson

Submission Number: 71 Submission Date: 05/11/24 16:02

Respondent: Mr Philip Anderson

Appendix 1 - Cycle and Car Parking Guidance and Standards for New Development

Comment Number: 1

Type:

* Table

Number:

Appendix 1 Figure 1 Residential Car Parking Standards

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The proposal in Residential Parking Standards is that a 3+ bedroom dwelling should have 2 allocated spaces and 0.5 unallocated. The previous Local Plan from 1994 required that only a 3 bedroomed dwelling should have this requirement. A 4+ dwelling was required to have 3 allocated spaces and 0.5 unallocated. The new plan therefore permits in-road parking to be increased over that which was required in 1994. The new plan allows all houses with more than 3 bedrooms to have only 2 allocated spaces. I do not believe that a modern Local Plan should allow more parking in our roads than was viewed as acceptable 30 years ago. The allocated parking requirements should if anything be increased to reflect the substantial increase in car ownership that has happened since 1994. The proposed Plan is therefore not Positively Prepared nor is it Justified since it will permit increased roadside parking. An increase in roadside parking will increase dangers for all road users including pedestrians as well as motorists. It will also result in increased congestion and delays.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The referenced table should include a statement that car parking standards for 4+ bedroom dwellings are 3.5 spaces (3 allocated and 0.5 unallocated). The requirement for 3+ dwellings should be removed and replaced by a requirement for 3 bedroom dwellings of 2.5 spaces (2 allocated and 0.5 unallocated).

This change will increase allocated parking in St Albans and therefore decrease roadside parking with benefits described above for all road users

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

72 - Mr Daniel Ward

Submission Number: 72 Submission Date: 05/11/24 16:57

Respondent: Mr Daniel Ward

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In 2022, the council commissioned Arup to undertake a review of the green belt in St Albans district. Arup submitted its final report to the council in June 2023.

One of the primary purposes of the report was to identify sub-areas which might potentially be released from or added to the Green Belt. It examined, among others, two Broad Locations that had previously been identified as possible housing development sites, North East Harpenden and North West Harpenden.

In both cases, Arup considered the Broad Locations in their entirety and as smaller sub-areas. They found that while some sub-areas could be released from the Green Belt without damaging its overall function, other sub-areas “perform strongly against the NPPF purposes and makes an important contribution to the wider Green Belt.” These sub-areas were “not recommended for further consideration”.

The report was thorough in is methodology and its use of all available evidence in justifying at its conclusions.

Despite this, the council rejected Arup’s findings and decided to take both Harpenden Broad Locations forward in their original form. Planning officers submitted the site allocations to the Planning Policy & Climate Committee on 23 September 2024, which agreed that the Broad Locations should be taken forward in their entirety.

This was not an evidence-based decision. Instead, it relied on the assertion of planning officers that only when the sites were accepted as a whole would they ”deliver a wide range of significant Economic, Environmental and Social benefits including housing, affordable housing, schools, and a significant scale of sustainable transport improvements and jobs”. Evidence to support this statement was not provided, and the viability of taking forward smaller sub-areas was not explored.

This lack of evidence in reaching this decision undermines the credibility of the Local Plan. The council should revisit its Broad Location site allocations and properly consider whether it would be viable to take forward smaller sub-areas for housing development.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B2 - North East Harpenden, AL5 5EG

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In 2022, the council commissioned Arup to undertake a review of the green belt in St Albans district. Arup submitted its final report to the council in June 2023.

One of the primary purposes of the report was to identify sub-areas which might potentially be released from or added to the Green Belt. It examined, among others, two Broad Locations that had previously been identified as possible housing development sites, North East Harpenden and North West Harpenden.

In both cases, Arup considered the Broad Locations in their entirety and as smaller sub-areas. They found that while some sub-areas could be released from the Green Belt without damaging its overall function, other sub-areas "perform strongly against the NPPF purposes and makes an important contribution to the wider Green Belt." These sub-areas were "not recommended for further consideration".

The report was thorough in is methodology and its use of all available evidence in justifying at its conclusions.

Despite this, the council rejected Arup's findings and decided to take both Harpenden Broad Locations forward in their original form. Planning officers submitted the site allocations to the Planning Policy & Climate Committee on 23 September 2024, which agreed that the Broad Locations should be taken forward in their entirety.

This was not an evidence-based decision. Instead, it relied on the assertion of planning officers that only when the sites were accepted as a whole would they "deliver a wide range of significant Economic, Environmental and Social benefits including housing, affordable housing, schools, and a significant scale of sustainable transport improvements and jobs". Evidence to support this statement was not provided, and the viability of taking forward smaller sub-areas was not explored.

This lack of evidence in reaching this decision undermines the credibility of the Local Plan. The council should revisit its Broad Location site allocations and properly consider whether it would be viable to take forward smaller sub-areas for housing development.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B7 - North West Harpenden, AL5 3NP

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In 2022, the council commissioned Arup to undertake a review of the green belt in St Albans district. Arup submitted its final report to the council in June 2023.

One of the primary purposes of the report was to identify sub-areas which might potentially be released from or added to the Green Belt. It examined, among others, two Broad Locations that had previously been identified as possible housing development sites, North East Harpenden and North West Harpenden.

In both cases, Arup considered the Broad Locations in their entirety and as smaller sub-areas. They found that while some sub-areas could be released from the Green Belt without damaging its overall function, other sub-areas "perform strongly against the NPPF purposes and makes an important contribution to the wider Green Belt." These sub-areas were "not recommended for further consideration".

The report was thorough in is methodology and its use of all available evidence in justifying at its conclusions.

Despite this, the council rejected Arup's findings and decided to take both Harpenden Broad Locations forward in their original form. Planning officers submitted the site allocations to the Planning Policy & Climate Committee on 23 September 2024, which agreed that the Broad Locations should be taken forward in their entirety.

This was not an evidence-based decision. Instead, it relied on the assertion of planning officers that only when the sites were accepted as a whole would they "deliver a wide range of significant Economic, Environmental and Social benefits including housing, affordable housing, schools, and a significant scale of sustainable transport improvements and jobs". Evidence to support this statement was not provided, and the viability of taking forward smaller sub-areas was not explored.

This lack of evidence in reaching this decision undermines the credibility of the Local Plan. The council should revisit its Broad Location site allocations and properly consider whether it would be viable to take forward smaller sub-areas for housing development.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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73 - Mr Richard Blair

Submission Number: 73 Submission Date: 05/11/24 17:09

Respondent: Bidwells MR Derek Bromley

On Behalf Of : Mr Richard Blair

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1) These representations are made on behalf of Richard Blair of Flamsteadbury Farm, Redbourn. This is a qualified objection that the Plan is not " Justified" in relation specifically to the detail in Part B of the Plan for Site B3 and Item 1 of the Key development requirements. This qualified objection may become irrelevant in the event the current planning application on land south of Flamsteadbury Lane is granted in advance of the Examination.

2) Our client owns the land shown edged grey on the attached Plan 1. His ownership includes land which falls within administrative area of Dacorum Borough Council which is shown edged red.

3) The land which he owns to the south of Flamsteadbury Lane, shown hatched red, is subject to an agreement with the Vistry Group. Our client has had the opportunity to review the Regulation 19 representations submitted by Turley on behalf of the Vistry Group and supports and endorses them.

4) Flamsteadbury Lane separates the northern part of the site to that of the south. Flamsteadbury Lane is owned for its most length by our client. It is subject to a public right of way.

5) These representations relate only to the land north of Flamsteadbury Lane. Our client supports its proposed allocation of Site 83. In respect of the area north of Flamsteadbury Lane discussions have been held with Robin Blanford (as trustee of the Pennard Trust and Ulver). These discussions relate to the delivery of the land north of Flamsteadbury Lane and the owners have agreed to work together with the aim of bringing this part of the allocation forward.

6) As part of the agreement with Vistry our client has reserved right of access and services through the proposed development to the South of Flamsteadbury Lane, an access which will enable development to take place on his field to the north of Flamsteadbury Lane. The land south of Flamsteadbury Lane is the subject of planning application which has yet to be determined.

7) As referred to in the representations on behalf of the Vistry Group, a planning application has been submitted for up to 300 dwellings and is to become the first phase of development within this proposed allocation.

8) The owners of the land north of Flamsteadbury Lane agreed and submitted representations to Dacorum Borough Council for the land within its administrative boundary east of the M1 to be released from the Green Belt. This replicates the Arup Green Belt study report in relation to this location as sites SA-1 and SA-3A. We hope that under the duty to corporate the Councils would together agree that the M1 should form the natural Green Belt boundary. This will certainly be the case in the representations to the Dacorum Regulation 19 and the subsequent Examination.

Key Development Requirements

Item 1

9) "A new two form entry primary school including early years provision, to serve the new and wider community".

10) It is important not to delay the delivery of up to 300 dwellings to the south of Flamsteadbury Lane which is the subject of a planning application validated in January 2022, and where it is hoped it will be decided in early 2025. For clarity the wording in Item 1 should identify that the location for a school would be to the north of Flamsteadbury Lane, thereby ensuring the Council do not seek to use this to frustrate a positive planning decision.

11) Our clients and the owners of the land north of Flamsteadbury Lane will engage with Herts County Council as education authority to assess the pupil yield from the development and pupil capacity within the local schools. As a result of those discussions and a review it will be established whether an "on site" provision of a primary school is necessary or whether contributions would be sufficient to expand or enlarge existing facilities. We are conscious of the falling birth rate and the fact that some local primary schools have capacity. It is usual that Harts County Council require a two form entry level primary school however the housing numbers within this allocation and the pupil yield, would not of itself justify a two form entry school. It would therefore be reasonable and appropriate to discuss what levels of contribution towards the cost of the school would be made either by Herts County Council or other developers which benefit. All these factors will be taken into account at the time planning application is submitted in respect of the land north of Flamsteadbury Lane.

Item 9

12) "The site lies within the Chilterns Beachwood special area of conservation zone of influence. Appropriate contributions must be made toward the Strategic Access Management and Monitoring Strategy **(SAMMS).** Development proposals will also need to make provision for a new Suitable Alternative Natural Green Space (SANG) or alternatively contribute towards the maintenance of a suitable SANG project elsewhere".

13) A suitable SANG application has been submitted to Dacorum Borough Council on land which is owned by our client and is in close proximity to site 83. The SANG requirement is 8 hectares per thousand population and at an average household of 2.4 persons. For the whole allocation the area requirement would be 10.4 hectares. The minimum standards for a SANG requires a 2.3 kilometre circular walk which enables dogs to be let off the lead. The SANG application site is 16.31 hectares which means there is surplus capacity over and above what is required for the allocation. Prior to the planning application being submitted meetings were held with Natural England the key consultee, and any points raised have been addressed. The SANG application is well advanced and a resolution decision is expected on the 12th December. Our client also owns land adjoining the SANG. It has been designed so that, if necessary, it can be extended to assist other developments in the locality (4 kilometres).

14) In respect of the other Key Development Requirements our client has no observations.

15) The Vistry planning application provides all the Bio- Diversity Net Gain (BNG) within the site boundaries. The provision of the SANG on an arable field will mean there is a surplus of BNG credits which can contribute to or provide BNG for the remainder of the allocation.

16) Our client recognises the importance that a Local Plan is put in place given the acute housing shortage of only 1.5 years housing land supply, and to enable early housing delivery.

Plan Changes

17) Key development requirement Item 1, to be amended to identify that the provision of a school would be to the north of Flamsteadbury Lane.

Statement of Common Ground

18) Our client has agreed to a Statement of Common Ground with St Albans Council on a without prejudice basis. The agreed common ground is that the Council and our client generally supports what is set out in the Local Plan Part A and the Local Plan Part B, including the Key Development Requirements for site 83. There are currently no matters of general disagreement between the Council and our client.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Plan Changes

17) Key development requirement Item 1, to be amended to identify that the provision of a school would be to the north of Flamsteadbury Lane.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Blair Reg 19 Subs 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client is the major landowner in respect of Site B3. This site is identified as one the Broad Locations to take housing growth. It is therefore of significant importance to the Local Plan and that any objections or clarification is properly considered in open forum.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

74 - Mr Dean Ivory

Submission Number: 74 Submission Date: 05/11/24 18:01

Respondent: Bidwells MR Derek Bromley

On Behalf Of : Mr Dean Ivory

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1) These objections are made on behalf of the Ivory Family, Ken Ivory, Dean Ivory and Chris Ivory. Our clients object to the Regulation 19 plan on the basis it is neither " Justified' or 'Positively Prepared'.

2) Our client's own Site B8 shown on the Regulation 19 Local Plan.

Background

3) The site is predominantly Previously Developed Land and comprises of workshops, open storage yards and equestrian facilities. There is a long and established planning history to this site. The total floor area of this mixed use is in excess of 7,000 sq.m. within part of the proposed allocation and covers an area of 6.2 hectares.

4) The site is close to the settlement boundary of Radlett which has good range of facilities/amenities and public transport links including a main line railway station.

5) Following the Reg 18 consultation our clients commissioned Transport and Noise reports to investigate some of the Key Development Requirements and these reports have been shared with the Council well in advance of the Reg 19. These files are collectively too large to attach.

6) The site specific Key Development Requirements items 1-4 have been addressed in the Transport Assessment

7) The issues raised in the Key Development Requirements item 6 have been investigated as part of a Noise Assessment Report

8) In both cases the reports conclude there are no "showstoppers" to the delivery of the housing proposed on Site B8 in accordance with the Reg 19 Local Plan. Indeed, the Transport Assessment shows the mitigation measures (all within the public highway) will have benefits for the wider community by adding to and improving a modal shift away from cars and providing greater connectivity with cycleways, paths, safe crossings and improved bus provision.

Grey Belt

9) The Government is proposing to introduce Grey Belt in the new NPPF, where development would not be inappropriate. The final definition and wording has yet to be confirmed however the proposed wording included *"any other parcels and/or areas of Green Belt land that make* a *limited*

contribution to the 5 Green Belt purposes". That part of the allocation which is not Previously Developed Land would fall within this category. The Councils Green Belt study identified an area of Green Belt release which included land beyond the district boundary.

10) The Government consultation "Proposed reforms to the NPPF and other changes to the planning system" 24/09/2024 suggests and effective way of providing guidance and refers . *"Grey Belt land which makes a limited contribution to the Green Belt purposes will : a) Not strongly perform against any Green Belt purpose; and b) Have at least one of the following features: i Land containing substantial built development or which is fully enclosed by built form. ii Land which makes no or very little contribution to preventing neighbouring towns from merging into one another. iii Land which is dominated by urban uses, including physical developments. iv Land which contributes little to preserving the setting and special character of historic towns.*

11) The remaining part of the proposed allocation which is not Previously Developed Land would fall within Grey Belt. This is supported by the ARUP Green Belt Study which includes land beyond the district boundary.

Is The Plan Justified?

12) In relation to Site B8 the answer to that is no in two respects. Firstly, the site boundaries shown on the plan omits the workshops located within the area coloured red on the attached plan (Appendix 1) and shown in the photographs (Appendix 2). This simple mapping error should be corrected. Secondly, the Key Development Requirement item 5 should be amended as it is not reasonable or justified having regard to the topography and the mature hedges and trees between Harper Lane and Harper House the listed building; trees which were probably planted or existed at the time Harper House was built. The Regulation 18 wording for item 5 stating *'the setting of a Listed Building that is adjacent to the site must be taken into account'* is acceptable.

Has The Plan Been Positively Prepared?

13) This is a qualified objection. Our client's raise no objection to the housing provision based upon the current standard methodology. Should the Governments new standard methodology apply for the purposes of this Plan, then there will be a gross under provision of housing. The new methodology would increase the housing number from 885 d.p.a. to 1,554 d.p.a., a 75% increase.

14) Whilst there have been Ministerial Statements regarding when the new Standard Methodology for housing need will apply, nothing is certain as to the final wording and trigger timing.

15) The current expectation based upon the Council's programme, is that the local plan will be submitted before the Government's proposed new Standard Methodology for determining housing needs takes effect. Our clients accept and acknowledge that given the acute housing shortage (only a 1. 5 year housing land supply) that it is important a Plan is in place soon to enable early new housing delivery A further period of time without an up- to- date Plan will only add to an already difficult situation, so getting the Plan to Adoption is important. Given the circumstances the Council finds itself, with a significant risk of unmet housing need, it is important to identify and allocate in this plan more sites where this is possible and appropriate.

16) Given that planning policy and the plan process is a bit of a "moveable feast" the Councils expectation regarding timing may not be realised and there is no certainty. It is in any event clear the proposed housing provision will not meet the development needs during the plan period and an early review will be required.

17) In the event the new Standard Methodology does not apply to this Local Plan and the Councils meets the deadline for submission, then our client is of the view the Council should commit to an immediate review following the Adoption of the Plan. There will a period between the Inspector's report and the Council's formal Adoption for Council officers to start the preliminary internal processes.

18) In the event the Council is required to find additional sites to meet its housing need either due the methodology to be used for assessing the housing requirement, or if the Inspector finds that some of the proposed allocated sites should be omitted, then our client would wish for Site B8 Harper Lane housing allocation to be extended to include the area shown edged blue on Appendix 1 (in the attachment). Our assessment would be that the enlarged site would be able to accommodate a total of around 350 dwellings. Given our client owns an extensive landholding adjoining the proposed allocation the provision of 10% biodiversity net gain can be readily accommodated within our client's adjacent retained land holding.

Statement of Common Ground

19) Pursuant to the delivery of the site B8 allocation, the owners have agreed a Statement of Common Ground with St Albans Council, on a without prejudice basis. The agreed common ground is that the Council and the owners generally support what is set out in the Local Plan Part A and the Local Plan Part B, including subject to the alterations indicated above the Key Development Requirements for site B8.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The proposed alterations to the plan; in the event that the current standard methodology for assessing housing need is the relevant criteria for this local plan, then the proposed allocation site boundary should be amended to include that area shown coloured red on Appendix 1 and within the Key Development Requirements for site B8 item 5 to be amended to 'the setting of a Listed Building that is adjacent to the site must be taken into account'. If it is found by the Inspectors that further land is required for housing then our client's propose that Site B8 be extended to include the Land shown edged blue on Appendix 1 (in the attachment).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Ivory Reg 19 Subs 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client owns Site B8 which is identified as a one of the Broad Locations to take housing growth. It is therefore of significant importance to the Local Plan and that any objections or clarification is properly considered in open forum.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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75 - Mr Andrew Woods

Submission Number: 75 Submission Date: 05/11/24 20:30

Respondent: Mr Andrew Woods

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Legally Compliant

A lot of the proposed developments are on Green Belt land. It does not appear that the “very special circumstances” required for development have been proven. The Green Belt would suffer major (and irreversible) harm should development proceed. At least some of the proposed areas for development have an important role in protecting the countryside from urban encroachment.

Positively prepared

The draft local plan does not meet the area’s objectively assessed needs if the consequences of the major developments are not tackled at the same time. I am concerned that the traffic, lack of sufficient public transport, overwhelming pressure on schools and local health services and sustainability have not been addressed fully. Developments should not be approved without all these issues being resolved and the funding made available for them. Overdevelopment could also drive business away from the towns to other areas.

Justified

The local plan cannot be justified if it does not fully meet all the reasonable needs of both existing and new residents, such as access to health services, schools and public transport options. I am also concerned that the proposed development of car parks in urban areas cannot be justified when there is already such pressure on parking, and there would be even more pressure with additional housing on the scale proposed.

It does not appear that the local plan is consistent with national policy where development on the Green Belt is concerned. “Very special circumstances” have not been demonstrated and even if they were I do not believe they would outweigh the major harm they would do.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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76 - Mr Michael Davis

Submission Number: 76 Submission Date: 05/11/24 23:29

Respondent: Mr Michael Davis

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

NPPF says “Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport”. The M7 site has neither. The Arup Green Belt report assesses and recommends potential sites but without consideration of public transport connections. This methodology results in site recommendations with poor public transport connectivity (e.g M7 - Townsend lane, 13+ mins walk to regular bus, 24+ mins walk to train) where there are other sites with better public transport connectivity that score identically against the NPPF green belt purposes are not recommended for future consideration. This fails to meet the NPPF requirements and creates new car dependent communities in contradiction to the SP 2d in the local plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Either the plan should commit to serving sites such as M7 with public transport (e.g regular bus service, < 10 min walk) or include public transportation in the weighting used to evaluate suitability of green belt sites.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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77 - Mrs Rachel Davis

Submission Number: 77 Submission Date: 05/11/24 23:56

Respondent: Mrs Rachel Davis

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

NPPF calls for a “minimum density standards for city and town centres and other locations that are well served by public transport”. Given the M7 site is not a town centre location nor well served by public transport (13+ mins walk to regular bus, 24+ mins walk to train) and access is along “single track Townsend Lane” a lower density should be applied for this site per NPPF 129 b “It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas”.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

SADC should provide a detailed analysis of the suitability of local roads (Townsend Lane, Claygate Ave, Alders End Lane) for this number of units, in particular during the periods where these roads are used for both Roundwood Park and Roundwood Primary School runs. The evidence provided would appear to be limited to high level, focused on large sites and major junctions.

Either the plan should commit to serving medium, dense sites with public transport (e.g regular bus service, < 10 min walk) or transfer units to alternative sites that can be well served by public transport.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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78 - Mrs Lynn Whitton

Submission Number: 78 Submission Date: 06/11/24 03:54

Respondent: Mrs Lynn Whitton

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I believe the building of a proposed 2400 houses on the very boundary of St Albans District Council is totally unacceptable. It is destroying more green belt land and would have a huge detrimental effect on the village of Leverstock Green, swamping its village character. The road network around this area is already very congested and the road leading upto the M1 motorway from Leverstock Green and the dual carriageway is one of the most congested approach roads to the M1 in the area. There is one road from Hemel Hempstead to St Albans which passes directly through Leverstock Green and it is frequently totally jammed with traffic . There is not the road infrastructure to support so many additional houses . Also there is the question of the sewerage system in the area which is already overloaded .

The residents of the new houses would use the facilities within Dacorum Borough Council due to the proximity of the houses to the village of Leverstock Green and the rest of Hemel Hempstead, while Council Tax would be paid to St Albans County Council, bringing very little benefit to the town. While it is not an issue considered in this consultation I bring it to your notice that Hemel Hempstead does not have a fully operational hospital , which is of concern to the residents and to build so many additional houses will further increase the strain on overcrowded Watford hospital . Also there is the proximity to Buncefield Oil Depot . While the new houses are considered to be within the ‘safety zone’ may I point out that houses in Westwick Row were damaged in the last explosion and even a window blown out in St Albans cathedral.. Then there is the motorway noise to be considered. The houses would be built in close proximity to the M1 which emits constant noise and pollution . This should be a consideration for the health of the occupants of these new dwellings . The housing development is too large for the area and should be located elsewhere . The disruption to the residents of Leverstock Green during construction would be huge as there are no other access roads to St Albans and only one Main Street through the village .

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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79 - Napsbury Park Residents Association NPRA

Submission Number: 79 Submission Date: 06/11/24 08:08

Respondent: Napsbury Park Residents Association mrs corinne fishman

On Behalf Of Napsbury Park Residents Association NPRA :

B6 - West of London Colney, AL2 1LN

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

On behalf of the residents of the London Colney area and Napsbury Park, we, the Napsbury Park Residents Association (NPRA), object to certain Key Development Requirements of the above proposal.

As evidenced in the attached below, the draft Local Plan for B6 has not been prepared in accordance with legal and procedural requirements and therefore should be rejected as not 'sound'. These proposals are not 'Justified' - they have not taken into account the reasonable alternatives of providing all access from Shenley Lane - and they are not 'Consistent with national policy' namely the preservation of a Registered Historic Park, Metropolitan Green Belt and Conservation Area with associated biodiversity.

Whilst we appreciate the need for new homes and educational facilities within the District and the proposed enhancement of walking and cycling links to the Town Centre and retail park, we oppose the Key Development Requirements for:

- safe and attractive site access for pedestrians, bicycles and vehicles which connects through and outside the site via Napsbury Park. A suitable cycle friendly crossing will be required with signal lights

- Junction priority and segregated cycle access from Napsbury Park to the new secondary school

In addition, we understand that there has been an informal discussion for a compulsory purchase order on Napsbury Park to build a four lane access road through Pegrum Drive.

As we will demonstrate below, these proposals blatantly disregard the Council's adopted policy (2019) to preserve the trees, character and design of Napsbury Park and avoid harm to the local ecology.

Furthermore, our evidence shows that the draft Local Plan for B6 has not been prepared in accordance with legal and procedural requirements and therefore should be rejected as not 'sound'. These proposals are not 'Justified' - they have not taken into account the reasonable alternatives of providing all access from Shenley Lane - and they are not 'Consistent with national policy' namely the preservation of a Registered Historic Park, Metropolitan Green Belt and Conservation Area with associated biodiversity.

Significance of Napsbury Park

As recognised in St Albans & City District Council's 2019 Conservation Area Character Statement for Napsbury Park, the Council has a duty to pay 'special attention to the desirability of preserving and enhancing the character and appearance of the Conservation Area.' (1.2). The adopted report states that the 'landscape of the area is significant, as denoted by the area's status as a Registered Historic Park' (2.2).

As a designated Grade II Registered Historic Park and Garden and defined as Metropolitan Green Belt, the Park is deemed to be of 'national importance and its landscape value is a material consideration in the planning process, meaning that the Local Planning Authority must consider the impact of any proposed development on the special character of the landscape.' (3.2) Further, 'the conservation area is covered by a blanket Tree Preservation Order.' (3.3)

As a Parkland, the area is home to a variety of wildlife and is actively managed by the Residents Association. In 2013, the Napsbury Park Residents Association commissioned a survey by the Royal Society for the Protection of Birds with subsequent surveys held since then. The report identified 84 different species of plants and trees in addition to some 25 species of birds nesting in bird boxes, the tree canopy and log piles around the Park. Residents have also noted bats flying above houses in Azalea Close.

Any detrimental impact on local wildlife would contradict statement 3.9 'significant harm to the ecological value of the countryside must be avoided'. Furthermore, government policy regarding biodiversity net gain, states that development should have 'a measurably positive impact ('net gain') on biodiversity, compared to what was there before development '. Clearly, any destruction of trees and wildlife to accommodate road and cycle access through the Park will result in a net deficit in biodiversity.

Any changes to the road network from widening roads to accommodate additional traffic, adding junction priority and segregated cycle access to the proposed school will be the detriment of the design and layout of the park which was designed to 'reflect the original, informal parkland area…making the residential layout of the redevelopment less tangible'. (5.6)

The flow of roads and pathways through the Park was a deliberate design which the Council clearly recognised in its Conservation Area Report: 'The lack of connectivity and through routes makes for a quiet and tranquil environment and, when coupled with the extensive landscaping, makes for a high quality environment and, consequently, a popular residential area. Overall, the design reflects the character of Napsbury as it was first conceived; a quiet, secluded location within the open countryside, with clear separation between distinct areas. Originally, these areas related to the different functions and needs of the hospital, now they relate to different parts of the residential development.' (5.7)

Under Design Guidance, the Council cites the need for 'The retention of mature trees and hedges [which are] vital to the street scene and all trees are protected by a Tree Preservation Order'. (9.12)

In terms of development on the surrounding area, the Character statement calls out the need for 'careful consideration should be had for any proposed development outside the Conservation Area that could impact on its setting as historic parkland' (10.5).

The importance of the surrounding landscape is reiterated throughout the report and should therefore be given the strongest consideration as part of any development to the south of the Park: ‘The trees and landscape quality of the Conservation Area remain extremely important to its character. Historically the site was chosen partly because of its landscape and position amongst farmland as this was felt to assist patients with their recovery. Today, despite surrounding development, most notably the construction of the M25 and other main roads, the area retains this quality. This is denoted by its inclusion in the Register of Historic Parks and Gardens as well as the Metropolitan Green Belt. (7.11)

It is noteworthy that the development of the freight terminal by SRFI to the east of the Park will include screening with mature trees around the affected boundary. By doing so, not only will this serve to protect residents from noise but it will also help retain the semi rural feel of the Park.

Impact of proposed new development

An access road to the proposed development of 324 residential units and an 8FE secondary school through Napsbury Park will generate unacceptable volumes of traffic, cyclists and pedestrians through the Park, which will have a detrimental impact on the character and design of the Park.

The existing single access roads through Napsbury Park do not have the infrastructure to support a significant increase in traffic, pedestrians and cyclists generated by the new school and houses without the destruction of protected trees, amenity and quiet enjoyment enjoyed not only by the residents of Napsbury Park but also the local community in London Colney. The Parkland is popular with dog walkers and families who appreciate its safe, low traffic, natural environment.

- Residential units

With limited public transport through and around the Park, the number of households which own cars is likely to be high. According to The National Travel Survey 2021, ‘there were 12 cars for every 10 households in England’. 3 Relating this to 324 new residential units could result in 388 additional cars driving through the Park, representing a 60% increase on the current volumes for the 550 homes on the Park.

- School

Based on a typical class size of 22.4 pupils per class, this would equate to 1,254 pupils. In addition, assuming a pupil to teacher ratio of 16.8 per, this would equate to 74 teachers and ancillary staff, amounting to an additional 1,300 additional people accessing the Park by various modes of transport.

With regards to modes of travel, government data published in December 2023, states that ‘children aged 11 to 16 made 41% of trips to and from school by walking and 26% by car.

Around 16% of trips to and from school were made by local bus by this age group’. Based on this data, this could generate 326 car journeys and four coaches twice per day. This does not take into account travel by teaching and ancillary staff.

Contravention of Local Plan Objectives

As a designated conservation area, the proposed access routes directly contravene a number of the Local Plan Objectives defined by the Council under Section 1.28 namely:

- Sustainable use of land/Green Belt - …’protect and enhance the Green Belt’

- Community Infrastructure - ‘Make sufficient provision for and access to community infrastructure in sustainable locations’

- Natural environment and biodiversity - ‘Protect, maintain and enhance the natural environment, including biodiversity, the landscape, green infrastructure and our waterways’

- Heritage - ‘Conserve and enhance our rich and varied historic assets and their settings,

celebrating their local distinctiveness and character'

Conclusion

As evidenced above, the proposed access routes through Napsbury Park with associated increases in traffic and pedestrian volumes will have a detrimental impact on the character, biodiversity and appearance of this nationally recognised historic Parkland. Indeed, they directly contravene the Council's own clearly stated policies in its Conservation Area statement and its Local Plan Objectives in addition to national Government planning policies.

As a result, we respectfully ask you to retract the statements for requirements for any form of access to the new school or housing development through Napsbury Park. All access must be provided along Shenley Lane with no impact on the designated Parkland which must be allowed to continue as a 'quiet and tranquil environment' benefiting residents both in Napsbury Park and the surrounding areas and retaining its historic, national importance.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The proposed access routes through Napsbury Park with associated increases in traffic and pedestrian volumes will have a detrimental impact on the character, biodiversity and appearance of this nationally recognised historic Parkland. They directly contravene the Council's own clearly stated policies in its Conservation Area statement and its Local Plan Objectives in addition to national Government planning policies (these are detailed in the attached letter).

As a result, we request that the statements for requirements for any form of access to the new school or housing development through Napsbury Park are retracted. All access must be provided along Shenley Lane with no impact on the designated Parkland which must be allowed to continue as a 'quiet and tranquil environment' benefiting residents both in Napsbury Park and the surrounding areas and retaining its historic, national importance.

Suggested rewording:

3. Primary access must be from Shenley Lane with safe and attractive site access for pedestrians, bicycles and vehicles including a suitable cycle friendly crossing will be required with signal lights.

4. Junction priority and segregated cycle access from London Colney to the new secondary school will be required. Access to the Public Right of Way to the south will be required, and support for the enhancement of the route through to Colney Street may be required. All Rights of Way on the site must be retained.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Objection to Draft Local Plan - B6_ West of London Colney AL2 1LN_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As a committee member of the Napsbury Park Residents Association, I feel it is important for me to participate in any hearing which has a direct impact on Napsbury Park, ensuring that any proposals align with local and national policies.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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80 - Sandridge Parish Council

Submission Number: 80 Submission Date: 06/11/24 10:19

Respondent: Sandridge Parish Council Cllr John Hale

On Behalf Of Sandridge Parish Council :

NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We support Policy NEB4 as it will help to protect Jersey Lane as a Key Linear Green Space. We welcome the stated intention to seek development contributions from major developments to mitigate impacts, supporting the maintenance and enhancement of such areas. The final sentence of the policy represents an improvement on the Regulation 18 version of the Plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

81 - Harpenden Society

Submission Number: 81 Submission Date: 06/11/24 10:20

Respondent: Harpenden Society Mr Martyn Reed

On Behalf Of Harpenden Society :

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need a plan
Harpenden is an attractive town and housing is in high demand. This makes it a very attractive proposition for developers. Without a current Local Plan we are in a perilous position which could result in inappropriate developments being forced upon us with little local control. We support the need to have a plan to be agreed swiftly.

We need more homes
As a country, and as a district, we need more homes and it is right that Harpenden has its share. Overall we support the number of homes that are being proposed for Harpenden but have concerns about the size and impact on our community of the two largest – B2 and B7

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Harpenden Society Representation_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need to secure the Green Belt.

We acknowledge that previous commitments to protect the Green Belt are being undermined but, in the circumstances, accept that this is necessary. However the plan should define the revised boundaries to ensure that the original principles of greenbelt are maintained i.e. that towns and villages do not coalesce, and that any permitted development does not create the potential for further erosion of the green belt. Special protection should be provided to protect views of, and from, the Common; probably the single most important feature in the attractiveness of Harpenden.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need small and medium size family homes

We support the proposed balance of housing biased towards small family homes (65% will be 3 bed or less).

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need affordable housing for the long term

We support the significant volumes of affordable housing (40% of large developments). We would suggest that legal devices are employed to ensure that the affordability of such housing is protected when those homes are resold.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP7 - Community Infrastructure

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Infrastructure needs improvement before development starts.

Due to previous expansion, and changing lifestyles, the infrastructure that makes Harpenden a pleasant place to live is already overwhelmed. In particular, congested roads, insufficient parking, surface water and sewerage systems, health services and a lack of sustainable transport options. The County and District Councils and NHS bodies must undertake a full review of the current infrastructure and commit to make improvements, before any major new developments (in particular B2 and B7) are considered.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES3 - Efficient Use of Land

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Build up, not just out

We believe that the council should, where the topography of the land permits, consider three storey properties thereby minimising the use of land.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES6 - Building Heights

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Build up, not just out

We believe that the council should, where the topography of the land permits, consider three storey properties thereby minimising the use of land.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B2 - North East Harpenden, AL5 5EG

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need more homes - As a country, and as a district, we need more homes and it is right that Harpenden has its share. Overall we support the number of homes that are being proposed for Harpenden but have concerns about the size and impact on our community of the two largest – B2 and B7

Infrastructure needs improvement before development starts - Due to previous expansion, and changing lifestyles, the infrastructure that makes Harpenden a pleasant place to live is already overwhelmed. In particular, congested roads, insufficient parking, surface water and sewerage systems, health services and a lack of sustainable transport options. The County and District Councils and NHS bodies must undertake a full review of the current infrastructure and commit to make improvements, before any major new developments (in particular B2 and B7) are considered.

The existing roads around Batford cannot cope with the proposed development - The Society's biggest single concern relates to the development in Batford (B2), an area which will already suffers from inadequate transport infrastructure and poor road layouts (with only two road crossings points

into Harpenden) which are unable to cope with the current volume of traffic. Increasing the population in this area of Harpenden by 30% without adequate thought and investment will cause gridlock.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B7 - North West Harpenden, AL5 3NP

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need more homes - As a country, and as a district, we need more homes and it is right that Harpenden has its share. Overall we support the number of homes that are being proposed for Harpenden but have concerns about the size and impact on our community of the two largest – B2 and B7

Infrastructure needs improvement before development starts - Due to previous expansion, and changing lifestyles, the infrastructure that makes Harpenden a pleasant place to live is already overwhelmed. In particular, congested roads, insufficient parking, surface water and sewerage

systems, health services and a lack of sustainable transport options. The County and District Councils and NHS bodies must undertake a full review of the current infrastructure and commit to make improvements, before any major new developments (in particular B2 and B7) are considered.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need a parking strategy for Harpenden

At a time when parking is under scrutiny, it is concerning that numerous car parks including those at the railway station, Bowers Way East, at the rear of Waitrose and in Southview Road are under threat (UC14, UC15, UC50, UC52 and UC54) where proposed developments would reduce or extinguish parking capacity. We request a full parking review, to include on-street parking, is undertaken to ensure that our roads are free flowing and the retailers and business, whose customers are being impacted, remain viable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need a parking strategy for Harpenden

At a time when parking is under scrutiny, it is concerning that numerous car parks including those at the railway station, Bowers Way East, at the rear of Waitrose and in Southview Road are under threat (UC14, UC15, UC50, UC52 and UC54) where proposed developments would reduce or extinguish parking capacity. We request a full parking review, to include on-street parking, is undertaken to ensure that our roads are free flowing and the retailers and business, whose customers are being impacted, remain viable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC50 - Southview Car Park, Lower Luton Road, Harpenden, AL5 5AW

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need a parking strategy for Harpenden

At a time when parking is under scrutiny, it is concerning that numerous car parks including those at the railway station, Bowers Way East, at the rear of Waitrose and in Southview Road are under threat (UC14, UC15, UC50, UC52 and UC54) where proposed developments would reduce or extinguish parking capacity. We request a full parking review, to include on-street parking, is undertaken to ensure that our roads are free flowing and the retailers and business, whose customers are being impacted, remain viable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC52 - Garage Block off Tallents Crescent, Harpenden, AL5 5BS

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need a parking strategy for Harpenden

At a time when parking is under scrutiny, it is concerning that numerous car parks including those at the railway station, Bowers Way East, at the rear of Waitrose and in Southview Road are under threat (UC14, UC15, UC50, UC52 and UC54) where proposed developments would reduce or extinguish parking capacity. We request a full parking review, to include on-street parking, is undertaken to ensure that our roads are free flowing and the retailers and business, whose customers are being impacted, remain viable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We need a parking strategy for Harpenden

At a time when parking is under scrutiny, it is concerning that numerous car parks including those at the railway station, Bowers Way East, at the rear of Waitrose and in Southview Road are under threat (UC14, UC15, UC50, UC52 and UC54) where proposed developments would reduce or extinguish parking capacity. We request a full parking review, to include on-street parking, is undertaken to ensure that our roads are free flowing and the retailers and business, whose customers are being impacted, remain viable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

82 - Glinwell Plc

Submission Number: 82 Submission Date: 06/11/24 10:31

Respondent: Bidwells MR Derek Bromley

On Behalf Of Glinwell Plc :

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Background

1.0 Site B5 comprises approximately 20.6 hectares and is currently central to the Glinwell business operations. Whilst areas of the site comprise of commercial horticultural glasshouses, significant and very important uses comprise of warehousing/distribution, packing and packhouse, the company's main offices for the European operations, 17 residential dwellings and a retail outlet.

2.0 As well salad crops being grown at Smallford, crops produced in European satellite operations and elsewhere within the UK are imported to the Smallford site which is the central hub for packing, warehousing and distribution for the Glinwell operations. It is currently the headquarters of Glinwell PLC. The future business plan makes provision for a change to operations and possible relocation.

3.0 The site is level with highway frontage to Hatfield Road and Station Road. Running north to south near the western boundary of the site is the Butterwick Brook. To the south of the site is O'Shea's yard and Alban Way with a listed building comprising the signal box. To the west of the site is the Lyon Way Industrial Estate and to the east residential dwellings along Station Road. To the north beyond Hatfield Road is a sports ground.

Sustainability

4.0 Para 1.30 of the Plan refers that the strategy is to locate growth in the most sustainable locations. Para 3.4 refers to *"meet the needs within or close to existing settlements".* Policy SP2 d) seeks to make *"use of the most sustainable locations for growth".* The site adjoins the settlement edge of St Albans.

5.0 Within Smallford there are a number of local facilities within 800m (10 minute walk) including a pub/restaurant, petrol filing station, garage, garden centre with A 1 retail outlet/restaurant, shop, children's nursery and pre-school, veterinary practice and various commercial-industrial premises along the Lyon Way and Acrewood Way Industrial Estates. A local shopping parade on Hatfield Road is 1.5km distance. The Hatfield Business Park is about 1.5km distance. There are public footpaths along Hatfield Road and the Alban Way-cycle/ footpath that links to St Albans city centre and Hatfield.

6.0 Hatfield Road is a main bus route between St Albans and Hatfield, and the nearest bus stops are adjacent to the site or within 60m. Each bus stop has a shelter. All services are via St Albans.

7.0 Smallford is a bus transport intersection for a number of bus routes: -

8.0 305, 300, 331 , 601, 602 and 653.

9.0 The site is therefore well connected for bus routes to and from a number of centres. The local bus stops are served by 7 frequent bus services including links to St Albans City Station. The site has a good level of accessibility to local and medium distance destinations by bus which will provide alternative to car use. In addition, there are good connections to the national motorway network A1M, M1 and M25.

10.0 St Albans City Railway Station is located approximately 4km from the site (17 minutes cycle trip) and is served by First Capital Connect. The City station can be accessed via the Alban Way cycle route.

11 .0 Hatfield station is operated by First Capital Connect is nearby and easily accessible. This serves the King's Cross line.

12.0 Colney Heath has a primary school and Treasures Tots nursery. Oakwood primary school (1.8km) and secondary school's nearby are Nicholas Breakspear (1.6km) and Beaumont (1.8km).

13.0 In addition, the Local Plan Reg 19 Site B4 makes provision for further 2 FE primary school as part of the development. There is a new secondary school as part of the allocation in London Colney.

14.0 In the appeal decisions Chester nursery and Radio nursery, the council accepted that Smallford was a sustainable location. 15.0 From the above, Site B 5 is in a sustainable location. 16.0 Our clients own land either side of Butterwick Brook which is partly within the floodplain but also provides opportunities for biodiversity net gain and compensatory Green Belt improvements.

Green Belt

17.0 The site adjoins the St Albans settlement edge. The Arup Green Belt Study identifies the site as a release from the Green Belt. As indicated above, the site can reasonably be regarded as Previously Developed Land (POL) within the Green Belt given the mixed nature of its uses. This type of mixed use being POL was confirmed in Appeal decision at the Chester Nursery Site, Smallford. The Chester Nursery grew annual plants which were mostly sold direct to the public. The Local Plan strategy is to identify POL as a priority for meeting housing need.

18.0 The total site area is stated to be 22.9 hectares. Currently approximately 15 hectares of the site is covered with buildings and hard surfacing. There is a further planning permission for a new glasshouse on the western boundary which has been implemented. This covers another 2.3 hectares. This would take the total site coverage to around 75%.

19.0 Para 1.32 refers to prioritising POL and this repeated in policy SP2 b). Para 3.2 seeks to allocate POL.

20.0 Given the juxtaposition to the St Albans settlement edge and the extent of site coverage with the existing buildings and the approved planning building, the site cannot reasonably be regarded, as fulfilling the five purposes of including land within the Green Belt.

21.0 Whilst the Government's final definition of Grey Belt and the inclusion of Grey Belt as not being inappropriate development within the Green Belt, has yet to be confirmed; the proposed wording for Grey Belt includes *'any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes'.* The case for the Trustees is that Sites A and B do not contribute to the five purposes. It is not the case these sites make a "limited contribution" to Green Belt purposes, but rather they make "no contribution". The Government consultation "Proposed reforms to the NPPF and other changes to the planning system" 24/09/2024 suggests an effective way of providing guidance and refers *"Grey Belt Land which makes a limited contribution to the Green Belt purposes will: a) Not strongly perform against any Green Belt purpose; and b) Have at least one of the following features : Land containing substantial built development or which is fully enclosed by built form. ii Land which makes no or very little contribution to preventing*

neighbouring towns from merging into one another. iii Land which is dominated by urban uses, including physical developments iv Land which contributes little to preserving the setting and special character historic towns".

22.0 The site meets all the Grey Belt tests.

Key Development Requirements

23.0 Following the Regulation 18 our clients commissioned reports in respect of the following: - a) A Transport Assessment (item 1) b) A Noise Report (item 8) This was to establish that waste operations in the general area would not impact upon the reasonable residential amenity of residents within a proposed development. It should be noted that there was only 1 waste operation within the 250 metre safeguarding area and this a metal recycling facility, conducted within a building on Lyon Way. c) A Minerals Assessment (item 9)

24.0 These reports (which are too large to send collectively) were shared with the Council well before the Reg 19 consultation. The conclusions of each were, that there were no 'showstoppers' to providing residential development on site 85 in accordance with the Local Plan Regulation 19.

25.0 The other items referred to in the key development requirements can be readily addressed in the design stages and processes leading up to a planning application.

Statement of Common Ground

26.0 Our client has agreed a Statement of Common Ground with St Albans Council on a without prejudice basis. The agreed common ground is that the Council and our client generally supports what is set out in the Local Plan part A and the Local Plan part B, including the key development requirements for site 85. There are currently no matters of general disagreement between the council and our client.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Glinwell Reg 19 Subs 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client is the owner of Site B5. This site identified as providing approximately 484 dwellings. The site is of significant importance to the Local Plan that any objection to the allocation or clarification is properly considered in open forum.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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83 - Affinity Water

Submission Number: 83 Submission Date: 06/11/24 09:00

Respondent: Lita Khazaka

On Behalf Of : Affinity Water

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The spatial strategy places great reliance on the role of the Hemel Garden Communities project in delivering 30% of the borough's stated housing target. It is unclear if it is viable to "put so many eggs in one basket" especially as there is no published evidence that other agencies will commit to deliver the substantial amount of infrastructure required with it. For example, the Infrastructure Schedule spreadsheet refers to Department for Transport (DfT) RIS3 funding for improvements to the M1 at Junctions 8 and 9 (projects 104 and 105) but the Arup Infrastructure Delivery Plan makes clear that DfT funding will be limited to maintenance only. Until this matter is sorted – including identifying who will pay for upgrading the road infrastructure in the absence of DfT funding - the Hemel Garden Communities project may be at risk of not being delivered or at least not delivered to the scale proposed.

Notwithstanding this matter, the housing target in Policy SP1 is unsound. The council has reduced its housing target from at least 15,096 homes in the Regulation 18 draft to at least 14,603 homes and has now put back yet again the start date of 1 October 2024 for the delivery of these new homes. The proposed buffer in terms of sites that will deliver this target (refer Table 3.2) has been reduced from 5% to 2.6% too between the Regulation 18 and 19 drafts of the Local Plan.

The council's revised approach is unsound because it cannot be justified based on current government guidance. Put simply, the housing target is too low and the proposed housing trajectory (refer Table 3.2) makes overly ambitious assumptions about windfalls and unallocated sites delivering new homes while putting off the delivery of much needed housing until the 2030s. This approach is not consistent with national policy in the National Planning Policy Framework (the NPPF).

Affinity Water notes the following four grave deficiencies with regard to the Draft Local Plan's housing numbers and trajectory.

First, the housing target in the Draft Local Plan is too low. The Regulation 19 Draft Local Plan housing target is for at least 14,603 net new homes. This appears to be based on a multiplication of the annual housing target (885 net new homes, a correction to the figure of 888 in the Regulation 18 draft) over a 16.5 year period (that is, 885 x 16.5). As the Draft Local Plan states that it is

planning until 2041, this implies a start date for the Local Plan of October 2024 . This start date cannot be correct as work on the draft Local Plan actually started in January 2021 when the council issued a Call for Sites, the Sustainability Appraisal Scoping Report5 and the updated Statement of Community Involvement/ Local Development Scheme. Indeed the Regulation 18 draft of the Local Plan incorporated housing completions from 2021 into its published housing trajectory.

Assuming this New Local Plan is to run until 2041, the housing target therefore needs to be for housing delivered over a 20 year period, on the basis that work on the Local Plan started in 20216 , or else the Local Plan needs to run from 2021 to 2038. Assuming an annual figure of 885 net new homes and that the Local Plan is to run until 2041, this would mean that the housing target should be at least 17,700 net new homes (that is, 885 x 20). It is clear that the council recognises this defect because, although it states that the Local Plan start date is 1 October 2024, its latest Housing Trajectory (Table 3.2) still includes 1,080 housing completions from 2021/22, 2022/23 and 2023/24 (7.2% of the total trajectory).

A housing target of at least 17,700 homes may be conservative as the council still has a Duty to Cooperate with other local authorities. It may have to take some unmet housing need from either a near neighbour in South West Hertfordshire (possibly Dacorum if that authority cannot satisfactorily mitigate the environmental damage to the Chiltern Beechwoods SAC associated with the need to plan for new housing7 or one of the London boroughs given that the district is in the Travel to Work Area of both Greater London and Watford Junction and enjoys fast, frequent rail links from Harpenden and St Albans (Abbey and Central).

Second, the housing buffer in the Housing Trajectory is too low. It needs to be a 20% buffer to be consistent with the NPPF (paragraph 77). Even if one were to assume a start date of 2024 for the Draft Local Plan (which the council cannot for the reasons set out above), the local planning authority must also plan for all the years when there was no up-to-date Local Plan in place and the council was not meeting Government set housing delivery test targets (refer Table 1 in attachment).

The council has consistently underperformed in this respect in recent years. Figure 1 (in attachment) shows that the council has not met the standard housing method target in any of the past five years for which statistics have been published.

In recent years, the pipeline of new housing sites has increasingly relied on unplanned for releases of Green Belt land (refer Figure 2 in attachment) approved either on appeal or through the application of "material considerations".

In such situations, the NPPF requires a 20% buffer. Assuming that the council must plan for a higher housing target of at least 17,700 net new homes over a 20 year period (from 2021 when work on this Local Plan actually began until 2041 following the withdrawal of the 2018 iteration of the Local Plan), this would mean that the council should plan for a housing trajectory that will deliver at least 21,240 net new homes.

Third, this flawed housing trajectory is flawed. The new Table 3.2 has re-categorised sources of future housing delivery relative to the Regulation 18 draft version. These three sources are: Windfall allowances (2,013 net); Harpenden NP allocations (57); and Part B site allocations (10,653). In total, this amounts to 12,723 homes and not 14,603 as the Regulation 19 draft is planning for. There is a missing 1,880 homes in the trajectory. The council is urged to prepare a paper clarifying the trajectory it has published and correct any errors in it.

Fourth, the trajectory is overly ambitious in some respects and unreasonable in others. The revised Table 3.2 of the Draft Local Plan contains very ambitious targets for housing delivery. For example, it assumes that 2,103 homes (13%) will be delivered on windfall sites. It is unclear how the council has reached this figure and it is inappropriate to “gamble” on such a high figure coming from sites that it is not aware of. It is submitted that opportunities for new homes through the prior approval process and on previously developed land in urban areas will dry up. Moreover, the council has

imposed Article 4 directions on most of its employment stock that will prevent their easy conversion to housing. A further defect in the trajectory is that it assumes no sites coming forward for development in the periods 2023/4 to 2027/8 and the bulk being delivered in the period 2031/2 to 2035/6 delivering levels of housing never experienced in the district (1,255 homes a year for five years). This trajectory is putting off the acute local problems of housing affordability because it effectively restricts supply for a further seven years. This is wholly inconsistent with the NPPF (paragraph 69a) which requires councils to identify "specific, deliverable sites" in the first five years of a Local Plan.

Further, the Draft Local Plan proposes some housing allocations that run contrary to other strategies. For example, Site Allocations B5 (Glinwell), B6 (land west of London Colney) and B8 (Harper Lane) are in areas where the council believes there are minerals deposits and, thus, their allocation would be contrary to the Hertfordshire Minerals Plan. Other parts of this draft Local Plan (Policy SP7) seek to protect existing community infrastructure yet the council is seeking to allocate church sites - Site Allocations P3 (Friends Meeting House) and U3 (former Brocket Wood United Reformed Church) when these sites should be considered in the first place for other community use given the problems of high land prices locally.

Finally, the submission below identifies other deficiencies on housing numbers. Most notably, the draft Local Plan does not address its need for gypsy and traveller housing This is not only a soundness matter but potentially a legal deficiency in the whole of the Local Plan process in that the council does not appear to be addressing its Public Sector Equality Duty under the Equality Act 2010.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To remedy these many defects in the council's approach to its housing target numbers, trajectory and sites chosen, Affinity Water urges the inspector and council to support the allocation of additional sites for housing that could be delivered quickly and specifically identify them in the Local Plan to help address uncertainty about the Plan's housing trajectory and plan for what is likely to be a much higher housing target. Table 2 (in attachment) summarises the aforementioned problems with the approach taken so far by the council against the four tests of soundness in paragraph 35 of the NPPF.

While not specifically a soundness matter, Affinity Water submits that the Strategic Policy SP1 would be improved if the first bullet point in the policy were amended as follow: The Local Plan also supports: • Raising standards and requirements for sustainability of all new buildings including water efficiency;

This amendment would emphasise the importance of water efficiency at the heart of a spatial strategy that seeks to secure new housing and employment space in a local authority area likely to face water stress in years to come as a result of climate change.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241103 Reg 19 Final Submission_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To make further submissions as to the soundness of the policy with regard to housing target (which it finds to be unsound) and to make a suggestion to improve the first bullet point to Policy SP1 to emphasise the importance of water efficiency at the heart of the spatial strategy.

Affinity Water reserves the right to limit involvement to written representations once the inspector has set their agenda for the examination in public.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Much of this chapter clarifies how the council will deliver its reduced housing target.

Affinity Water has already demonstrated why the trajectory (Table 3.2) in this chapter of the Local Plan is unsound.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Affinity Water also seeks to add a further allocation to the list of sites – Site P4 Affinity Water depot, Roestock Lane, Colney Heath - that would be covered by Local Plan Policy LG4 Large, Medium and Small Sites to be inserted into Part B Site Allocations. In promoting this alternative site, Affinity Water wishes to highlight shortcomings in the Arup Green Belt studies which has informed the final allocation of sites.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To highlight the shortcomings of the research that has underpinned this Local Plan (housing and other matters) and to point out changes in the area since the Arup Green Belt review was undertaken that make the Affinity Water depot appropriate to bring forward for much needed housing development.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affinity Water broadly supports the council's overall approach to addressing the effects of climate change as it relates to water use. Policy SP2 provides an overall approach and Policy CE1 – Promoting Sustainable Design, Construction and Building Efficiency - seeks to introduce the optional standards under the Building Regulations (Part G) to reduce water consumption. Affinity Water specifically supports the use of a 110 litre per person per day standard consistent with the standard adopted in the London Plan 2021. The council's approach is consistent with the evidence on likely future water stress produced by the Environment Agency and our own research in our Water Resources Management Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan approach to water conservation would be improved and made more effective if were to set out how the council will ensure "greywater recycling and storage facilities" are delivered in all major developments as well as in Broad Locations (Policy LG1 – Broad Locations and Policies LG2, LG3 and LG4 which cover the Hemel Garden Communities project as well as other site allocations in Appendix 1) to go further than "water management" and to embrace "water conservation" too. The council is also invited to make specific reference to water conservation in the various design policies in the Draft Local Plan (for example, Policy DES1 – Design of New Development and Policy DES7 – Building Servicing). That way, water conservation and broader sustainability principles would be integrated into the design process from the outset in the same way that all new development is likely to have to design in and incorporate biodiversity net gain when the relevant parts of the Environment Act 2021 come into force.

Other councils are proposing more precise ways of directing developers to address the need to use water resources more efficiently. For example, the emerging Tower Hamlets Local Plan Policy CG6 specifically requires that: *All new major residential and non-residential development proposals must install water supply and drainage pipework suitable for the separate collection of rain, grey, and foul water as well as the distribution of non-potable water throughout the development from and to all relevant fitments. All major residential and non-residential refurbishment and change of use should aim to retrofit rain and greywater recycling systems.*

Affinity Water further urges the council to ensure that the development plan policy relating to water conservation is applied in all planning applications approved after the Local Plan's adoption so that it can be applied. This is because the 110 litre per person per day standard can only be currently applied at the Building Regulations stage of construction if it is included as a condition of the grant of planning permission.

Finally, it is suggested that the council include an appropriate measure on how the Local Plan will promote water conservation that can be monitored in future Authority Monitoring Reports. This could cover, for example, the number of major developments with greywater recycling and storage facilities or the number of planning permissions for new housing that have a planning condition that will secure the 110 litre per person per day water target. This would have wider benefits for the council as it seeks to articulate further its local response to the Climate Emergency. Table 3 (in attachment) identifies the defects in the policy relative to the NPPF's tests of soundness.

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1. 241103 Reg 19 Final Submission_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Affinity Water may just prepare written representations once it has seen the inspector's proposed agenda. It is of course open to the council to incorporate Affinity Water's suggestion to make the policy more effective. This would avoid the need to appear in front of the inspector.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affinity Water broadly supports the council's overall approach to addressing the effects of climate change as it relates to water use. Policy SP2 provides an overall approach and Policy CE1 – Promoting Sustainable Design, Construction and Building Efficiency - seeks to introduce the optional standards under the Building Regulations (Part G) to reduce water consumption. Affinity Water specifically supports the use of a 110 litre per person per day standard consistent with the

standard adopted in the London Plan 2021. The council's approach is consistent with the evidence on likely future water stress produced by the Environment Agency and our own research in our Water Resources Management Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan approach to water conservation would be improved and made more effective if were to set out how the council will ensure "greywater recycling and storage facilities" are delivered in all major developments as well as in Broad Locations (Policy LG1 – Broad Locations and Policies LG2, LG3 and LG4 which cover the Hemel Garden Communities project as well as other site allocations in Appendix 1) to go further than "water management" and to embrace "water conservation" too. The council is also invited to make specific reference to water conservation in the various design policies in the Draft Local Plan (for example, Policy DES1 – Design of New Development and Policy DES7 – Building Servicing). That way, water conservation and broader sustainability principles would be integrated into the design process from the outset in the same way that all new development is likely to have to design in and incorporate biodiversity net gain when the relevant parts of the Environment Act 2021 come into force.

Other councils are proposing more precise ways of directing developers to address the need to use water resources more efficiently. For example, the emerging Tower Hamlets Local Plan Policy CG6 specifically requires that: *All new major residential and non-residential development proposals must install water supply and drainage pipework suitable for the separate collection of rain, grey, and foul water as well as the distribution of non-potable water throughout the development from and to all relevant fitments. All major residential and non-residential refurbishment and change of use should aim to retrofit rain and greywater recycling systems.*

Affinity Water further urges the council to ensure that the development plan policy relating to water conservation is applied in all planning applications approved after the Local Plan's adoption so that it can be applied. This is because the 110 litre per person per day standard can only be currently applied at the Building Regulations stage of construction if it is included as a condition of the grant of planning permission.

Finally, it is suggested that the council include an appropriate measure on how the Local Plan will promote water conservation that can be monitored in future Authority Monitoring Reports. This could cover, for example, the number of major developments with greywater recycling and storage facilities or the number of planning permissions for new housing that have a planning condition that will secure the 110 litre per person per day water target. This would have wider benefits for the council as it seeks to articulate further its local response to the Climate Emergency. Table 3 (in attachment) identifies the defects in the policy relative to the NPPF's tests of soundness.

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* Yes, I wish to participate in hearing session(s)

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Affinity Water broadly supports the council's overall approach to addressing the effects of climate change as it relates to water use. Policy SP2 provides an overall approach and Policy CE1 – Promoting Sustainable Design, Construction and Building Efficiency - seeks to introduce the optional standards under the Building Regulations (Part G) to reduce water consumption. Affinity Water specifically supports the use of a 110 litre per person per day standard consistent with the standard adopted in the London Plan 2021. The council's approach is consistent with the evidence on likely future water stress produced by the Environment Agency and our own research in our Water Resources Management Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan approach to water conservation would be improved and made more effective if were to set out how the council will ensure "greywater recycling and storage facilities" are delivered in all major developments as well as in Broad Locations (Policy LG1 – Broad Locations and Policies LG2, LG3 and LG4 which cover the Hemel Garden Communities project as well as other site allocations in Appendix 1) to go further than "water management" and to embrace "water conservation" too. The council is also invited to make specific reference to water conservation in the various design policies in the Draft Local Plan (for example, Policy DES1 – Design of New Development and Policy DES7 – Building Servicing). That way, water conservation and broader sustainability principles would be integrated into the design process from the outset in the same way that all new development is likely to have to design in and incorporate biodiversity net gain when the relevant parts of the Environment Act 2021 come into force.

Other councils are proposing more precise ways of directing developers to address the need to use water resources more efficiently. For example, the emerging Tower Hamlets Local Plan Policy CG6 specifically requires that: *All new major residential and non-residential development proposals must install water supply and drainage pipework suitable for the separate collection of rain, grey, and foul water as well as the distribution of non-potable water throughout the development from and to all relevant fitments. All major residential and non-residential refurbishment and change of use should aim to retrofit rain and greywater recycling systems.*

Affinity Water further urges the council to ensure that the development plan policy relating to water conservation is applied in all planning applications approved after the Local Plan's adoption so that it can be applied. This is because the 110 litre per person per day standard can only be currently applied at the Building Regulations stage of construction if it is included as a condition of the grant of planning permission.

Finally, it is suggested that the council include an appropriate measure on how the Local Plan will promote water conservation that can be monitored in future Authority Monitoring Reports. This could cover, for example, the number of major developments with greywater recycling and storage facilities or the number of planning permissions for new housing that have a planning condition that will secure the 110 litre per person per day water target. This would have wider benefits for the council as it seeks to articulate further its local response to the Climate Emergency. Table 3 (in attachment) identifies the defects in the policy relative to the NPPF's tests of soundness.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241103 Reg 19 Final Submission_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Affinity Water may just prepare written representations once it has seen the inspector's proposed agenda. It is of course open to the council to incorporate Affinity Water's suggestion to make the policy more effective. This would avoid the need to appear in front of the inspector.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG4 - Large, Medium and Small Sites

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affinity Water broadly supports the council's overall approach to addressing the effects of climate change as it relates to water use. Policy SP2 provides an overall approach and Policy CE1 – Promoting Sustainable Design, Construction and Building Efficiency - seeks to introduce the optional standards under the Building Regulations (Part G) to reduce water consumption. Affinity Water specifically supports the use of a 110 litre per person per day standard consistent with the standard adopted in the London Plan 2021. The council's approach is consistent with the evidence on likely future water stress produced by the Environment Agency and our own research in our Water Resources Management Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan approach to water conservation would be improved and made more effective if were to set out how the council will ensure “greywater recycling and storage facilities” are delivered in all major developments as well as in Broad Locations (Policy LG1 – Broad Locations and Policies LG2, LG3 and LG4 which cover the Hemel Garden Communities project as well as other site allocations in Appendix 1) to go further than “water management” and to embrace “water conservation” too. The council is also invited to make specific reference to water conservation in the various design policies in the Draft Local Plan (for example, Policy DES1 – Design of New Development and Policy DES7 – Building Servicing). That way, water conservation and broader sustainability principles would be integrated into the design process from the outset in the same way that all new development is likely to have to design in and incorporate biodiversity net gain when the relevant parts of the Environment Act 2021 come into force.

Other councils are proposing more precise ways of directing developers to address the need to use water resources more efficiently. For example, the emerging Tower Hamlets Local Plan Policy CG6 specifically requires that: *All new major residential and non-residential development proposals must install water supply and drainage pipework suitable for the separate collection of rain, grey, and foul water as well as the distribution of non-potable water throughout the development from and to all relevant fitments. All major residential and non-residential refurbishment and change of use should aim to retrofit rain and greywater recycling systems.*

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Finally, it is suggested that the council include an appropriate measure on how the Local Plan will promote water conservation that can be monitored in future Authority Monitoring Reports. This could cover, for example, the number of major developments with greywater recycling and storage facilities or the number of planning permissions for new housing that have a planning condition that will secure the 110 litre per person per day water target. This would have wider benefits for the council as it seeks to articulate further its local response to the Climate Emergency. Table 3 (in attachment) identifies the defects in the policy relative to the NPPF’s tests of soundness.

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affinity Water does not wish to engage in substantial dispute with the council at the forthcoming Examination-in-Public but observes a number of problems in the council's approach towards the provision of housing which further confirms its views that the housing target should be increased and more sites brought forward. It offers its observations to help the council as an interested party. At Policy HOU 1 – Housing Mix, the one size approach to housing mix on all schemes of 10 or more homes is too restrictive. More flexibility in mix would be appropriate especially for an ageing population. For example, an inner city flatted scheme is likely to be more suitable for smaller and older households (including downsizers) than a new build scheme on an edge of centre Broad Location allocation. The council is urged to adopt the same flexible approach to housing mix as it does when seeking to apply car parking standards in different parts of the district.

Policy HOU 6 – Gypsies, Travellers and Travelling Show People has more serious deficiencies. The evidence base the council has commissioned (the GTAA) directs the council to plan for 80 households who meet the "planning definition" of gypsy or traveller, a further 19 pitches for undetermined households and seven plots for travelling showpeople. The Draft Local Plan policy only allocates between 30 and 40 pitches for travellers on two site allocations and none for travelling showpeople. The council does not have an established track record of approving new sites for gypsies and travellers in the Green Belt or other windfall sites to make up the shortfall.

In the context of very high land prices and restrictive Green Belt policies, it is submitted that this draft Local Plan will be found unsound on this ground alone. Potentially the council may also be in breach of its Public Sector Equality Duty by not planning for the needs of this section of the population and, thus, its plan found to be legally defective too.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The council could address this defect by allocating more pitches and plots on all of its Broad Location (Policy LG1) site allocations (that is, sites of more than 250 homes), an established practice across the Home Counties. This would theoretically result in a reduction in overall "bricks and mortar" housing on these proposed site allocations but it further reinforces Affinity Water's view that other sites are needed for conventional housing to meet this widening shortfall.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Affinity Water does not wish to debate the matters raised in this part of its submission.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affinity Water does not wish to engage in substantial dispute with the council at the forthcoming Examination-in-Public but observes a number of problems in the council's approach towards the provision of housing which further confirms its views that the housing target should be increased and more sites brought forward. It offers its observations to help the council as an interested party. At Policy HOU 1 – Housing Mix, the one size approach to housing mix on all schemes of 10 or more homes is too restrictive. More flexibility in mix would be appropriate especially for an ageing population. For example, an inner city flatted scheme is likely to be more suitable for smaller and older households (including downsizers) than a new build scheme on an edge of centre Broad Location allocation. The council is urged to adopt the same flexible approach to housing mix as it does when seeking to apply car parking standards in different parts of the district.

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 9 - Utilities Infrastructure

Comment Number: 12

Type:

* Paragraph

Number:

9.5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Affinity Water does not wish to add to this chapter of the Local Plan.

It is correct to state at paragraph 9.5 that the company will address a forecast water supply/ deficit in the central region of its operations by "demand management and leakage reduction measures, and through transferring water from neighbouring areas".

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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I would like to be notified about the adoption of the Local Plan:

* Yes

DES1 - Design of New Development

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Affinity Water broadly supports the council's overall approach to addressing the effects of climate change as it relates to water use. Policy SP2 provides an overall approach and Policy CE1 – Promoting Sustainable Design, Construction and Building Efficiency - seeks to introduce the optional standards under the Building Regulations (Part G) to reduce water consumption. Affinity Water specifically supports the use of a 110 litre per person per day standard consistent with the standard adopted in the London Plan 2021. The council's approach is consistent with the evidence on likely future water stress produced by the Environment Agency and our own research in our Water Resources Management Plan.

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The Draft Local Plan approach to water conservation would be improved and made more effective if were to set out how the council will ensure "greywater recycling and storage facilities" are delivered in all major developments as well as in Broad Locations (Policy LG1 – Broad Locations and Policies LG2, LG3 and LG4 which cover the Hemel Garden Communities project as well as other site allocations in Appendix 1) to go further than "water management" and to embrace "water conservation" too. The council is also invited to make specific reference to water conservation in the various design policies in the Draft Local Plan (for example, Policy DES1 – Design of New

Development and Policy DES7 – Building Servicing). That way, water conservation and broader sustainability principles would be integrated into the design process from the outset in the same way that all new development is likely to have to design in and incorporate biodiversity net gain when the relevant parts of the Environment Act 2021 come into force.

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Affinity Water further urges the council to ensure that the development plan policy relating to water conservation is applied in all planning applications approved after the Local Plan's adoption so that it can be applied. This is because the 110 litre per person per day standard can only be currently applied at the Building Regulations stage of construction if it is included as a condition of the grant of planning permission.

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* Yes, I wish to participate in hearing session(s)

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES7 - Servicing of Development

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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must install water supply and drainage pipework suitable for the separate collection of rain, grey, and foul water as well as the distribution of non-potable water throughout the development from and to all relevant fitments. All major residential and non-residential refurbishment and change of use should aim to retrofit rain and greywater recycling systems.

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Finally, it is suggested that the council include an appropriate measure on how the Local Plan will promote water conservation that can be monitored in future Authority Monitoring Reports. This could cover, for example, the number of major developments with greywater recycling and storage facilities or the number of planning permissions for new housing that have a planning condition that will secure the 110 litre per person per day water target. This would have wider benefits for the council as it seeks to articulate further its local response to the Climate Emergency. Table 3 (in attachment) identifies the defects in the policy relative to the NPPF's tests of soundness.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HW4 - Groundwater Pollution

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affinity Water supports the council's decision to insert a new Policy HW4 - Groundwater Pollution in this Regulation 19 draft version of the Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

This policy would be improved in its application if the DEFRA Magic Source Protection Zone maps (for Zones 1 and 2) could be overlayed onto the final Policies Map especially if and when the council publishes a digitised version online as a tool to help developers conducting due diligence of potential development sites.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 14

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

NEW SITE SUGGESTION: Affinity Water Depot, Roestock Lane, Colney Heath

Affinity Water has set out above that: (a) the council's spatial strategy may be at risk because of its reliance on one large urban extension at Hemel Hempstead; (b) that its housing target is flawed and does not contain an appropriate buffer of sites in its trajectory; (c) that it has not planned for enough gypsy and traveller housing which represents a potential legal defect in the Local Plan, and that this shortfall should be covered on all Broad Allocation sites; and (d) that some of its allocations are at odds with other planning policies (minerals and community infrastructure protection).

For this reason, it is appropriate that other better sites are brought forward as site allocations in the Local Plan.

Affinity Water wishes to promote the surplus part of its depot/ reservoir (1.42 ha gross) for housing development to help address the defects identified above. It is Green Belt land on the south side of Roestock Lane between Roundhouse Farm to the north east and Hall Gardens to the south west and between the settlements of Roestock and Bullen's Green. It contains a number of buildings associated with its use as a depot. There is extensive tree cover around its southern, eastern and western boundaries (refer Figure 3 in attachment).

It is immediately to the west of the site known as Roundhouse Farm, Bullens Lane which straddles the district's border with the Welwyn Hatfield Borough Council area and has outline planning permission for up 100 new homes (refer Figure 4 in attachment).

The site is now being promoted for housing having taken account of a number of new considerations since an outline planning application for housing on the site (5/2015/0784) was refused.

The reasons for promoting the site now are: the need for the Local Plan to deliver a higher housing target than the publicised version; the need for more "specific, deliverable sites" to come forward in the first five years of the lifetime of the Local Plan to address a worsening performance in recent years since planning permission was refused for housing; and recent local Green Belt considerations including the findings (and defects) of the Arup Green Belt Part 2 Review as it relates to Washed Over Villages. This case is set out below.

This Planning Statement has demonstrated above why the council has to plan for a significantly higher housing target of “at least 17,700 homes” with a trajectory of 21,240 homes rather than the “at least 14,603 homes” figure in the Regulation 19 Draft. This site will make a contribution towards meeting this higher target.

This Planning Statement has also demonstrated that the Draft Local Plan housing trajectory is inconsistent with national planning policy because it has not identified a schedule of “specific, deliverable” sites in Years 1 to 5 of its life. This site has few constraints. It is not in a Conservation Area. The trees on the site are not covered by a Tree Preservation Order. It is in Flood Risk Zone 1. It could easily be delivered within the first five years of the lifetime of the Local Plan.

Much of the site is previously developed land. Theoretically, developing this site for housing will both accord with national policy to promote brownfield land first (Section 11 of the NPPF) and support the Draft Local Plan (Policy SP1 and Chapter 3) too. There are no other known environmental constraints with the site that could not be addressed on site. These factors reinforce the suitability of this site for consideration in principle.

The site is previously developed land and therefore some form of housing development would not be inappropriate (refer paragraph 154(g) of the 2023 NPPF and draft Policy LG9 – Extension or Replacement of Buildings in the Green Belt). It is submitted that given this fallback position in policy, the council should plan positively to release this site.

It is submitted that promoting this site would give the council more control over the release of Green Belt land elsewhere in the district and thus it would be plan-led.

Finally, the council has commissioned Arup to carry out a Green Belt Review. Its findings are interesting both for what it has recorded and for what it has not. Its omissions lend further support to Affinity Water’s view that this site should be included as a site allocation.

The area in which the site is located is referred to in both the Stage 2 Green Belt Review and the Washed Over Villages Study.

The Stage 2 review covers the whole of the district identifies the site within a Strategic Land Parcel 34 (refer Figure 3.2) using the methodology of the 2013 SKM study. That earlier study acknowledged that the Parcel had one of the highest proportions of built land but that it formed a function of separating the coalescence with Hatfield to the east.

The Stage 2 report and Washed Over Villages study prepared a decade later has continued to assess the area and context as if nothing has changed here, that is as if this part of the district comprises three distinct settlements (refer Figure 5 in attachment).

That is wholly inappropriate given that the part of the parcel (the Roundhouse Farm site has outline planning permission). It is submitted that not having regard to this factor has altered the findings of both the Stage 2 and Washed Over Villages study. Particularly, with regard to the Washed Over Villages study, it is noted that much of the landscape context that contributes to the purposes of the Green Belt has been seriously eroded because of this grant of planning permission. Furthermore, the grant of planning permission effectively results in the coalescence of two of these settlements (refer Figure 5 in attachment), thus the Affinity Water depot can be more readily be seen as a modest infill site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Cognisant of these new factors since the 2015 planning application, Affinity Water suggests the Affinity Water Depot, Roestock Lane, Colney Heath should be promoted as a site allocation that could usefully deliver up to 34 new dwellings consistent with draft Policy LG4 – Large, Medium and Small Sites.

To support this allocation, a template for the site's inclusion in Part B of the Local Plan is set out at Table 4 (see attachment).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241103 Reg 19 Final Submission_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To highlight the deficiencies in the council's approach to housing target and site allocations (including an out-of-date Green Belt review) which has led to the need to bring forward other candidate sites.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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84 - The owners of the Albert Bygrave Retail Park

Submission Number: 84 Submission Date: 06/11/24 11:47

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of the Albert Bygrave Retail Park :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG4 – Large, Medium and Small sites

- Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.
- As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a "considered approach to development" (criterion a) and "Excellence in design, energy efficiency and water management" (e). Other aspects of LG4 don't need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.
- We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the "effectiveness" soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.
- Notwithstanding our high-level concerns about Policy LG4, it contains a number of requirements that have viability implications for new development, such as the requirement for affordable housing, self- or custom-build housing, highway improvements and tree planting. The viability consequences of these aspects are considered in the Council's viability assessment prepared by BNP Paribas.
- Section 5.0 of this report outlines our concerns in respect of the Council's viability appraisal and these are not repeated here but, in summary, we have concerns that the cumulative impact of the proposed policy requirements is not fully considered and that the actual viability impacts of the draft Local Plan are likely to be higher than anticipated.

- For clarity, we are not making a case that the policy requirements of the draft Local Plan render development at the report site unviable. The report site is a greenfield site with a low alternative use value. Rather, it is a question of making sure that the proposed policy obligations are reasonable and meet the soundness tests. At this stage, it does not appear that the draft Local Plan is based on sufficient evidence and, as such, would struggle to meet the "justified" soundness test. The viability appraisal should be updated with a more accurate assessment of the likely costs involved.
- In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness test.** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Owners of Albert Bygrave Retail Park_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of the site and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

P2 - Land at North Orbital Road, AL2 1DL

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Site P2 – Land at North Orbital Road

- The Regulation 19 draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref P2. The identification of the development potential of this site is **stronglysupported** by the owners of this site. As is set out elsewhere in this report, the land is suitable for development and should continue to be allocated in the Local Plan.
- An estimated capacity of 64 dwellings is given for the site. However, the indicative layout for the site shown at Figure 3 below shows a total of 93 dwellings. Given the existing buildings and the surrounding pattern of development, this increase in capacity is considered both appropriate for the site and useful for the Council in ensuring the overall housing target is achieved.
- The Council has decided not to remove this site from the Green Belt, presumably because the site does not immediately adjoin the existing Green Belt boundary and based on the concerns raised in the Council's Green Belt Review around the impact of creating a "hole" in the Green Belt. While this decision is understandable, the allocation of significant new residential development in the Green Belt could raise concerns about consistency with the NPPF, which generally seeks to prevent new buildings in the Green Belt.
- However, the NPPF also allows the redevelopment of previously developed land under paragraph 154g, indeed it prioritises such development in paragraph 147 and elsewhere. On this basis, there is a clear basis to conclude that the allocation of this site is consistent with the NPPF.
- For the sake of clarity, and to assist with the determination of subsequent planning applications, it would be helpful to specify that the redevelopment of the entire site for residential development is considered to be consistent with paragraph 154g in that it is the redevelopment of previously developed land that would meet an affordable housing need and that would not cause substantial harm to the openness of the Green Belt.
- The policy allocating this site refers to "key development requirements". These are repeated below with some commentary on each on behalf of the landowner. None of the requirements prevent or unduly constrain the development of the site.

1. *Support for new and / or significantly improved pedestrian, cycle and vehicular access west to Napsbury Lane and east to London Road and more widely to St Albans and London Colney must be provided.*

The ability to secure significant highway improvements from this site will be limited by virtue of the existing vehicle movements to and from the site and by a previous appeal Inspector agreeing that the existing access was suitable for a residential development. Vehicular access would be taken from the A414 as it is currently – there is no scope nor need to change the access. There is also an existing footway alongside the A414. While it is not entirely clear what improvements are required, these issues can properly be discussed at planning application stage.

2. *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*

Such contributions can be sought through section 106 requests as part of development proposals.

3. *Development proposals should minimise any harm to the significance and setting of the Grade II Listed Lys Eira; this may include retention and strengthening of tree screening on the west boundary.*

This would be expected of any development proposal but the presence of the listed building is worth highlighting within the policy. The Council's Heritage Impact Assessment conducted for the Local Plan concludes that "There are no likely impacts on heritage assets that preclude the site's allocation or which impact on estimated capacity". We support this conclusion.

It should be noted that the intervening trees are not within the proposed allocation but instead lie within two separate ownerships to the west of the allocation. For this reason, we suggest the second half of the sentence relating to potential retention of trees be removed from the policy requirements. The detailed relationship with the listed building and any necessary planting can be established at planning application stage when more details of the specific proposal are available.

4. *The site is within Flood Zone 1 but at risk from surface water and groundwater flooding. The Exception Test is not required. However, it must be shown that the development will be safe for its lifetime and the risk can be managed through a sequential approach to design*

The extent of the site that is subject to surface water flooding is shown in Figure 2 below, taken from the Council's Strategic Flood Risk Assessment. There is a very small area in the north-west corner of the site that is at "high" risk and two very small linear areas of medium risk near the existing buildings. This limited degree of risk can be managed through the development process and does not represent a constraint to development.

Figure 2: surface water flood risk (see attached report)

5. *A noise assessment must be carried out regarding the adjacent North Orbital Road, and appropriate mitigation measures provided if necessary.*

A noise assessment would be provided as part of a planning application. While noise is a design consideration, it does not unduly constrain the site.

6. *There is a pipeline running adjacent to the site, and development proposals must appropriately take this into account.*

The landowner is aware of this pipeline and of the implications for development. While it is a design consideration, it does not unduly constrain the site.

- In summary, we **fully support** the proposed allocation of this site. In terms of the detailed wording of Policy P2, we consider it to be **legally compliant** and **sound**. However, to ensure the site is fully deliverable and to secure consistency with national policy in respect of Green Belt, Policy P2 should include clarification that the redevelopment of the entire site for residential development is consistent with paragraph 154g in that it is the redevelopment of previously developed land that would meet an affordable housing need and that would not cause substantial harm to the openness of the Green Belt. In addition, the increase in dwelling capacity from 64 to 93 dwellings should be noted in the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Owners of Albert Bygrave Retail Park_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of the site and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

85 - Riverside Farm Trust

Submission Number: 85 Submission Date: 06/11/24 12:00

Respondent: hgh Consulting Ltd Mrs Mel Mantell

On Behalf Of Riverside Farm Trust :

Part B - Local Plan Sites

Comment Number: 1

Type:

* Policy

Number:

Part B - Local Plan Sites

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Please see the enclosed submission for all images and drawings

RIVERSIDE FARM, RADLETT, WD7 7HS

Introduction These representations have been prepared by hgh Consulting and are submitted in response to the consultation on the Regulation 19 version of St Albans City and District Council's (SACDC) Local Plan 2041 which was published in September 2024. Our client owns the land shown in Figure 1 below, which is known as Riverside Farm. *Figure 1: Site Location Plan*

It is considered that the site at Riverside Farm is suitable for residential development and should be allocated for this use within the Local Plan. This representation provides a detailed description of the site, its surrounding context and its suitability for development. It also considers the wider context, providing commentary on the Council's proposed housing delivery and site allocations as set out within the Local Plan Regulation 19 consultation documents, and how these sit within the current planning and political context.

Site and Surrounding Area The site is located approximately 500m to the northwest of Radlett and 1km to the southwest of Bricket Wood. It is accessed directly from Smug Oak Lane (at the junction with Drop Lane), which runs adjacent to the M25 to the north. The site currently comprises

a purpose-built livery yard with stables, a large barn containing an indoor sand school, an outdoor sand school and lunge ring, and associated outbuildings providing facilities such as a tack room, laundry and drying room. To the south of the equestrian centre buildings are a number of paddocks for horse grazing. The site also includes areas of woodland and soft landscaping. The site layout and existing built form can be seen in the aerial image below: *Figure 2: Site Layout*

The site is bounded by the River Colne to the south and River Ver to the east. Netherwylde (a private dwelling within the same land ownership as the equestrian centre) is located to the southeast and there are a number of residential dwellings to the north, on Drop Lane. As seen in the figure below, the majority of the site sits within Flood Zone 1, with the exception of the northeastern part of the site and land directly adjoining the Rivers Colne and Ver.

Flood zone areas within the site With regards to public transport links, the site is in close proximity to Bricket Wood station, which is 1.2miles west of the site, which serves the West Midlands Railway. Radlett Station is 2 miles southeast of the site which serves the Thames Link. There are bus routes along Radlett Road, providing an hourly service to Radlett Train Station Park Street Railway Station and St Albans.

Planning Designations Within the St Albans City and District Council Draft Policies Map (the figure below), the site is designated within the Metropolitan Green Belt.

Assessment of site suitability for development

This section of the submission addresses the suitability of the site for residential development, in the context of its location in the Green Belt and with consideration to the environment. *Green Belt*

The NPPF sets out the purpose of the Green Belt, which are as follows:

- *Purpose 1: To check the unrestricted sprawl of large built-up areas;*
- *Purpose 2: To prevent neighbouring towns merging into one another;*
- *Purpose 3: To assist in safeguarding the countryside from encroachment;*
- *Purpose 4: To preserve the setting and special character of historic towns; and*
- *Purpose 5: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

The site does not lie adjacent to any built-up areas (and therefore doesn't function as a barrier against urban sprawl), nor does it lie within a strategic gap between neighbouring towns (historic or otherwise) and it is not within an urban location. The key contribution of the site to the Green Belt is therefore to purpose 3 (safeguarding the countryside from encroachment).

The site currently comprises a significant amount of built form, with stables, barns and outbuildings associated with its use as an equestrian centre. It therefore comprises previously developed land (PDL) within the Green Belt. It is acknowledged that development of the wider site would encroach on undeveloped land, however this would be limited by the topography of the site, and its location in relation to the rivers (and associated flood risk). Development would therefore affect the openness of the site but it would not weaken the integrity of adjacent Green Belt land or its contribution to the purposes of the Green Belt, and it would not diminish the overall contribution of the wider Green Belt designation. The contribution of the site to the purpose of the Green Belt and relevant policies would be assessed in detail if the site were to come forward for development and a planning application submitted.

Flood Risk The site is bounded by the River Colne to the south and River Ver to the east. The middle of the site is in Flood Zone 1 and is suitable for a variety of uses (including residential), while the edges and the northeast of the site are located within Flood Zone 3 and are therefore only suitable for less vulnerable uses. It is therefore considered that the central part of the site is appropriate for development from a flood risk perspective, which will be demonstrated through a detailed Flood Risk Assessment should a planning application be submitted in the future.

Transport and highways The site is located to the south of Smug Oak Lane and to the west of the A5183, Radlett Road. The site is accessed via Smug Oak Lane, at the junction with Drop Lane. If this site is taken forward, a Transport Assessment will be undertaken which would demonstrate that the site can be safely accessed by vehicles, cyclists and pedestrians via an appropriately designed access point on Drop Lane. The site is located within cycling distance of key social infrastructure and there are also existing public bus services in proximity on Radlett Road providing an hourly service to Radlett Train Station and St Albans.

St Albans Context Analysis

Housing Need and Supply The Council has a significant unmet housing need, with a five-year housing land supply of only 1.7 years. The Council has also failed to meet the Housing Delivery Test (HDT) since 2016/17. The requirement for housing is acknowledged with the emerging planning policy and the Regulation 19 Local Plan identifies a need for 885 dwellings per annum, which equates to 14,603 homes until 2041. The Draft Local Plan Housing Trajectory identifies at 10,653 of these homes will be delivered through the draft site allocations, with the majority of these to be in Hemel Garden Communities and Broad Locations (250+ homes) The distribution of these site allocations is focussed upon extending existing urban settlements. www.hghconsulting.com Page 6 The Draft Local Plan expects 2,103 homes to be delivered through windfall sites.

This is a significant number of homes, and there is a considerable uncertainty that these numbers will be achieved, given the Council's historic failure to deliver on housing. We consider that SACDC should seek to increase the number of homes delivered through site allocations to address this shortfall. With regards to housing mix, Regulation 19 Local Plan Policy HOU1 requires a mix of dwelling types and sizes to meet the needs of current and futures households and confirms that the greatest opportunity to provide for the specific locally needed mix of housing is provided by housing sites with a capacity of 100+ units. The emerging policy position seeks to secure 40% on-site affordable housing under Policy HOU2.

Housing Delivery We note that the Draft Local Plan Housing Trajectory (October 1st 2024) identifies a significant delay before any of the housing identified in the site allocations is delivered, with no completions estimated to take place before 2029. Up until this point, the Council is relying upon existing planning permissions and windfall sites to deliver housing. Although the annual housing requirement has been identified as 885 per year, the Trajectory indicates a stepped approach, with only 389 units to be delivered per year until 2026, rising to 485 per year until 2031 and then increasing to 1,255 per year, before decreasing to 1,025 per year from 2036. This means that the Council will not be meeting their annual housing targets until 2031. It is therefore essential that additional sites are allocated which can be delivered in the short to medium term.

Changing Context

The Labour Government has proposed significant reforms to the planning system in order to increase housing delivery. A draft NPPF has been issued for consultation, which introduces a new method for calculating local authority housing targets to match the scale of new homes that the Government considers are needed – which equates to 370,000 new homes.

As set out on the St Albans City and District Council website, this would equate to a further 11,000 homes within the borough (rising from 885 to 1,544 per year – an increase of 74%). The aspiration to avoid delivering these homes is behind the Council's decision to accelerate the timetable for submission of the Local Plan. Should the draft Local Plan not be submitted for Examination within a month of the publication of the NPPF, or the Plan be found to be unsound at Examination, then the Council will need to revisit their housing target and allocate additional land for housing accordingly.

The draft NPPF is also relevant to the site in terms of its location in the Green Belt. The draft NPPF introduces the concept of 'grey belt' land, which is defined as land which includes previously developed land (PDL) within the Green Belt. The site clearly falls within this definition and would

be considered ‘grey belt’. The draft NPPF suggests that such land should be released from the Green Belt. It also proposes that where a local authority cannot demonstrate a 5 year housing land supply or is delivering less than 75% against the Housing Delivery Test, development which would utilise grey belt in sustainable locations should not be regarded as inappropriate development in the Green Belt. www.hghconsulting.com Page 7 In light of the draft NPPF, the acute shortfall in the housing delivery in SACDC and lack of 5 year housing supply, we consider that the Council should look to amend the existing Green Belt boundaries and seek further site allocations to support the delivery of additional housing. The site at Riverside Farm would be suitable for allocation, as set out further below.

Riverside Farm Site Allocation

There are numerous benefits associated with allocation the site at Riverside Farm for residential development, as follows: *Site Suitability* The site is clearly suitable for residential development, as demonstrated as above. *Availability for site development* The site is in a single ownership and is available to be developed immediately. A scheme could be delivered quickly and with minimal delay, subject to obtaining planning permission. *Provision of housing and affordable housing* There is an identified need for housing within SACDC, and while the Local Plan goes some was to address this, it places significant reliance on the delivery of windfall sites. In addition, the current site allocations do not result in the substantial delivery of homes until 2031, due to the nature of these allocations (namely the large-scale of the urban extension sites and the timeframe taken to achieve planning permission for such scheme). The site at Riverside Farm is able to provide a significant contribution towards the identified housing need.

Summary This submission has clearly demonstrated that the site is suitable for development, and that the allocation of the site for housing would make a significant contribution towards the identified need for residential uses within SACDC. We therefore request that the site is allocated within the St Albans Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

This submission has clearly demonstrated that the site is suitable for development, and that the allocation of the site for housing would make a significant contribution towards the identified need for residential uses within SACDC. We therefore request that the site is allocated within the St Albans Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Riverside Farm - Representations [R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please see the enclosed submission.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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87 - The owners of the Albert Bygrave Retail Park

Submission Number: 87 Submission Date: 06/11/24 12:43

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of the Albert Bygrave Retail Park :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.
- Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".
- In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Owners of Albert Bygrave Retail Park_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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88 - The owners of the Albert Bygrave Retail Park

Submission Number: 88 Submission Date: 06/11/24 12:50

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of the Albert Bygrave Retail Park :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Owners of Albert Bygrave Retail Park_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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89 - The owner of land at Wood End, Hatching Green

Submission Number: 89 Submission Date: 06/11/24 12:54

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owner of land at Wood End, Hatching Green :

M22 - Wood End, Hatching Green, Harpenden, AL5 2JT

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

M22 – Wood End, Hatching Green, Harpenden

- The Regulation 19 draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref M22. This proposal is **strongly supported** by the owners of the land. As is set out elsewhere in this report, the Hatching Green site is suitable for development and should continue to be allocated in the Local Plan.
- A total of 15 dwellings is indicatively proposed for the site (previously 14 at Reg 18) and this density can be achieved on the site and various layout options considered to deliver 15 homes. However, we do note the density of surrounding development is somewhat lower than this. As the draft Local Plan states, the indicative dwelling capacity is only a guide and the appropriate density for the site can be arrived at through pre-application discussions with the local planning authority. Flexibility is provided for through the use of the word “indicative” to cover any subsequent variation in density.
- The policy allocating this site refers to “key development requirements”. These are repeated across with some commentary on each on behalf of the landowner. None of the requirements present a problem for the development of the site.
- *Due to the severance caused by the B487 a high quality crossing facility from the site is required to enable access to the area’s walking and cycling network.*

The proposal will incorporate an uncontrolled crossing, strategically positioned at the most appropriate location, as illustrated in Section 6.0 and detailed in the plan at Appendix 2. This crossing aims to enhance connectivity and facilitate pedestrian and cyclist access, aligning with the Local Highway Authority's (LHA) guidance for pedestrian infrastructure as part of the development.

- *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*

This can be secured by S106 or similar legal agreements / mechanisms.

- *The site contains a Locally Listed Building, which must be retained.*

Any application would ensure that the Locally Listed Building at Wood End would be retained and any development would be informed by a detailed Heritage Impact Assessment as stated at page 80 of Place Services St Albans City & District Council High-Level Heritage Impact Assessments.

- *The site lies partially within Harpenden Conservation Area. Development proposals should minimise any harm to the character and appearance of Harpenden Conservation Area and its setting, and minimise any harm to the setting of the Locally Listed Wood End. This may include buildings which are of a comparable scale to nearby detached dwellings but which contain within them multiple dwelling units, so as to ensure efficient use of land while remaining sympathetic to adjacent character.*

Although the site is provisionally proposed for the development of 15 dwellings, any application—guided by a detailed Heritage Impact Assessment—will ensure that the development achieves an appropriate and efficient density. It will also be sympathetic to the character and appearance of the Harpenden Conservation Area, preserving its setting.

- *Development proposals must take appropriate account of the adjacent deciduous woodland Priority Habitat along the western boundary.*

Any development proposal will give careful consideration to this priority habitat, taking all necessary measures to protect and enhance local biodiversity. Should it be required, detailed ecological surveys will be commissioned to assess potential impacts.

- *Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 3; Bedrock Aquifer.*

Any necessary Hydrogeological Risk Assessments would be conducted to ensure comprehensive evaluation and mitigation of potential groundwater or contamination risks associated with the development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - November 2024 - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of the site and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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90 - The owner of land at Wood End, Hatching Green

Submission Number: 90 Submission Date: 06/11/24 12:56

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owner of land at Wood End, Hatching Green :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is **supported** and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - November 2024 - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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91 - The owner of land at Wood End, Hatching Green

Submission Number: 91 Submission Date: 06/11/24 12:59

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owner of land at Wood End, Hatching Green :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG4 – Large, Medium and Small sites

- Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.

4.16 As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a “considered approach to development” (criterion a) and “Excellence in design, energy efficiency and water management” (e). Other aspects of LG4 don’t need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.

4.17 We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the “effectiveness” soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.

4.18 Notwithstanding our high-level concerns about Policy LG4, it contains a number of requirements that have viability implications for new development, such as the requirement for affordable housing, self- or custom-build housing, highway improvements and tree planting. The viability consequences of these aspects are considered in the Council’s viability assessment prepared by BNP Paribas.

4.19 In summary, we have concerns that the cumulative impact of the proposed policy requirements is not fully considered and that the actual viability impacts of the draft Local Plan are likely to be higher than anticipated.

4.20 For clarity, we are not making a case that the policy requirements of the draft Local Plan render development at the report site unviable. The report site is a greenfield site with a low alternative use value. Rather, it is a question of making sure that the proposed policy obligations are reasonable and meet the soundness tests. At this stage, it does not appear that the draft Local Plan is based on sufficient evidence and, as such, would struggle to meet the "justified" soundness test. The viability appraisal should be updated with a more accurate assessment of the likely costs involved.

4.21 In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** test. The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - November 2024 - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M22 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

92 - The owner of land at Wood End, Hatching Green

Submission Number: 92 Submission Date: 06/11/24 13:02

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owner of land at Wood End, Hatching Green :

LG6 - Green Belt Compensatory Improvements

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG6 – Green Belt Compensatory Improvements

4.22 Policy LG6 is the Council's response to paragraph 147 of the NPPF, which encourages Local Plans to consider "ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land".

4.23 Part a) of this policy requires a Green Belt compensation strategy to be provided for those Part B allocations facilitated by a Green Belt boundary change. The degree to which sites are able to facilitate compensation will vary depending on the specifics of the site and surroundings. Many of the Broad Locations propose significant new areas of open space or country parks and these are exactly the sort of policy measures encouraged by the NPPF. However, on smaller sites or where sites do not adjoin existing rights of way, opportunities are likely to be limited.

4.24 In our view, the improvements to the environmental quality and accessibility of the remaining Green Belt proposed at the Broad Locations is sufficient to discharge paragraph 147 of the NPPF. Applying the obligation to smaller sites is not necessary and could to delay much-needed new housing.

4.25 Criteria b) to e) appear to be a rehash of policy requirements that are already set out elsewhere in the draft Plan. Specifically:

1. Part b) of this policy reiterates the requirements of policy NEB1 and should be deleted as unnecessary repetition.
2. Part c) of this policy reiterates the requirements of policies NEB5 and NEB12 and should be deleted as unnecessary repetition.
3. Parts d) and e) of this policy reiterate the requirements of policies TRA1 and SP10 and should be deleted as unnecessary repetition.

4.26 There does not appear to be any specific or unique obligations on the Part B sites that would not apply to other proposed development on the edge of the Green Belt. It would avoid confusion and repetition if these elements of the policy were deleted.

4.27 Part f) of Policy LG6 requires development of Part B sites to "Provide woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside". This appears to be an attempt to limit the impact on the views from existing dwellings. We have two concerns with this. Firstly, protecting individual views is not typically the role of the planning. Secondly, this requirement could impact on overall site capacity. The requirement for "woodland buffer planting" suggests a depth of planting, rather than a single line of trees. How deep would this planting need to be to be considered "woodland"? This could be achievable on larger sites but on small sites adjacent to the urban area, the loss of a 10m strip to woodland planting could seriously impact the capacity of the site as a whole, and therefore threaten the Council's overall housing target. The need for buffer planting should be considered on a case-by-case basis at the planning application stage.

4.28 In summary, we consider Policy LG6 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** test. The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - November 2024 - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M22 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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93 - The owner of land at Wood End, Hatching Green

Submission Number: 93 Submission Date: 06/11/24 13:04

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owner of land at Wood End, Hatching Green :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

4.29 The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.

4.30 Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".

4.31 In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - November 2024 - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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94 - The owners of land at Bucknalls Drive, Bricket Wood

Submission Number: 94 Submission Date: 06/11/24 13:28

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Bucknalls Drive, Bricket Wood :

M15 - Bucknalls Drive, Bricket Wood, AL2 3YT

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Site M15 – Bucknalls Drive, Bricket Wood

- The draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref M15, with an indicative yield of 44 dwellings. The identification of the development potential of this site is **supported** by the owners of this site. As is set out elsewhere in this report, the land is suitable for development and should be allocated in the Local Plan.

M15 -

- The allocation identifies '*key development requirements*'. Nos 1 to 3 relate to access / highways matters as follows:

"1. Enhancement of the existing access to include active mode facilities is required.

2. *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*
3. *Support for provision of an active travel route linking to St Stephen Footpath 059 and Bricket Wood Common for recreational access."*

- The recently dismissed appeal scheme for 12 dwellings (See para 4.3 above - PINS Ref APP/B1930/W/23/3325998) proposed a new footpath to connect Bucknalls Drive to Bricket Wood Common and the St Stephen 059 Footpath therein. The creation of this link has been discussed with St Stephens Parish Council, the land owner of Bricket Wood Common (Munden Estates) and Hertfordshire County Council. The proposal also included a street crossing along the existing access from Bucknalls Drive. These elements can therefore be easily incorporated into any future proposals, together with the appropriate contributions to support active travel schemes identified by the Local Cycling and Walking Infrastructure Plan (LCWIP) and Growth and Transport Plans (GTPs).

- Whilst the aforementioned appeal was partially dismissed on the basis of concerns relating to the internal road layout, these could be easily resolved. No other highways issued were raised by the LPA or the Inspector.
- Objectives Nos 4 to 6 relate to landscape / ecology matters:

"4. Proposals must take appropriate account of the adjoining Bricket Wood Common Site of Special Scientific Interest (SSSI).

5. *Development proposals must take appropriate account of the woodland to the south covered by Tree Preservation Order, a deciduous woodland Priority Habitat along the west and south-west boundary, and the County Wildlife Site to the east and west boundary and adjacent to the southern boundary.*
6. *Development proposals must take appropriate account of all trees protected by Tree Preservation Order."*

- The appeal Inspector identified potential harm in relation to the adjacent SSSI and Local Wildlife Site (LWS), noting that insufficient evidence was submitted to conclude that there would not be harm. Accordingly further discussions will be held with Hertfordshire Ecology and other relevant consultees to confirm in particular the extent of the LWS and the proximity of Ancient Woodland, and the required buffers / mitigation measures.
- With regard to the impact to trees within or beyond the Site, it is noted that the appeal proposal required the removal of 3 individual trees; 3 groups of trees; and trees within groups or remnants of groups as part of the implementation of the proposed development. Neither the LPA nor the Inspector raised any objection in this respect.
- It is also noteworthy that the appeal scheme included a proposal to fund 30 years of management of the woodland within the Site, and within the strip of woodland to the south to assist in expressing the understorey and plant community characteristics of good quality woodland, along with the opportunity to monitor and subsequently curtail unforeseen impacts. This could have been achieved via a management plan, to be controlled/managed via a planning condition and would have provided a significant gain as there is currently no monitoring, management, or funding is in place for the woodland.
- The requirement of Objective 7 to undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction or excavation works could presumably be made the subject of a condition.
- With regard to the requirements of Objective 8 to Take appropriate account of these Environmental Constraints: Source Protection Zones; Bedrock Aquifer; Superficial Aquifer, in common with the most recent proposal relating to the residential development of the southern section of the Site, (LPA Ref 5/22/1516)any future application would be accompanied by a Flood Risk Assessment and Drainage Strategy. No issue was previously identified in these respects.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bucknalls Drive_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M15 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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95 - The owners of land at Bucknalls Drive, Bricket Wood

Submission Number: 95 Submission Date: 06/11/24 13:32

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Bucknalls Drive, Bricket Wood :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bucknalls Drive_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

96 - The owners of land at Bucknalls Drive, Bricket Wood

Submission Number: 96 Submission Date: 06/11/24 13:34

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Bucknalls Drive, Bricket Wood :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG4 – Large, Medium and Small sites

- Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.
- As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a "considered approach to development" (criterion a) and "Excellence in design, energy efficiency and water management" (e). Other aspects of LG4 don't need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.
- We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the "effectiveness" soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.
- Notwithstanding our high-level concerns about Policy LG4, it contains a number of requirements that have viability implications for new development, such as the requirement for affordable housing, self- or custom-build housing, highway improvements and tree planting. The viability consequences of these aspects are considered in the Council's viability assessment prepared by BNP Paribas.
- We have concerns that the cumulative impact of the proposed policy requirements is not fully considered and that the actual viability impacts of the draft Local Plan are likely to be higher than anticipated.

- For clarity, we are not making a case that the policy requirements of the draft Local Plan render development at the report site unviable. The report site is a greenfield site with a low alternative use value. Rather, it is a question of making sure that the proposed policy obligations are reasonable and meet the soundness tests. At this stage, it does not appear that the draft Local Plan is based on sufficient evidence and, as such, would struggle to meet the "justified" soundness test. The viability appraisal should be updated with a more accurate assessment of the likely costs involved.
- In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** test**.** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bucknalls Drive_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M15 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

97 - Mr Paul Owen

Submission Number: 97 Submission Date: 06/11/24 13:37

Respondent: Mr Paul Owen

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Sites in Redbourn and east/north Hemel will cause the Green Belt to disappear between Redbourn and Hemel. Most are in areas categorised as Important and require a compelling reason to build. The only reason stated is for Social or Affordable Housing which surely means the 60% of planned housing not in those categories should not be built on Green Belt as such housing is not compelling bu need but financial.

The impact of all the HGC and West Redbourn proposed has only Ben considered on a site by site basis. A significant proportion of traffic to and from the Sites would coallesce on the same small roads between Hemal and Redbourn, St Albans, Harpenden and the M1. The travel infrastructure barely supports the traffic currently at peak times. Therefore, the impact cannot be considered safe as required.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The individual areas should also be considered in relation to each. Ie if one area is developed the importance of adjacent areas should reconsidered to reflect that.

The traffic plan for each residential site should be considered sequentially in the expected order of start to take in to account the effect of the moving starting position.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Sites in Redbourn and east/north Hemel will cause the Green Belt to disappear between Redbourn and Hemel. Most are in areas categorised as Important and require a compelling reason to build. The only reason stated is for Social or Affordable Housing which surely means the 60% of planned housing not in those categories should not be built on Green Belt as such housing is not compelling bu need but financial.

The impact of all the HGC and West Redbourn proposed has only Ben considered on a site by site basis. A significant proportion of traffic to and from the Sites would coallesce on the same small roads between Hemal and Redbourn, St Albans, Harpenden and the M1. The travel infrastructure barely supports the traffic currently at peak times. Therefore, the impact cannot be considered safe as required.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The individual areas should also be considered in relation to each. Ie if one area is developed the importance of adjacent areas should reconsidered to reflect that.

The traffic plan for each residential site should be considered sequentially in the expected order of start to take in to account the effect of the moving starting position.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Sites in Redbourn and east/north Hemel will cause the Green Belt to disappear between Redbourn and Hemel. Most are in areas categorised as Important and require a compelling reason to build. The only reason stated is for Social or Affordable Housing which surely means the 60% of planned housing not in those categories should not be built on Green Belt as such housing is not compelling bu need but financial.

The impact of all the HGC and West Redbourn proposed has only Ben considered on a site by site basis. A significant proportion of traffic to and from the Sites would coallesce on the same small roads between Hemal and Redbourn, St Albans, Harpenden and the M1. The travel infrastructure barely supports the traffic currently at peak times. Therefore, the impact cannot be considered safe as required.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The individual areas should also be considered in relation to each. Ie if one area is developed the importance of adjacent areas should reconsidered to reflect that.

The traffic plan for each residential site should be considered sequentially in the expected order of start to take in to account the effect of the moving starting position.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Sites in Redbourn and east/north Hemel will cause the Green Belt to disappear between Redbourn and Hemel. Most are in areas categorised as Important and require a compelling reason to build. The only reason stated is for Social or Affordable Housing which surely means the 60% of planned housing not in those categories should not be built on Green Belt as such housing is not compelling bu need but financial.

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The individual areas should also be considered in relation to each. Ie if one area is developed the importance of adjacent areas should reconsidered to reflect that.

The traffic plan for each residential site should be considered sequentially in the expected order of start to take in to account the effect of the moving starting position.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Sites in Redbourn and east/north Hemel will cause the Green Belt to disappear between Redbourn and Hemel. Most are in areas categorised as Important and require a compelling reason to build. The only reason stated is for Social or Affordable Housing which surely means the 60% of planned housing not in those categories should not be built on Green Belt as such housing is not compelling bu need but financial.

The impact of all the HGC and West Redbourn proposed has only Ben considered on a site by site basis. A significant proportion of traffic to and from the Sites would coallesce on the same small roads between Hemal and Redbourn, St Albans, Harpenden and the M1. The travel infrastructure barely supports the traffic currently at peak times. Therefore, the impact cannot be considered safe as required.

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The individual areas should also be considered in relation to each. Ie if one area is developed the importance of adjacent areas should reconsidered to reflect that.

The traffic plan for each residential site should be considered sequentially in the expected order of start to take in to account the effect of the moving starting position.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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98 - The owners of land at Bucknalls Drive, Bricket Wood

Submission Number: 98 Submission Date: 06/11/24 13:37

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Bucknalls Drive, Bricket Wood :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

- The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.
- Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bucknalls Drive_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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99 - St Congar

Submission Number: 99 Submission Date: 06/11/24 13:56

Respondent: Andrew Black Consulting Mr Andrew Black

On Behalf Of St Congar :

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 5

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Please see attachment for tables and images referenced below:

St Congar have an interest in the Land at Smug Oak Lane in Bricket Wood as set out within these representations.

The representations are made in the context of the tests of soundness as set out in paragraph 35 of the current National Planning Policy Framework (NPPF). This states that plans are 'sound' if they are:

Positively prepared *– providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

Justified *– an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

Effective*–deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

Consistent with national policy *– enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

The wider context is that an up-to-date local plan for St Albans is long overdue. The council has one of the oldest Local Plans in the country which dates back to 1994. The previous attempt to adopt a local plan came to a halt in April 2020 when the Inspector found significant issues of soundness including:

- Failure to engage constructively and actively with neighbouring authorities.
- The preparation of the plan was not in accordance with Council's Statement of Community Involvement.
- Failure of the Sustainability Appraisal to consider some seemingly credible and obvious reasonable alternatives to the policies and proposals of the plan.
- Failure of the plan to meet objectively-assessed needs.
- Absence of key pieces of supporting evidence for the plan.

Since the publication of the regulation 18 version of the plan for consultation last year, the Labour Government announced a significant consultation on the revised NPPF. Alongside this the government has proposed significant changes to the standard method of housing calculation which would see the housing need for St Albans increase from 885 dwellings per annum (dpa) under the current standard method to 1,544 dpa under the new method. The consultation for the NPPF and Standard Method ended in September 2024 and the new NPPF is expected to be released by the end of this year.

This increase in housing requirement was made clear to council members as part of the briefing on the regulation 19 consultation version at the full council meeting on 16 October 2024. Annex 1 of the draft NPPF sets out the proposed Implementation/Transition Arrangements. Paragraph 226 states that from the publication date of the new NPPF (+ 1 month) the policies set out within the new NPPF will apply unless one or more of the following apply with emphasis added:

1. *the emerging annual housing requirement in a local plan that reaches or has reached Regulation 19 (pre-submission stage) on or before [publication date + one month] is no more than 200 dwellings below the published relevant Local Housing Need figure;*
2. *the local plan is a Part 2 plan that does not introduce new strategic policies setting the housing requirement unless the relevant Local Plan Part 1 has been prepared applying the policies in this version of the Framework;*
3. ***the local plan is or has been submitted for examination under Regulation 22 on or before [publication date + one month].***

In order to meet the proposed transition arrangements under the emerging NPPF, the council has set out an ambitious programme for the adoption of the new local plan by early December which involves approval of submission of the plan for examination by full council at the end of November.

Paragraph 3.31 of the briefing paper to full council in October clearly set out the risks of the accelerated time frame for submission as follows:

3.31. The accelerated timescale to Submission (intended on 2 December 2024, rather than as previously envisaged at the end of March 2025) means that there will be less time to undertake work to support Submission of the Plan and Examination, which raises the risk of having to withdraw the Plan at Examination. This is primarily because of the accelerated point of Submission in December 2024, rather than the end of March 2025:

1 – There will realistically be fewer agreed and signed Statements of Common Ground to assist the Inspectors.

2 – There will realistically be fewer and less extensive Topic Papers to assist the Inspectors.

3 – There will realistically be less time to prepare extensive responses to Objections or concerns raised at Regulation 19 stage to assist the Inspectors.

In an important aspect of the local plan process is set out in Section 20 of the Planning and Compulsory Purchase Act 2004 sets out the process for independent examination and states that a local planning authority must not submit a development plan document to the Secretary of State for independent examination unless (with emphasis added)

1. *a) They have complied with any relevant requirements contained in regulations under this part, and*
2. ***b) They think the document is ready for independent examination.***

It is clear that a fastracked submission of a local plan would breach the requirements in this regard and the points of risk raised by council officers are highly pertinent. In any event, even if the plan was to be found sound, such an approach would mean that preparation of a new plan would be required under the provisions of paragraph 227 of the draft NPPF which states:

Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.

It is patently clear that the council is attempting to subvert a justified and effective plan making process which could properly meet housing needs in favour of a short-lived victory of a plan meeting an outdated housing requirement which will need to be immediately updated and addressed in any event.

Site Details and Background

The site is located to the south of Smug Oak Lane to the west of Bricket Wood. The site is approximately 2.5 hectares in size and is currently used as open grazing land.

The site is outside of the settlement and within the green belt but has no other environmental or landscape designations. However, it adjoins existing built form on two sides with residential housing to the east and St Stephen Parish Council Hall and car park to the west.

St Congar has had an interest in the site for some time and dialogue took place with St Stephen Parish Council in April 2023.

Two options were presented to them:

Option 1 – 75 homes with 100% affordable housing (owned and manged by a Registered Provider) with a policy compliant level of 17 affordable / social rent houses.

- 58nr intermediate / shared ownership houses
- No “for market sale” houses.

Option 2 – 33 homes with 50% affordable housing.

- 16nr 3 and 4 bedroom market houses
- 11nr 2 and 3 bedroom affordable / social rent houses • 6nr 3 bedroom intermediate / shared ownership houses

The site is identified as site reference C-183 and STS-02-18/STS-02-21 in the Housing and Economic Land Availability Assessment and was previously noted as being *potentially suitable, available, and achievable subject to further assessment as part of the site selection process.*

Further analysis of the site selection process through the Sustainability Appraisal and Green Belt Review is set out within these representations.

Sustainability Appraisal

Paragraph 32 of the framework requires that Local Plans and Spatial Development Strategies should be informed **throughout** their preparation by a Sustainability Appraisal (SA) that meets the relevant legal requirements.

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan *with the objective of contributing to the achievement of sustainable development.* Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure the potential environmental effects are given **full consideration** alongside social and economic issues.

Paragraph 32 of the framework goes on to state that the SA should *demonstrate how the plan has addressed relevant economic, social, and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).*

In support of the regulation 19 version of the plan, the council has undertaken a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) (September 2024) in accordance with the requirements of Planning and Compulsory Purchase Act 2004.

Table B of Appendix 4 of the Sustainability Appraisal assesses the individual development sites as set out in the HELAA against the objectives of the site selection / sustainability objectives. This includes an assessment of the site as identified as STS-02-18/STS-02-21. The findings of the assessment are set out [in the attachment] and commentary provided against each in turn.

It is unclear through the Sustainability Assessment to what extent sites were not taking forward on this basis alone or whether other factors such as the green belt review had influence.

It is considered that the assessment of sites within the Sustainability Assessment is unsound as it is not effective or justified. Further commentary is set out on the site selection process and green belt review process within the representations.

Housing Requirement

The Housing Requirement for St Albans is derived from the Standard Method and sets out that the council must identify and allocate land for at least 15,096 net additional homes over the plan period or 888 dwellings per annum. The Local Housing Need derived from the Standard Method is a capped figure and it should be noted that the uncapped figure for St Albans is considerably higher at 1,165 dwellings per annum. The housing requirement under the proposed amendments to the standard method would see a further increase to 1,544 dpa. In several recent local plan examinations (Mid Sussex, Bournemouth and Elmbridge) inspectors have placed weight on the emerging standard method as a material consideration which indicates the direction of travel for government policy and have sought further consideration of a higher housing need accordingly.

As set out in the table [in the attachment], the council has consistently failed to deliver housing at the rate expected within the draft local plan.

The South West Herts Local Housing Needs Assessment indicates that 443 affordable rented dwellings and 385 affordable home ownership dwellings per annum would be needed in St Albans District to meet demand. This would represent a total of 825 dwellings per annum which is almost the entire annual housing target in the plan. It is therefore considered that the use of the capped current standard method masks the true and pressing affordable housing need in the district which will continue to grow without consideration of a higher housing target.

St Albans is in a wider region of significant unmet need from other nearby/adjoining authorities. Three Rivers District Council is advancing with a revised plan which is described as *Low Housing Growth and Green Belt Restraint* and 6,600 homes short of Local Housing Need (LHN). Hertsmere

Council published a draft plan in April 2024 which is 2,200 homes short of LHN. Dacorum Borough Council set out a consultation document in October 2023 which gives rise to an unmet need figure in the region of 2,800 homes. There is also a requirement for further consideration of unmet need from adjoining London Boroughs (Barnet, Enfield and Harrow) which are all progressing with local plans. Specifically, the draft Enfield Local Plan states that there could be a shortfall of 38,000 homes in the borough by the end of the plan period. The unmet need in the surrounding areas is of a substantial magnitude which also gives rise to further requirements in terms of Duty to Cooperate which are set out below.

Finally, as set out, the adoption of an up-to-date plan has been considerably delayed for St Albans and it is vital that a sound a robust plan is put in place which would allow for the delivery of much needed market and affordable housing to be delivered in the early part of the plan period.

Duty to Co-operate

Paragraph 26 and 27 of the National Planning Policy Framework emphasises the importance of maintaining effective co-operation throughout the plan making process and states (with emphasis added):

Effective and on-going *joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.*

In order to demonstrate ***effective and on-going joint working****, strategic policy- making authorities should prepare and maintain* ***one or more*** *statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan- making process to provide transparency.*

Section 33A(3) of the Planning and Compulsory Purchase Act 2004 sets out the activities which bodies subject to the duty to co-operate must co-operate on. Paragraph (3)(d) of section 33A of that Act provides that such bodies will be subject to the duty when undertaking activities that can reasonably be considered to prepare the way for the preparation of development plan documents, marine plans, and other local development documents, in this case the regulation 18 version of the Local Plan.

The Statement of Community Involvement for St Albans Council (February 2023) sets out a list of Specific Consultation Bodies in appendix A and lists the prescribed bodies as follows:

- Hertfordshire County Council
- Adjoining / neighbouring local planning authorities (Three Rivers District Council, Dacorum Borough Council, North Hertfordshire District Council, Welwyn Hatfield Council, Hertsmere Borough Council, Watford Borough Council, Central Bedfordshire District Council, Luton Borough Council)
- All town and parish councils in St Albans City and District Parish Councils in other Districts, where the Parish Council boundary adjoins St. Albans City and District

There has been no such update produced as part of the evidence base for the regulation 19 consultation.

Paragraph 1.12 of the Local Plan states:

A Duty to Cooperate workshop for all prescribed bodies, including all neighbouring planning authorities and Hertfordshire County Council, was held in September 2022. Following the workshop follow-up letters were sent, with a specific request being sent to those neighbouring authorities that could potentially help to meet St Albans' need, including for land for housing and for a potential Strategic Rail Freight Interchange (SRFI).

However, there is no evidence base document which sets out the outcomes of the workshop or any indication that engagement with the neighbouring planning authorities has been *ongoing* in the past year since the initial workshop. The Evidence Paper published in September 2024 sets out the response to the issues raised by the inspectors of the previous SADC local plan. In relation to DtC which was a key failing of the plan the council sets out that:

The Council wrote to neighbouring authorities regarding Local Plan Vision, Strategic Priorities and Objectives, the Green Belt Methodology, and the SA Scoping Report in 2022 and the draft Local Plan Reg 18 in 2023. Pre-Reg 18 DtC Councillor meetings held 2022 during Reg 18 DtC Councillor meetings held Sept 2023 and during Reg 19 DtC Councillor meetings proposed for October 2024. SADC 'Can you help us meet our need' letters sent November 2022 and follow up letters on 'can you help us meet our need' sent 24.10.23 after Reg 18 and DtC Councillor meetings. Letters focus on the key issue of potential unmet housing need and approach to the Green Belt, and other cross boundary issues (including the SRFI, employment need, education provision etc.).

It then states that this will be updated further at the Submission Stage and Statements of Common Ground will be prepared at the time of the plan submission and notes that an *Overarching Statement of Common Ground [will be] published with Reg 19.* No such overarching SOCG has been published with this regulation 19 consultation pointing to a lack of progress in this regard which is required to be remedied ahead of submission. In any event, letters sent to adjoining authorities asking for need to be met does not satisfy actions required under the DtC and it is clear that the plan is fatally unsound on this basis alone.

Given that a failure of the Duty to Co-operate was one of the primary reasons the previous Local Plan was found unsound, then it is highly surprising that this matter has not been adequately evidenced from the outset of the plan making process. In its current form the plan is not effective, justified nor has it been positively prepared and is therefore unsound on this basis. This is a matter which must be remedied before the draft Local Plan can proceed to any next steps.

Reasonable Alternatives

The Planning Practice Guidance sets out the way in which the Sustainability Appraisal should assess reasonable alternatives and identify likely significant effects as follows:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic, and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe, and evaluate their likely significant effects on environmental, economic, and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004;*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

[Paragraph: 018 Reference ID: 11-018-20140306 Revision date: 06 03 2014]

Table 5.2 of the SA sets out the Reasonable Alternative Growth Scenarios which are tested as part of the regulation 19 consultation.

There are two significant failings in the testing of reasonable alternatives in the plan. The first being that only figure marginally in excessive of the Local Housing Need (+12%) has been tested. No testing has been undertaken on a substantially increase housing figure which would take in to account the emerging NPPF requirements or would address the significant unmet need from local authorities. It is not suggested that there would not be significant impacts with this approach, but it would also give rise to substantial economic and social benefits. There is no justification to not testing this approach at all as part of reasonable alternatives.

Secondly, it is only a higher delivery from St Albans or Redbourn which are tested in the growth scenarios. The figures from Bricket Wood are consistently either 127dpa or alternatively 0dpa. It is not considered that this approach adequately tests credible reasonable alternatives with particular focus on the wording of the PPG which requires the alternatives *to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.*

Paragraph 75 of the Inspector Report for the previous Local Plan set out the following in relation to Reasonable Alternatives:

Based on our concerns set out above, we consider that there are a number of obvious and seemingly credible reasonable alternatives that have not been considered. This being so, we are not convinced that either the SA or the SA addendum has considered and compared reasonable alternatives as the Plan has evolved, including the preferred approach, and assessed these against the baseline environmental, economic and social characteristics of the area and the likely situation if the Plan were not to be adopted.

Overall, it is not considered that the Sustainability Appraisal has adequately considered Reasonable Alternatives and the plan is therefore not justified or effective in that regard.

Hemel Garden Communities

The Draft Local Plan has a strong reliance on the delivery of at least 4,750 new homes as part of the Hemel Garden Communities programme by 2041 under policy LG2. This represents just over 31% of the entire housing requirement. The delivery of the Hemel Garden Communities is reliant on cross boundary working with Dacorum Council.

The Housing Trajectory as set out in Table 3.2 of the Local Plan indicates that delivery of dwellings from the Garden Communities will start in 2029/30 then continue to the end of the plan period as [set out in the attachment]:

Even with the expedited timeframe for the local plan as now envisaged it is considered overly ambitious to expect delivery of dwellings from a site of this scale only three years after adoption of the plan.

The second edition of the *Start to Finish Report* prepared by Lichfields in September 2024 sets out key figures based on actual examples of large developments across the country. The report states that the average time from validation of the first planning application to the completion of the first dwelling on schemes of more than 2,000 dwellings is 6.6 years, considerably more than the 3 years being predicted in the housing trajectory.

The *Start to Finish* report also examines the average build out rates for large schemes of 2,000+ dwellings and puts this at 100-188dpa. Again, this is considerably less that the delivery rate predicted in the housing trajectory.

The speed of delivery of housing within the plan period from garden communities is a matter which has led to findings that plans produced by other local authorities were not sound with the most recent examples being Tandridge District Council and the North Essex Authorities.

Overall, it is accepted that the development of a garden community at Hemmel Hempstead is required and could deliver sustainable places in the much longer term. However, the overly ambitious expectations for the delivery of housing from the garden communities within this plan are not considered to be effective and the plan would not be sound in its current form.

Site Selection Process

The site at Smug Oak Lane was assessed in the Green Belt Review in the wider Strategic Land Parcel 27 as site SA-121. Overall, the review sets out the following scores [see attachment] against the individual purposes of the green belt:

The assessment sets outs out detailed commentary on the impact of development of the site on each of the individual purposes.

The scores against purpose 1 are considered appropriate given the location of the site.

Regarding purpose 2 (to prevent neighbouring towns merging into on another) the assessment sets out the following commentary (with emphasis added):

The sub-area is not located at the edge of the settlement. The sub-area would introduce a new area of built form, which would perceptually and physically narrow the existing gap between Bricket Wood and How Wood; and between Bricket Wood and Radlett and reduce the overall openness and scale of these gaps. ***It is judged that there may be some scope for development without significant physical or perceptual erosion of the gap between neighbouring built-up areas. The M25 provides an additional barrier to the merging of settlements.***

The view that there is some scope for development is supported. On this basis it is considered that the score against this green belt purposes should in fact be lower. Regarding purpose 3 (to assist in safeguarding the countryside from encroachment) the assessment sets out the following commentary: *The sub-area is not covered by any built form. The sub-area comprises an open field. It is bounded by intermittent tree lines and has a flat topography which limits views into wider countryside. There are some views onto neighbouring residential buildings. Overall, the subarea has a strongly unspoilt rural character.*

It is considered that the site is capable of being developed in such a way that the views into the wider countryside and corresponding rural character would not be harmed. Accordingly, the scoring of the parcel to this purpose of the green belt should be revised down.

Overall, it is considered that the council has taken an overly cautious approach to the protection of individual green belt sites which are highly appropriate for development. This concern was raised in the inspector report to the previous Local Plan at paragraph 49 which states:

We also have concerns regarding the strategic site selection process. At Stage 1 a high number of sites were immediately discounted from further assessment on the basis of their Green Belt Review evaluation (and were rated red). The 4 identified amber sites all had only 1 or zero effects on the Green Belt Purposes (as identified for the relevant parcels in the 2013 Green Belt Review). However, representors refer to a number of sites that were rejected at Stage 1 despite also having zero or only 1 significant impact on Green Belt purposes (in the same way as the amber and green rated sites).

As set out, it is considered that it is justified for the council to seek to meet a higher housing target for a number of reasons. These representations also set out significant concerns over the delivery of dwellings from Hemel Garden Communities within the lifetime of the plan. It is therefore considered that the council will need to seek to allocate other suitable and deliverable sites in order to meet the pressing need in the early part of the plan period.

The Planning Practice Guidance sets out what should happen if there are insufficient sites to meet housing need as follows:

When preparing strategic policies, it may be concluded that insufficient sites / broad locations have been identified to meet objectively assessed needs, including the identified local housing need.

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It is considered highly appropriate that the council should consider the allocation of other sites in order to meet established housing need through both unmet need from adjoining authorities and/or the emerging increased housing need figures as a result of the standard method calculation.

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Appendix E of the Site Selection Methodology, Outcomes and Site Allocations sets out the conclusions of the sites in respect of each of the sites and this is compared to the assessment of the land at Smug Oak Lane: [See attachment for more details]

It is therefore clear that the land at Smug Oak Lane performs at least as well, if not better, against key sustainability objectives than the allocations in the plan for Bricket Wood. In the absence of further justification and reasoning for the discounting of the land at Smug Oak at Lane it is considered that this represents a logicial opportunity for allocation in the plan.

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The land at Smug Oak Lane represents an appropriate site for housing development and engagement with the parish council has indicated there would be support for this to come forward. It is considered that additional sites will be needed in order to make the plan sound and that this site represents a suitable site for allocation within a future iteration of the plan.

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1. Smug Oak Lane Reps - November 2024 - ABC obo St Congar - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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To provide oral evidence on matters of soundness

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* Yes

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Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site - Land at Smug Oak Lane, Bricket Wood

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

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Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Please see attachment for tables and images referenced below:

St Congar have an interest in the Land at Smug Oak Lane in Bricket Wood as set out within these representations.

The representations are made in the context of the tests of soundness as set out in paragraph 35 of the current National Planning Policy Framework (NPPF). This states that plans are 'sound' if they are:

Positively prepared *– providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

Justified *– an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

Effective*–deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

Consistent with national policy *– enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

The wider context is that an up-to-date local plan for St Albans is long overdue. The council has one of the oldest Local Plans in the country which dates back to 1994. The previous attempt to adopt a local plan came to a halt in April 2020 when the Inspector found significant issues of soundness including:

- Failure to engage constructively and actively with neighbouring authorities.
- The preparation of the plan was not in accordance with Council's Statement of Community Involvement.
- Failure of the Sustainability Appraisal to consider some seemingly credible and obvious reasonable alternatives to the policies and proposals of the plan.
- Failure of the plan to meet objectively-assessed needs.
- Absence of key pieces of supporting evidence for the plan.

Since the publication of the regulation 18 version of the plan for consultation last year, the Labour Government announced a significant consultation on the revised NPPF. Alongside this the government has proposed significant changes to the standard method of housing calculation which would see the housing need for St Albans increase from 885 dwellings per annum (dpa) under

the current standard method to 1,544 dpa under the new method. The consultation for the NPPF and Standard Method ended in September 2024 and the new NPPF is expected to be released by the end of this year.

This increase in housing requirement was made clear to council members as part of the briefing on the regulation 19 consultation version at the full council meeting on 16 October 2024. Annex 1 of the draft NPPF sets out the proposed Implementation/Transition Arrangements. Paragraph 226 states that from the publication date of the new NPPF (+ 1 month) the policies set out within the new NPPF will apply unless one or more of the following apply with emphasis added:

1. *the emerging annual housing requirement in a local plan that reaches or has reached Regulation 19 (pre-submission stage) on or before [publication date + one month] is no more than 200 dwellings below the published relevant Local Housing Need figure;*
2. *the local plan is a Part 2 plan that does not introduce new strategic policies setting the housing requirement unless the relevant Local Plan Part 1 has been prepared applying the policies in this version of the Framework;*
3. ***the local plan is or has been submitted for examination under Regulation 22 on or before [publication date + one month].***

In order to meet the proposed transition arrangements under the emerging NPPF, the council has set out an ambitious programme for the adoption of the new local plan by early December which involves approval of submission of the plan for examination by full council at the end of November.

Paragraph 3.31 of the briefing paper to full council in October clearly set out the risks of the accelerated time frame for submission as follows:

3.31. The accelerated timescale to Submission (intended on 2 December 2024, rather than as previously envisaged at the end of March 2025) means that there will be less time to undertake work to support Submission of the Plan and Examination, which raises the risk of having to withdraw the Plan at Examination. This is primarily because of the accelerated point of Submission in December 2024, rather than the end of March 2025:

1 – There will realistically be fewer agreed and signed Statements of Common Ground to assist the Inspectors.

2 – There will realistically be fewer and less extensive Topic Papers to assist the Inspectors.

3 – There will realistically be less time to prepare extensive responses to Objections or concerns raised at Regulation 19 stage to assist the Inspectors.

In an important aspect of the local plan process is set out in Section 20 of the Planning and Compulsory Purchase Act 2004 sets out the process for independent examination and states that a local planning authority must not submit a development plan document to the Secretary of State for independent examination unless (with emphasis added)

1. *a) They have complied with any relevant requirements contained in regulations under this part, and*
2. ***b) They think the document is ready for independent examination.***

It is clear that a fastracked submission of a local plan would breach the requirements in this regard and the points of risk raised by council officers are highly pertinent. In any event, even if the plan was to be found sound, such an approach would mean that preparation of a new plan would be required under the provisions of paragraph 227 of the draft NPPF which states:

Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.

It is patently clear that the council is attempting to subvert a justified and effective plan making process which could properly meet housing needs in favour of a short-lived victory of a plan meeting an outdated housing requirement which will need to be immediately updated and addressed in any event.

Site Details and Background

The site is located to the south of Smug Oak Lane to the west of Bricket Wood. The site is approximately 2.5 hectares in size and is currently used as open grazing land.

The site is outside of the settlement and within the green belt but has no other environmental or landscape designations. However, it adjoins existing built form on two sides with residential housing to the east and St Stephen Parish Council Hall and car park to the west.

St Congar has had an interest in the site for some time and dialogue took place with St Stephen Parish Council in April 2023.

Two options were presented to them:

Option 1 – 75 homes with 100% affordable housing (owned and manged by a Registered Provider) with a policy compliant level of 17 affordable / social rent houses.

- 58nr intermediate / shared ownership houses
- No “for market sale” houses.

Option 2 – 33 homes with 50% affordable housing.

- 16nr 3 and 4 bedroom market houses
- 11nr 2 and 3 bedroom affordable / social rent houses • 6nr 3 bedroom intermediate / shared ownership houses

The site is identified as site reference C-183 and STS-02-18/STS-02-21 in the Housing and Economic Land Availability Assessment and was previously noted as being *potentially suitable, available, and achievable subject to further assessment as part of the site selection process.*

Further analysis of the site selection process through the Sustainability Appraisal and Green Belt Review is set out within these representations.

Sustainability Appraisal

Paragraph 32 of the framework requires that Local Plans and Spatial Development Strategies should be informed **throughout** their preparation by a Sustainability Appraisal (SA) that meets the relevant legal requirements.

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan *with the objective of contributing to the achievement of sustainable development.* Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure the potential environmental effects are given **full consideration** alongside social and economic issues.

Paragraph 32 of the framework goes on to state that the SA should *demonstrate how the plan has addressed relevant economic, social, and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).*

In support of the regulation 19 version of the plan, the council has undertaken a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) (September 2024) in accordance with the requirements of Planning and Compulsory Purchase Act 2004.

Table B of Appendix 4 of the Sustainability Appraisal assesses the individual development sites as set out in the HELAA against the objectives of the site selection / sustainability objectives. This includes an assessment of the site as identified as STS-02-18/STS-02-21. The findings of the assessment are set out [in the attachment] and commentary provided against each in turn.

It is unclear through the Sustainability Assessment to what extent sites were not taking forward on this basis alone or whether other factors such as the green belt review had influence.

It is considered that the assessment of sites within the Sustainability Assessment is unsound as it is not effective or justified. Further commentary is set out on the site selection process and green belt review process within the representations.

Housing Requirement

The Housing Requirement for St Albans is derived from the Standard Method and sets out that the council must identify and allocate land for at least 15,096 net additional homes over the plan period or 888 dwellings per annum. The Local Housing Need derived from the Standard Method is a capped figure and it should be noted that the uncapped figure for St Albans is considerably higher at 1,165 dwellings per annum. The housing requirement under the proposed amendments to the standard method would see a further increase to 1,544 dpa. In several recent local plan examinations (Mid Sussex, Bournemouth and Elmbridge) inspectors have placed weight on the emerging standard method as a material consideration which indicates the direction of travel for government policy and have sought further consideration of a higher housing need accordingly.

As set out in the table [in the attachment], the council has consistently failed to deliver housing at the rate expected within the draft local plan.

The South West Herts Local Housing Needs Assessment indicates that 443 affordable rented dwellings and 385 affordable home ownership dwellings per annum would be needed in St Albans District to meet demand. This would represent a total of 825 dwellings per annum which is almost the entire annual housing target in the plan. It is therefore considered that the use of the capped current standard method masks the true and pressing affordable housing need in the district which will continue to grow without consideration of a higher housing target.

St Albans is in a wider region of significant unmet need from other nearby/adjoining authorities. Three Rivers District Council is advancing with a revised plan which is described as *Low Housing Growth and Green Belt Restraint* and 6,600 homes short of Local Housing Need (LHN). Hertsmere Council published a draft plan in April 2024 which is 2,200 homes short of LHN. Dacorum Borough Council set out a consultation document in October 2023 which gives rise to an unmet need figure in the region of 2,800 homes. There is also a requirement for further consideration of unmet need from adjoining London Boroughs (Barnet, Enfield and Harrow) which are all progressing with local plans. Specifically, the draft Enfield Local Plan states that there could be a shortfall of 38,000 homes in the borough by the end of the plan period. The unmet need in the surrounding areas is of a substantial magnitude which also gives rise to further requirements in terms of Duty to Cooperate which are set out below.

Finally, as set out, the adoption of an up-to-date plan has been considerably delayed for St Albans and it is vital that a sound a robust plan is put in place which would allow for the delivery of much needed market and affordable housing to be delivered in the early part of the plan period.

Duty to Co-operate

Paragraph 26 and 27 of the National Planning Policy Framework emphasises the importance of maintaining effective co-operation throughout the plan making process and states (with emphasis added):

Effective and on-going *joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.*

In order to demonstrate ***effective and on-going joint working****, strategic policy- making authorities should prepare and maintain* ***one or more*** *statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan- making process to provide transparency.*

Section 33A(3) of the Planning and Compulsory Purchase Act 2004 sets out the activities which bodies subject to the duty to co-operate must co-operate on. Paragraph (3)(d) of section 33A of that Act provides that such bodies will be subject to the duty when undertaking activities that can reasonably be considered to prepare the way for the preparation of development plan documents, marine plans, and other local development documents, in this case the regulation 18 version of the Local Plan.

The Statement of Community Involvement for St Albans Council (February 2023) sets out a list of Specific Consultation Bodies in appendix A and lists the prescribed bodies as follows:

- Hertfordshire County Council
- Adjoining / neighbouring local planning authorities (Three Rivers District Council, Dacorum Borough Council, North Hertfordshire District Council, Welwyn Hatfield Council, Hertsmere Borough Council, Watford Borough Council, Central Bedfordshire District Council, Luton Borough Council)
- All town and parish councils in St Albans City and District Parish Councils in other Districts, where the Parish Council boundary adjoins St. Albans City and District

There has been no such update produced as part of the evidence base for the regulation 19 consultation.

Paragraph 1.12 of the Local Plan states:

A Duty to Cooperate workshop for all prescribed bodies, including all neighbouring planning authorities and Hertfordshire County Council, was held in September 2022. Following the workshop follow-up letters were sent, with a specific request being sent to those neighbouring authorities that could potentially help to meet St Albans' need, including for land for housing and for a potential Strategic Rail Freight Interchange (SRFI).

However, there is no evidence base document which sets out the outcomes of the workshop or any indication that engagement with the neighbouring planning authorities has been *ongoing* in the past year since the initial workshop. The Evidence Paper published in September 2024 sets out the response to the issues raised by the inspectors of the previous SADC local plan. In relation to DtC which was a key failing of the plan the council sets out that:

The Council wrote to neighbouring authorities regarding Local Plan Vision, Strategic Priorities and Objectives, the Green Belt Methodology, and the SA Scoping Report in 2022 and the draft Local Plan Reg 18 in 2023. Pre-Reg 18 DtC Councillor meetings held 2022 during Reg 18 DtC Councillor meetings held Sept 2023 and during Reg 19 DtC Councillor meetings proposed for October 2024. SADC 'Can you help us meet our need' letters sent November 2022 and follow up letters on 'can you help us meet our need' sent 24.10.23 after Reg 18 and DtC Councillor meetings. Letters focus on the key issue of potential unmet housing need and approach to the Green Belt, and other cross boundary issues (including the SRFI, employment need, education provision etc.).

It then states that this will be updated further at the Submission Stage and Statements of Common Ground will be prepared at the time of the plan submission and notes that an *Overarching Statement of Common Ground [will be] published with Reg 19.* No such overarching SOCG has been published

with this regulation 19 consultation pointing to a lack of progress in this regard which is required to be remedied ahead of submission. In any event, letters sent to adjoining authorities asking for need to be met does not satisfy actions required under the DtC and it is clear that the plan is fatally unsound on this basis alone.

Given that a failure of the Duty to Co-operate was one of the primary reasons the previous Local Plan was found unsound, then it is highly surprising that this matter has not been adequately evidenced from the outset of the plan making process. In its current form the plan is not effective, justified nor has it been positively prepared and is therefore unsound on this basis. This is a matter which must be remedied before the draft Local Plan can proceed to any next steps.

Reasonable Alternatives

The Planning Practice Guidance sets out the way in which the Sustainability Appraisal should assess reasonable alternatives and identify likely significant effects as follows:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic, and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe, and evaluate their likely significant effects on environmental, economic, and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004;*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

[Paragraph: 018 Reference ID: 11-018-20140306 Revision date: 06 03 2014]

Table 5.2 of the SA sets out the Reasonable Alternative Growth Scenarios which are tested as part of the regulation 19 consultation.

There are two significant failings in the testing of reasonable alternatives in the plan. The first being that only figure marginally in excessive of the Local Housing Need (+12%) has been tested. No testing has been undertaken on a substantially increase housing figure which would take in to account the emerging NPPF requirements or would address the significant unmet need from local authorities. It is not suggested that there would not be significant impacts with this approach, but it would also give rise to substantial economic and social benefits. There is no justification to not testing this approach at all as part of reasonable alternatives.

Secondly, it is only a higher delivery from St Albans or Redbourn which are tested in the growth scenarios. The figures from Bricket Wood are consistently either 127dpa or alternatively 0dpa. It is not considered that this approach adequately tests credible reasonable alternatives with particular focus on the wording of the PPG which requires the alternatives *to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.*

Paragraph 75 of the Inspector Report for the previous Local Plan set out the following in relation to Reasonable Alternatives:

Based on our concerns set out above, we consider that there are a number of obvious and seemingly credible reasonable alternatives that have not been considered. This being so, we are not convinced that either the SA or the SA addendum has considered and compared reasonable alternatives as the Plan has evolved, including the preferred approach, and assessed these against the baseline environmental, economic and social characteristics of the area and the likely situation if the Plan were not to be adopted.

Overall, it is not considered that the Sustainability Appraisal has adequately considered Reasonable Alternatives and the plan is therefore not justified or effective in that regard.

Hemel Garden Communities

The Draft Local Plan has a strong reliance on the delivery of at least 4,750 new homes as part of the Hemel Garden Communities programme by 2041 under policy LG2. This represents just over 31% of the entire housing requirement. The delivery of the Hemel Garden Communities is reliant on cross boundary working with Dacorum Council.

The Housing Trajectory as set out in Table 3.2 of the Local Plan indicates that delivery of dwellings from the Garden Communities will start in 2029/30 then continue to the end of the plan period as [set out in the attachment]:

Even with the expedited timeframe for the local plan as now envisaged it is considered overly ambitious to expect delivery of dwellings from a site of this scale only three years after adoption of the plan.

The second edition of the *Start to Finish Report* prepared by Lichfields in September 2024 sets out key figures based on actual examples of large developments across the country. The report states that the average time from validation of the first planning application to the completion of the first dwelling on schemes of more than 2,000 dwellings is 6.6 years, considerably more than the 3 years being predicted in the housing trajectory.

The *Start to Finish* report also examines the average build out rates for large schemes of 2,000+ dwellings and puts this at 100-188dpa. Again, this is considerably less that the delivery rate predicted in the housing trajectory.

The speed of delivery of housing within the plan period from garden communities is a matter which has led to findings that plans produced by other local authorities were not sound with the most recent examples being Tandridge District Council and the North Essex Authorities.

Overall, it is accepted that the development of a garden community at Hemmel Hempstead is required and could deliver sustainable places in the much longer term. However, the overly ambitious expectations for the delivery of housing from the garden communities within this plan are not considered to be effective and the plan would not be sound in its current form.

Site Selection Process

The site at Smug Oak Lane was assessed in the Green Belt Review in the wider Strategic Land Parcel 27 as site SA-121. Overall, the review sets out the following scores [see attachment] against the individual purposes of the green belt:

The assessment sets outs out detailed commentary on the impact of development of the site on each of the individual purposes.

The scores against purpose 1 are considered appropriate given the location of the site.

Regarding purpose 2 (to prevent neighbouring towns merging into on another) the assessment sets out the following commentary (with emphasis added):

The sub-area is not located at the edge of the settlement. The sub-area would introduce a new area of built form, which would perceptually and physically narrow the existing gap between Bricket Wood and How Wood; and between Bricket Wood and Radlett and reduce the overall openness and scale of these gaps. ***It is judged that there may be some scope for development without significant physical or perceptual erosion of the gap between neighbouring built-up areas. The M25 provides an additional barrier to the merging of settlements.***

The view that there is some scope for development is supported. On this basis it is considered that the score against this green belt purposes should in fact be lower. Regarding purpose 3 (to assist in safeguarding the countryside from encroachment) the assessment sets out the following commentary: *The sub-area is not covered by any built form. The sub-area comprises an open field. It is bounded by intermittent tree lines and has a flat topography which limits views into wider countryside. There are some views onto neighbouring residential buildings. Overall, the subarea has a strongly unspoilt rural character.*

It is considered that the site is capable of being developed in such a way that the views into the wider countryside and corresponding rural character would not be harmed. Accordingly, the scoring of the parcel to this purpose of the green belt should be revised down.

Overall, it is considered that the council has taken an overly cautious approach to the protection of individual green belt sites which are highly appropriate for development. This concern was raised in the inspector report to the previous Local Plan at paragraph 49 which states:

We also have concerns regarding the strategic site selection process. At Stage 1 a high number of sites were immediately discounted from further assessment on the basis of their Green Belt Review evaluation (and were rated red). The 4 identified amber sites all had only 1 or zero effects on the Green Belt Purposes (as identified for the relevant parcels in the 2013 Green Belt Review). However, representors refer to a number of sites that were rejected at Stage 1 despite also having zero or only 1 significant impact on Green Belt purposes (in the same way as the amber and green rated sites).

As set out, it is considered that it is justified for the council to seek to meet a higher housing target for a number of reasons. These representations also set out significant concerns over the delivery of dwellings from Hemel Garden Communities within the lifetime of the plan. It is therefore considered that the council will need to seek to allocate other suitable and deliverable sites in order to meet the pressing need in the early part of the plan period.

The Planning Practice Guidance sets out what should happen if there are insufficient sites to meet housing need as follows:

When preparing strategic policies, it may be concluded that insufficient sites / broad locations have been identified to meet objectively assessed needs, including the identified local housing need.

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Comparisons with Other Allocations in Bricket Wood

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It is therefore clear that the land at Smug Oak Lane performs at least as well, if not better, against key sustainability objectives than the allocations in the plan for Bricket Wood. In the absence of further justification and reasoning for the discounting of the land at Smug Oak at Lane it is considered that this represents a logicial opportunity for allocation in the plan.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Smug Oak Lane Reps - November 2024 - ABC obo St Congar - FINAL_[R].pdf

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Sustainability Appraisal Note

Comment Number: 3

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Please see attachment for tables and images referenced below:

St Congar have an interest in the Land at Smug Oak Lane in Bricket Wood as set out within these representations.

The representations are made in the context of the tests of soundness as set out in paragraph 35 of the current National Planning Policy Framework (NPPF). This states that plans are 'sound' if they are:

Positively prepared *– providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

Justified *– an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

Effective*–deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

Consistent with national policy *– enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

The wider context is that an up-to-date local plan for St Albans is long overdue. The council has one of the oldest Local Plans in the country which dates back to 1994. The previous attempt to adopt a local plan came to a halt in April 2020 when the Inspector found significant issues of soundness including:

- Failure to engage constructively and actively with neighbouring authorities.
- The preparation of the plan was not in accordance with Council's Statement of Community Involvement.
- Failure of the Sustainability Appraisal to consider some seemingly credible and obvious reasonable alternatives to the policies and proposals of the plan.
- Failure of the plan to meet objectively-assessed needs.
- Absence of key pieces of supporting evidence for the plan.

Since the publication of the regulation 18 version of the plan for consultation last year, the Labour Government announced a significant consultation on the revised NPPF. Alongside this the government has proposed significant changes to the standard method of housing calculation which would see the housing need for St Albans increase from 885 dwellings per annum (dpa) under the current standard method to 1,544 dpa under the new method. The consultation for the NPPF and Standard Method ended in September 2024 and the new NPPF is expected to be released by the end of this year.

This increase in housing requirement was made clear to council members as part of the briefing on the regulation 19 consultation version at the full council meeting on 16 October 2024. Annex 1 of the draft NPPF sets out the proposed Implementation/Transition Arrangements. Paragraph 226 states that from the publication date of the new NPPF (+ 1 month) the policies set out within the new NPPF will apply unless one or more of the following apply with emphasis added:

1. *the emerging annual housing requirement in a local plan that reaches or has reached Regulation 19 (pre-submission stage) on or before [publication date + one month] is no more than 200 dwellings below the published relevant Local Housing Need figure;*

2. *the local plan is a Part 2 plan that does not introduce new strategic policies setting the housing requirement unless the relevant Local Plan Part 1 has been prepared applying the policies in this version of the Framework;*
3. ***the local plan is or has been submitted for examination under Regulation 22 on or before [publication date + one month].***

In order to meet the proposed transition arrangements under the emerging NPPF, the council has set out an ambitious programme for the adoption of the new local plan by early December which involves approval of submission of the plan for examination by full council at the end of November.

Paragraph 3.31 of the briefing paper to full council in October clearly set out the risks of the accelerated time frame for submission as follows:

3.31. The accelerated timescale to Submission (intended on 2 December 2024, rather than as previously envisaged at the end of March 2025) means that there will be less time to undertake work to support Submission of the Plan and Examination, which raises the risk of having to withdraw the Plan at Examination. This is primarily because of the accelerated point of Submission in December 2024, rather than the end of March 2025:

1 – There will realistically be fewer agreed and signed Statements of Common Ground to assist the Inspectors.

2 – There will realistically be fewer and less extensive Topic Papers to assist the Inspectors.

3 – There will realistically be less time to prepare extensive responses to Objections or concerns raised at Regulation 19 stage to assist the Inspectors.

In an important aspect of the local plan process is set out in Section 20 of the Planning and Compulsory Purchase Act 2004 sets out the process for independent examination and states that a local planning authority must not submit a development plan document to the Secretary of State for independent examination unless (with emphasis added)

1. *a) They have complied with any relevant requirements contained in regulations under this part, and*
2. ***b) They think the document is ready for independent examination.***

It is clear that a fastracked submission of a local plan would breach the requirements in this regard and the points of risk raised by council officers are highly pertinent. In any event, even if the plan was to be found sound, such an approach would mean that preparation of a new plan would be required under the provisions of paragraph 227 of the draft NPPF which states:

Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.

It is patently clear that the council is attempting to subvert a justified and effective plan making process which could properly meet housing needs in favour of a short-lived victory of a plan meeting an outdated housing requirement which will need to be immediately updated and addressed in any event.

Site Details and Background

The site is located to the south of Smug Oak Lane to the west of Bricket Wood. The site is approximately 2.5 hectares in size and is currently used as open grazing land.

The site is outside of the settlement and within the green belt but has no other environmental or landscape designations. However, it adjoins existing built form on two sides with residential housing to the east and St Stephen Parish Council Hall and car park to the west.

St Congar has had an interest in the site for some time and dialogue took place with St Stephen Parish Council in April 2023.

Two options were presented to them:

Option 1 – 75 homes with 100% affordable housing (owned and manged by a Registered Provider) with a policy compliant level of 17 affordable / social rent houses.

- 58nr intermediate / shared ownership houses
- No “for market sale” houses.

Option 2 – 33 homes with 50% affordable housing.

- 16nr 3 and 4 bedroom market houses
- 11nr 2 and 3 bedroom affordable / social rent houses • 6nr 3 bedroom intermediate / shared ownership houses

The site is identified as site reference C-183 and STS-02-18/STS-02-21 in the Housing and Economic Land Availability Assessment and was previously noted as being *potentially suitable, available, and achievable subject to further assessment as part of the site selection process.*

Further analysis of the site selection process through the Sustainability Appraisal and Green Belt Review is set out within these representations.

Sustainability Appraisal

Paragraph 32 of the framework requires that Local Plans and Spatial Development Strategies should be informed **throughout** their preparation by a Sustainability Appraisal (SA) that meets the relevant legal requirements.

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan *with the objective of contributing to the achievement of sustainable development.* Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure the potential environmental effects are given **full consideration** alongside social and economic issues.

Paragraph 32 of the framework goes on to state that the SA should *demonstrate how the plan has addressed relevant economic, social, and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).*

In support of the regulation 19 version of the plan, the council has undertaken a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) (September 2024) in accordance with the requirements of Planning and Compulsory Purchase Act 2004.

Table B of Appendix 4 of the Sustainability Appraisal assesses the individual development sites as set out in the HELAA against the objectives of the site selection / sustainability objectives. This includes an assessment of the site as identified as STS-02-18/STS-02-21. The findings of the assessment are set out [in the attachment] and commentary provided against each in turn.

It is unclear through the Sustainability Assessment to what extent sites were not taking forward on this basis alone or whether other factors such as the green belt review had influence.

It is considered that the assessment of sites within the Sustainability Assessment is unsound as it is not effective or justified. Further commentary is set out on the site selection process and green belt review process within the representations.

Housing Requirement

The Housing Requirement for St Albans is derived from the Standard Method and sets out that the council must identify and allocate land for at least 15,096 net additional homes over the plan period or 888 dwellings per annum. The Local Housing Need derived from the Standard Method is a capped figure and it should be noted that the uncapped figure for St Albans is considerably higher at 1,165 dwellings per annum. The housing requirement under the proposed amendments to the standard method would see a further increase to 1,544 dpa. In several recent local plan examinations (Mid Sussex, Bournemouth and Elmbridge) inspectors have placed weight on the emerging standard method as a material consideration which indicates the direction of travel for government policy and have sought further consideration of a higher housing need accordingly.

As set out in the table [in the attachment], the council has consistently failed to deliver housing at the rate expected within the draft local plan.

The South West Herts Local Housing Needs Assessment indicates that 443 affordable rented dwellings and 385 affordable home ownership dwellings per annum would be needed in St Albans District to meet demand. This would represent a total of 825 dwellings per annum which is almost the entire annual housing target in the plan. It is therefore considered that the use of the capped current standard method masks the true and pressing affordable housing need in the district which will continue to grow without consideration of a higher housing target.

St Albans is in a wider region of significant unmet need from other nearby/adjoining authorities. Three Rivers District Council is advancing with a revised plan which is described as *Low Housing Growth and Green Belt Restraint* and 6,600 homes short of Local Housing Need (LHN). Hertsmere Council published a draft plan in April 2024 which is 2,200 homes short of LHN. Dacorum Borough Council set out a consultation document in October 2023 which gives rise to an unmet need figure in the region of 2,800 homes. There is also a requirement for further consideration of unmet need from adjoining London Boroughs (Barnet, Enfield and Harrow) which are all progressing with local plans. Specifically, the draft Enfield Local Plan states that there could be a shortfall of 38,000 homes in the borough by the end of the plan period. The unmet need in the surrounding areas is of a substantial magnitude which also gives rise to further requirements in terms of Duty to Cooperate which are set out below.

Finally, as set out, the adoption of an up-to-date plan has been considerably delayed for St Albans and it is vital that a sound a robust plan is put in place which would allow for the delivery of much needed market and affordable housing to be delivered in the early part of the plan period.

Duty to Co-operate

Paragraph 26 and 27 of the National Planning Policy Framework emphasises the importance of maintaining effective co-operation throughout the plan making process and states (with emphasis added):

Effective and on-going *joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.*

In order to demonstrate ***effective and on-going joint working****, strategic policy- making authorities should prepare and maintain* ***one or more*** *statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan- making process to provide transparency.*

Section 33A(3) of the Planning and Compulsory Purchase Act 2004 sets out the activities which bodies subject to the duty to co-operate must co-operate on. Paragraph (3)(d) of section 33A of that Act provides that such bodies will be subject to the duty when undertaking activities that can

reasonably be considered to prepare the way for the preparation of development plan documents, marine plans, and other local development documents, in this case the regulation 18 version of the Local Plan.

The Statement of Community Involvement for St Albans Council (February 2023) sets out a list of Specific Consultation Bodies in appendix A and lists the prescribed bodies as follows:

- Hertfordshire County Council
- Adjoining / neighbouring local planning authorities (Three Rivers District Council, Dacorum Borough Council, North Hertfordshire District Council, Welwyn Hatfield Council, Hertsmere Borough Council, Watford Borough Council, Central Bedfordshire District Council, Luton Borough Council)
- All town and parish councils in St Albans City and District Parish Councils in other Districts, where the Parish Council boundary adjoins St. Albans City and District

There has been no such update produced as part of the evidence base for the regulation 19 consultation.

Paragraph 1.12 of the Local Plan states:

A Duty to Cooperate workshop for all prescribed bodies, including all neighbouring planning authorities and Hertfordshire County Council, was held in September 2022. Following the workshop follow-up letters were sent, with a specific request being sent to those neighbouring authorities that could potentially help to meet St Albans' need, including for land for housing and for a potential Strategic Rail Freight Interchange (SRFI).

However, there is no evidence base document which sets out the outcomes of the workshop or any indication that engagement with the neighbouring planning authorities has been *ongoing* in the past year since the initial workshop. The Evidence Paper published in September 2024 sets out the response to the issues raised by the inspectors of the previous SADC local plan. In relation to DtC which was a key failing of the plan the council sets out that:

The Council wrote to neighbouring authorities regarding Local Plan Vision, Strategic Priorities and Objectives, the Green Belt Methodology, and the SA Scoping Report in 2022 and the draft Local Plan Reg 18 in 2023. Pre-Reg 18 DtC Councillor meetings held 2022 during Reg 18 DtC Councillor meetings held Sept 2023 and during Reg 19 DtC Councillor meetings proposed for October 2024. SADC 'Can you help us meet our need' letters sent November 2022 and follow up letters on 'can you help us meet our need' sent 24.10.23 after Reg 18 and DtC Councillor meetings. Letters focus on the key issue of potential unmet housing need and approach to the Green Belt, and other cross boundary issues (including the SRFI, employment need, education provision etc.).

It then states that this will be updated further at the Submission Stage and Statements of Common Ground will be prepared at the time of the plan submission and notes that an *Overarching Statement of Common Ground [will be] published with Reg 19.* No such overarching SOCG has been published with this regulation 19 consultation pointing to a lack of progress in this regard which is required to be remedied ahead of submission. In any event, letters sent to adjoining authorities asking for need to be met does not satisfy actions required under the DtC and it is clear that the plan is fatally unsound on this basis alone.

Given that a failure of the Duty to Co-operate was one of the primary reasons the previous Local Plan was found unsound, then it is highly surprising that this matter has not been adequately evidenced from the outset of the plan making process. In its current form the plan is not effective, justified nor has it been positively prepared and is therefore unsound on this basis. This is a matter which must be remedied before the draft Local Plan can proceed to any next steps.

Reasonable Alternatives

The Planning Practice Guidance sets out the way in which the Sustainability Appraisal should assess reasonable alternatives and identify likely significant effects as follows:

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic, and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- *outline the reasons the alternatives were selected, and identify, describe, and evaluate their likely significant effects on environmental, economic, and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004;*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

[Paragraph: 018 Reference ID: 11-018-20140306 Revision date: 06 03 2014]

Table 5.2 of the SA sets out the Reasonable Alternative Growth Scenarios which are tested as part of the regulation 19 consultation.

There are two significant failings in the testing of reasonable alternatives in the plan. The first being that only figure marginally in excessive of the Local Housing Need (+12%) has been tested. No testing has been undertaken on a substantially increase housing figure which would take in to account the emerging NPPF requirements or would address the significant unmet need from local authorities. It is not suggested that there would not be significant impacts with this approach, but it would also give rise to substantial economic and social benefits. There is no justification to not testing this approach at all as part of reasonable alternatives.

Secondly, it is only a higher delivery from St Albans or Redbourn which are tested in the growth scenarios. The figures from Bricket Wood are consistently either 127dpa or alternatively 0dpa. It is not considered that this approach adequately tests credible reasonable alternatives with particular focus on the wording of the PPG which requires the alternatives *to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.*

Paragraph 75 of the Inspector Report for the previous Local Plan set out the following in relation to Reasonable Alternatives:

Based on our concerns set out above, we consider that there are a number of obvious and seemingly credible reasonable alternatives that have not been considered. This being so, we are not convinced that either the SA or the SA addendum has considered and compared reasonable alternatives as the Plan has evolved, including the preferred approach, and assessed these against the baseline environmental, economic and social characteristics of the area and the likely situation if the Plan were not to be adopted.

Overall, it is not considered that the Sustainability Appraisal has adequately considered Reasonable Alternatives and the plan is therefore not justified or effective in that regard.

Hemel Garden Communities

The Draft Local Plan has a strong reliance on the delivery of at least 4,750 new homes as part of the Hemel Garden Communities programme by 2041 under policy LG2. This represents just over 31% of the entire housing requirement. The delivery of the Hemel Garden Communities is reliant on cross boundary working with Dacorum Council.

The Housing Trajectory as set out in Table 3.2 of the Local Plan indicates that delivery of dwellings from the Garden Communities will start in 2029/30 then continue to the end of the plan period as [set out in the attachment]:

Even with the expedited timeframe for the local plan as now envisaged it is considered overly ambitious to expect delivery of dwellings from a site of this scale only three years after adoption of the plan.

The second edition of the *Start to Finish Report* prepared by Lichfields in September 2024 sets out key figures based on actual examples of large developments across the country. The report states that the average time from validation of the first planning application to the completion of the first dwelling on schemes of more than 2,000 dwellings is 6.6 years, considerably more than the 3 years being predicted in the housing trajectory.

The *Start to Finish* report also examines the average build out rates for large schemes of 2,000+ dwellings and puts this at 100-188dpa. Again, this is considerably less that the delivery rate predicted in the housing trajectory.

The speed of delivery of housing within the plan period from garden communities is a matter which has led to findings that plans produced by other local authorities were not sound with the most recent examples being Tandridge District Council and the North Essex Authorities.

Overall, it is accepted that the development of a garden community at Hemmel Hempstead is required and could deliver sustainable places in the much longer term. However, the overly ambitious expectations for the delivery of housing from the garden communities within this plan are not considered to be effective and the plan would not be sound in its current form.

Site Selection Process

The site at Smug Oak Lane was assessed in the Green Belt Review in the wider Strategic Land Parcel 27 as site SA-121. Overall, the review sets out the following scores [see attachment] against the individual purposes of the green belt:

The assessment sets outs out detailed commentary on the impact of development of the site on each of the individual purposes.

The scores against purpose 1 are considered appropriate given the location of the site.

Regarding purpose 2 (to prevent neighbouring towns merging into on another) the assessment sets out the following commentary (with emphasis added):

The sub-area is not located at the edge of the settlement. The sub-area would introduce a new area of built form, which would perceptually and physically narrow the existing gap between Bricket Wood and How Wood; and between Bricket Wood and Radlett and reduce the overall openness and scale of these gaps. ***It is judged that there may be some scope for development without significant physical or perceptual erosion of the gap between neighbouring built-up areas. The M25 provides an additional barrier to the merging of settlements.***

The view that there is some scope for development is supported. On this basis it is considered that the score against this green belt purposes should in fact be lower. Regarding purpose 3 (to assist in safeguarding the countryside from encroachment) the assessment sets out the following commentary: *The sub-area is not covered by any built form. The sub-area comprises an open field. It is bounded by intermittent tree lines and has a flat topography which limits views into wider countryside. There are some views onto neighbouring residential buildings. Overall, the subarea has a strongly unspoilt rural character.*

It is considered that the site is capable of being developed in such a way that the views into the wider countryside and corresponding rural character would not be harmed. Accordingly, the scoring of the parcel to this purpose of the green belt should be revised down.

Overall, it is considered that the council has taken an overly cautious approach to the protection of individual green belt sites which are highly appropriate for development. This concern was raised in the inspector report to the previous Local Plan at paragraph 49 which states:

We also have concerns regarding the strategic site selection process. At Stage 1 a high number of sites were immediately discounted from further assessment on the basis of their Green Belt Review evaluation (and were rated red). The 4 identified amber sites all had only 1 or zero effects on the Green Belt Purposes (as identified for the relevant parcels in the 2013 Green Belt Review). However, representors refer to a number of sites that were rejected at Stage 1 despite also having zero or only 1 significant impact on Green Belt purposes (in the same way as the amber and green rated sites).

As set out, it is considered that it is justified for the council to seek to meet a higher housing target for a number of reasons. These representations also set out significant concerns over the delivery of dwellings from Hemel Garden Communities within the lifetime of the plan. It is therefore considered that the council will need to seek to allocate other suitable and deliverable sites in order to meet the pressing need in the early part of the plan period.

The Planning Practice Guidance sets out what should happen if there are insufficient sites to meet housing need as follows:

When preparing strategic policies, it may be concluded that insufficient sites / broad locations have been identified to meet objectively assessed needs, including the identified local housing need.

In the first instance, strategic policy-making authorities will need to revisit their assessment, for example to carry out a further call for sites, or changing assumptions about the development potential of particular sites to ensure these make the most efficient use of land. This may include applying a range of densities that reflect the accessibility and potential of different areas, especially for sites in town and city centres, and other locations that are well served by public transport. If insufficient land remains, then it will be necessary to investigate how this shortfall can best be planned for. If there is clear evidence that strategic policies cannot meet the needs of the area, factoring in the constraints, it will be important to establish how needs might be met in adjoining areas through the process of preparing statements of common ground, and in accordance with the duty to cooperate. If following this, needs cannot be met then the planmaking authority will have to demonstrate the reasons why as part of the plan examination.]Paragraph: 025 Reference ID: 3-025-20190722 Revision date: 22 07 2019]

It is considered highly appropriate that the council should consider the allocation of other sites in order to meet established housing need through both unmet need from adjoining authorities and/or the emerging increased housing need figures as a result of the standard method calculation.

Comparisons with Other Allocations in Bricket Wood

It is noted that three sites in Bricket Wood are identified in the local plan for release from green belt:

- M4 – North of Oakwood Road, Bricket Wood – 74 dwellings
- M15 – Bucknalls Drive, Bricket Wood – 44 dwellings
- M23 Ashdale Lye Lane, Bricket Wood – 9 dwellings

A further site (OS1 – Land to North of Bricket Wood) which adjoins site M4 is identified for the delivery of community uses including allotments, a new medical centre, relocated scout hut, community centre and associated outdoor/recreation facilities.

Appendix E of the Site Selection Methodology, Outcomes and Site Allocations sets out the conclusions of the sites in respect of each of the sites and this is compared to the assessment of the land at Smug Oak Lane: [See attachment for more details]

It is therefore clear that the land at Smug Oak Lane performs at least as well, if not better, against key sustainability objectives than the allocations in the plan for Bricket Wood. In the absence of further justification and reasoning for the discounting of the land at Smug Oak at Lane it is considered that this represents a logicial opportunity for allocation in the plan.

Conclusions

These representations set out considerable concern on the soundness of the regulation 18 version of the local plan in a number of areas.

The land at Smug Oak Lane represents an appropriate site for housing development and engagement with the parish council has indicated there would be support for this to come forward. It is considered that additional sites will be needed in order to make the plan sound and that this site represents a suitable site for allocation within a future iteration of the plan.

St Congar is able to provide any further information on the site that the council require.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The land at Smug Oak Lane represents an appropriate site for housing development and engagement with the parish council has indicated there would be support for this to come forward. It is considered that additional sites will be needed in order to make the plan sound and that this site represents a suitable site for allocation within a future iteration of the plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Smug Oak Lane Reps - November 2024 - ABC obo St Congar - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide oral evidence on matters of soundness

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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100 - Trustees of the Shonleigh Trust

Submission Number: 100 Submission Date: 06/11/24 14:24

Respondent: Bidwells Mr Derek Bromley

On Behalf Of Trustees of the Shonleigh Trust :

LG4 - Large, Medium and Small Sites

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1) These objections are made on behalf of the Trustees of the Shonleigh Trust. The Trustees object to the Regulation 19 Local Plan on the basis it is neither 'Justified' or 'Positively Prepared'.

2) The Trustees own the land shown edged red and coloured pink and edged blue on the plan **(Appendix 1 of attachment**). The land holding was severed as a consequence of the compulsory acquisition for the M25 in the early 1980s. At this point the M25 is in a deep cutting.

3) The field north of the M25 (edged red and coloured pink) is contained by residential development along its northern boundary, residential development along part of its western boundary, the St Albans/Watford railway line (Abbey Line) on the eastern boundary and the M25 to the south.

4) Within the northern field are two stable blocks (these fall within te definition of Previously Developed Land). The field is divided by a mature tree line shown by the green line on plan Appendix 1.

5) It is the northern field (edged red) to which these objections relate, in particular the area coloured pink. The southern field would be made available for community benefits as part of any development.

Green Belt Study

6) The site adjoins How Wood a settlement excluded from the Green Belt.

7) In 2016 the Council produced their Strategic Housing Land Availability Assessment (SHLAA) relating to Green Belt sites. A copy of the assessment relating to the northern field is provided in **Appendix 2 of attachment.** The Stage conclusions 1 noted *'however, the northern half of the site is bounded by existing residential development to the north and west and its development would not have the same impact as described above'.*

8) As part of the previous local plan the Council commissioned SKM to undertake a Green Belt study in relation to sites which could deliver more than 250 dwellings. The SKM report did not undertake a Green Belt Study in relation to smaller sites. The Council's strategy being that the larger sites would be identified in the Local Plan and that smaller sites would come forward through Neighbourhood Plans and either granted under very special circumstances or within a revised Local Plan (policy DLP12) which amended the Green Belt boundaries.

9) As part of the St Stephen Neighbourhood Plan the Parish Council commissioned Aecom to undertake site assessments. The relevant extract of the final report dated December 2017 is attached as **Appendix 3 of attachment.** The extract identifies the northern field identified as Site

S43, "land south of How Wood" and concludes in respect of the Neighbourhood Plan Site Assessment *'it would therefore be an appropriate site for the NP to put forward as a proposal for housing, under policy DLP12 of the draft strategic local plan 2011-2031* '. It then goes on, that if this site is put forward through the neighbourhood plan and accepted by the council then the implementation would be through a Green Belt boundary change in a future local plan review.

10) The Draft Pre Submission St Stephen Parish Council Neighbourhood Plan 2019-2036 (28/11/2019) identified our clients land in Policy 27, **Appendix 4 of attachment** as proposed housing allocation subject to certain criteria.

11) In the St Stephen Parish Neighbourhood Plan Housing Report and Aspiration Sites (10/2020) (Appendix 5 of attachment) it also identifies the northern part of our clients land for housing to accommodate approximately 30 dwellings.

12) In the St Stephen Parish Neighbourhood Plan Pre Submission (Reg 14) Consultation draft (Policy 27) again identifies the northern part of our clients site for residential development for up to 30 dwellings, Appendix 6 of attachment.

13) The St Albans Housing and Economic Land Availability Assessment 2021 (Appendix 7) the overall conclusion was 'the site is considered to be potentially suitable, available and achievable subject to a further assessment as part of the site selection process".

14) The Council's Green Belt Study 2023 prepared by Arup, upon which the Council relies for its evidence base, came to the conclusion that the site (SA 126) should not come forward as a Green Belt release **Appendix 8 of attachment.** It is noted however this was the same conclusion for Site SA 133, which was subsequently granted planning permission for housing. A site which again was identified for housing in the St Stephen Neighbourhood Plan documents.

15) Whilst these studies endeavour to provide objective test criteria, the weighting is very much subjective. It is clear that among the experts commissioned by the 2 Councils to review this site, they have come to different conclusions. There has been no change to the area in terms of landform, topography or landscape which justifies different conclusions.

16) It is also evident that there has been a long history of the northern part of the subject site being identified for development in many council documents. The recent Arup Study only reviews the whole site, whereas the previous SHLAA and Aecom reports have used a finer grain approach and identified the northern part of the subject site as not performing well in relation to the 5 purposes of including land in the Green Belt. Not using a finer grain approach was one of the criticisms of the Councils general approach at the last failed Local Plan.

17) The Arup omission of the northern field is in contrast to the joint council's proposals, where the St Stehen P.C. Pre- Submission Plan and its Housing Aspirations identified the site for housing. In summary from 2016 until 2023 the subject site was identified for housing.

18) There are sites in the Reg 19 which have a wider and greater Green Belt impact or do not share the same level of sustainability. We would wish to review these comparisons as part of the Examination.

Sustainability

19) The site adjoins the settlement edge of How Wood, a settlement excluded from the Green Belt. It is in a sustainable location given its proximity to a range of facilities/amenities and public transport connections.

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The Policy wording in LG4 h) and DES3 a) should be amended to provide greater flexibility for densities on small /medium sites.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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It is important the the Council is questioned upon its approach to Green Belt Release given the apparent inconsistencies where some sites have been identified and other more obvious ones omitted. The Councils minimum density for all sites irrespective of size is not reasonably achievable for small sites. The housing trajectory is overly optimistic. It's reliance on urban sites delivering the numbers indicated, is not reasonably achievable given the constraints of many of the sites.

It is evident that more sites need to be allocated to meet the housing numbers particularly in the short term.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

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DES3 - Efficient Use of Land

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1) These objections are made on behalf of the Trustees of the Shonleigh Trust. The Trustees object to the Regulation 19 Local Plan on the basis it is neither 'Justified' or 'Positively Prepared'.

2) The Trustees own the land shown edged red and coloured pink and edged blue on the plan **(Appendix 1 of attachment**). The land holding was severed as a consequence of the compulsory acquisition for the M25 in the early 1980s. At this point the M25 is in a deep cutting.

3) The field north of the M25 (edged red and coloured pink) is contained by residential development along its northern boundary, residential development along part of its western boundary, the St Albans/Watford railway line (Abbey Line) on the eastern boundary and the M25 to the south.

4) Within the northern field are two stable blocks (these fall within te definition of Previously Developed Land). The field is divided by a mature tree line shown by the green line on plan Appendix 1.

5) It is the northern field (edged red) to which these objections relate, in particular the area coloured pink. The southern field would be made available for community benefits as part of any development.

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6) The site adjoins How Wood a settlement excluded from the Green Belt.

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13) The St Albans Housing and Economic Land Availability Assessment 2021 (Appendix 7) the overall conclusion was 'the site is considered to be potentially suitable, available and achievable subject to a further assessment as part of the site selection process".

14) The Council's Green Belt Study 2023 prepared by Arup, upon which the Council relies for its evidence base, came to the conclusion that the site (SA 126) should not come forward as a Green Belt release **Appendix 8 of attachment.** It is noted however this was the same conclusion for Site SA 133, which was subsequently granted planning permission for housing. A site which again was identified for housing in the St Stephen Neighbourhood Plan documents.

15) Whilst these studies endeavour to provide objective test criteria, the weighting is very much subjective. It is clear that among the experts commissioned by the 2 Councils to review this site, they have come to different conclusions. There has been no change to the area in terms of landform, topography or landscape which justifies different conclusions.

16) It is also evident that there has been a long history of the northern part of the subject site being identified for development in many council documents. The recent Arup Study only reviews the whole site, whereas the previous SHLAA and Aecom reports have used a finer grain approach and identified the northern part of the subject site as not performing well in relation to the 5 purposes of including land in the Green Belt. Not using a finer grain approach was one of the criticisms of the Councils general approach at the last failed Local Plan.

17) The Arup omission of the northern field is in contrast to the joint council's proposals, where the St Stehen P.C. Pre- Submission Plan and its Housing Aspirations identified the site for housing. In summary from 2016 until 2023 the subject site was identified for housing.

18) There are sites in the Reg 19 which have a wider and greater Green Belt impact or do not share the same level of sustainability. We would wish to review these comparisons as part of the Examination.

Sustainability

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Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

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11) In the St Stephen Parish Neighbourhood Plan Housing Report and Aspiration Sites (10/2020) (Appendix 5 of attachment) it also identifies the northern part of our clients land for housing to accommodate approximately 30 dwellings.

12) In the St Stephen Parish Neighbourhood Plan Pre Submission (Reg 14) Consultation draft (Policy 27) again identifies the northern part of our clients site for residential development for up to 30 dwellings, Appendix 6 of attachment.

13) The St Albans Housing and Economic Land Availability Assessment 2021 (Appendix 7) the overall conclusion was 'the site is considered to be potentially suitable, available and achievable subject to a further assessment as part of the site selection process".

14) The Council's Green Belt Study 2023 prepared by Arup, upon which the Council relies for its evidence base, came to the conclusion that the site (SA 126) should not come forward as a Green Belt release **Appendix 8 of attachment.** It is noted however this was the same conclusion for Site SA 133, which was subsequently granted planning permission for housing. A site which again was identified for housing in the St Stephen Neighbourhood Plan documents.

15) Whilst these studies endeavour to provide objective test criteria, the weighting is very much subjective. It is clear that among the experts commissioned by the 2 Councils to review this site, they have come to different conclusions. There has been no change to the area in terms of landform, topography or landscape which justifies different conclusions.

16) It is also evident that there has been a long history of the northern part of the subject site being identified for development in many council documents. The recent Arup Study only reviews the whole site, whereas the previous SHLAA and Aecom reports have used a finer grain approach and identified the northern part of the subject site as not performing well in relation to the 5 purposes of including land in the Green Belt. Not using a finer grain approach was one of the criticisms of the Councils general approach at the last failed Local Plan.

17) The Arup omission of the northern field is in contrast to the joint council's proposals, where the St Stehen P.C. Pre- Submission Plan and its Housing Aspirations identified the site for housing. In summary from 2016 until 2023 the subject site was identified for housing.

18) There are sites in the Reg 19 which have a wider and greater Green Belt impact or do not share the same level of sustainability. We would wish to review these comparisons as part of the Examination.

Sustainability

19) The site adjoins the settlement edge of How Wood, a settlement excluded from the Green Belt. It is in a sustainable location given its proximity to a range of facilities/amenities and public transport connections.

20) In sustainability terms the site has the following (actual distances not as the crow flies): A bus stop on the frontage to Park Street Lane. Services 361 and 635 Abbey Line (St Albans/Watford) railway stations Bricket Wood and How Wood 0.8 km Radlett main line railway station 5.5km Local Neighbourhood Centre 0.9km Park Street Doctor's surgery 0.55km Primary schools 1.0km Secondary schools 3.4km

21) The Arup Qualitative Assessment of this site has errors. The site has a bus stop adjoining the frontage, not 1.6 kilometres distance. There are 2 services; the 361 which is the main How Wood service between St Albans and Borehamwood and the less frequent 635 between Watford and Hatfield. The report makes no mention that the site is mid- way between the railway stations of How Wood and Bricket Wood on the Abbey line, both being 0.8km and accessible by footpath. No mention of the Doctors surgery which is 0.55km. Other than the Radlett main line station and secondary school all the above are accessible by footpath. Whilst the Arup report refers to distances from an S.S.S.I and County Wildlife Site, these are is separated by the railway line. The site is separated from contaminated land by the railway. This land was tipped on decades ago and has methane vent pipes; it has been naturalised and is a publicly accessible resource.

22) As part of the Major Transport Schemes Policy TRA2 **(Appendix 9 of attachment)** provides that the Council supports the delivery of an enhanced Abbey line service (the St Albans/Watford railway line).

23) The Reg 19, Para 1.30 refers that the strategy is to locate growth in the most sustainable locations. Para 3.4 refers to "meet the needs within or close to existing settlements". Policy SP2 d) seeks to make "use of the most sustainable locations for growth". It is evident that the location of this site meets these policies objectives.

Development Benefits

24) It is envisaged that in accordance with the Draft St Stephen N.P. the area shown colour washed on the plan Appendix I would contain built development. In addition to all the usual benefits which are derived from housing, the southern area of the field will provide a green buffer for compensatory Green Belt benefits, utilised for on-site Bio Diversity Net Gain and a Sustainable Urban Drainage scheme.

25) The made St Stephen N.P. policy S19 and para's 8.21 and 8.22 (Appendix 10) together refer to the St Albans Green Spaces Report indicates there is a deficit of allotment facilities. Our clients land south of the M25 adjoins existing Allotments; this would be made available as an extension to te existing allotments.

Policy Objections

26) The policies which provide a density of 40 d.ph as a minimum (LG4 h) and DES3 a)) are simply unrealistic and unobtainable when it comes to small sites (up to 9 dwellings) and to a lesser extent for medium sites. These sites are not of a size which can accommodate a housing mix to achieve this density.

27) The plan policy for minimum densities to be applied to small/medium sites should be deleted. New wording should be inserted where this is an aim for small and medium sites but to have regard to the surrounding character and density and uses.

Is the Plan Justified

28) Given the above, the Plan is not justified as an appropriate strategy as it does not take into account the reasonable alternative of including part of the northern field as a Green Belt release for housing and the Councils evidence base for not doing so, is not proportionate or justified. Given the previous history of reports. The Councils Green Belt Study conclusions are at variance to the direction the Council and St Stephen P.C were taking in respect of this site.

29) Whilst the Government's final definition of Grey Belt and the inclusion of Grey Belt as not being inappropriate development within the Green Belt, has yet to be confirmed; the proposed wording for Grey Belt includes *'any other parcels and/or areas of Green Belt land that make* a *limited contribution to the five Green Belt purposes'.* The Government consultation "Proposed reforms to the NPPF and other changes to the planning system" 24/09/2024 suggests an effective way of providing guidance and refers *"Grey Belt Land which makes* a *limited contribution to the Green Belt purposes will: a) Not strongly perform against any Green Belt purpose; and b) Have at least one of the following features : Land containing substantial built development or which is fully enclosed by built form. ii Land which makes no or very little contribution to preventing neighbouring towns from merging into one another. iii Land which is dominated by urban uses, including physical developments iv Land which contributes little to preserving the setting and special character historic towns".*

30) The part of the northern field which is largely contained by development on 3 boundaries has 2 stable blocks which fall within the definition of Previously Developed Land. It is described in the Pro- Forma Site Assessment as scrub land.

Has The Plan Been Positively Prepared

31) This is a qualified objection. Our client raises no objection to the overall housing provision based upon the current standard methodology, though has issues with the housing delivery during the plan period given the Council only has a 1.5 years housing land supply. Should the Governments new standard methodology apply for the purposes of this Plan, then there is a gross under provision of housing. The new methodology would increase the housing numbers from 885 d.p.a. to 1,554 d.p.a., a 75% increase.

32) Whilst there have been Ministerial Statements regarding when the new standard methodology for housing need will apply, nothing is certain as to the final wording and timing when it will apply.

33) The current expectation based upon the Council's programme is that the local plan will be submitted before the Government's proposed Standard Methodology for determining housing need takes effect. It is important a Plan is in place given the acute housing shortfall with only a 1.5 years housing land supply and to enable early new housing delivery. However, given the circumstances the Council has found itself, with a significant risk of unmet housing need, it is very important to identify and allocate in this plan more sites where appropriate.

34) Given that planning policy and the plan process is a bit of a "moveable feast" the expectation in 26) above, may not be realised and there is no certainty. It is in any event clear the proposed housing provision will not meet the future development needs during the local plan period and an early review will be required.

35) In the event the new Standard Methodology does not apply to this Local Plan and the Council meets the deadline for submission, then our client's are of the view the Council should commit to an immediate review following the Adoption of the Plan. There will a period between the Inspector's report and the Council's formal Adoption for Council officers to start the preliminary internal processes.

36) The Council's Housing Trajectory (Table 3.2) for delivering housing from the "Broad Locations" is overly optimistic given the timelines for all the necessary planning approvals and lead in times for infrastructure.

37) Lichfields, produced a report in 2020 "Start to Finish" which reviewed build out rates of large housing sites across te country. This showed that nationally the average planning approval period for large sites of say 1,000 dwellings was 4.6 years. Given the local councils in Hertfordshire have not embraced new development but are reluctant participants when it comes to development on green fields, then locally the time is longer. The Lichfield report also analyses the build out rate on large sites. The averages for sites 500-1,000 was 68 d.p.a., 1,000-1499 was 107 d.p.a. It is generally acknowledged that the early development years of schemes the completion rates are far less than the average. The build rate in the early years for the Broad Locations is again overly optimistic.

38) My experience of the delivery of large sites in Hertfordshire, a county which has been reluctant to housing growth for decades, it will not be until the early/mid 2030's that many of the "Broad Locations" begin to deliver housing, the exceptions possibly being part of the west Redbourn and part of North St Albans where permission has either granted or the application is well advanced. I set out below examples I have been involved with or are aware.

39) Hemel Hempstead. Allocated site for 900 dwellings in the Sites Allocations, Adopted 2017. Hybrid Planning Application submitted 21/12/2018. Granted 03/12/2021. Price negotiations with land owners and following approvals of pre- commencement conditions, start date on site November 2024. First dwelling for occupation spring 2026. Total time for an allocated site from planning application to delivery of first dwelling 7.25 years.

40) Stevenage. Allocated site for 1,350 dwellings in Adopted Local Plan 22/05/2019. Hybr'1d planning application 07/04/2021. Following Section 106 negotiations expected planning permission November 2024. There will be a period of negotiations on value which involves the Council and Homes England, with probable reference to an Expert, allow 18 months. Planning precommencement condition approvals, allow further 9 months. Lead in time for infrastructure to first dwelling allow further 18 months. Total time for an allocated site from planning application to first occupation just under 7.5 years.

41) Hitchin. Outline Planning Application for up to 700 dwellings submitted in advance of Local Plan on the 26/04/2018. Site allocated in the Adopted Local Plan November 2022 for 700 dwellings. Awaiting a decision. First occupation is likely to be in excess of 9 years from application.

42) On the basis of the above it is my view a reasonable expectation is that for large sites there is a 7 year gap between the submission of a planning application to first delivery of a completed dwelling. Given that to date with a couple of exceptions, applications on large sites have not been registered I think my estimate of early to mid 2030's is supported by the evidence. There are varied reasons why these sites have taken so long (continued public and councillor resistance, officer's workload) This will apply to all sites. That is why the timescales envisaged in the Housing Trajectory are not in some instances likely to be achieved. In my view based upon evidence, the first housing on most of the larger sites will not be delivered until the then later early/mid 2030's.

43) From the Councils own housing figures there is a substantial shortfall in delivery up to the 2030's. This under provision needs to be reduced with more small sustainable sites. These are not so constrained by infrastructure delivery because this is already available, or complicated Section 106 agreements involving both District and County . Early delivery is essential given the Council only has a 1.5 year housing land supply.

44) A greater number of smaller sites which do not have constraints to delivery need to be identified. The subject site is an obvious example.

45) The Council's identified urban sites include many which are Council owned comprising many garage blocks with poor access, city and town car parks and community buildings. It is very unlikely the total housing numbers predicted indicated for these sites will be achieved. There will be objections to the loss of vehicle parking land, this loss of spaces creates further pressure for "on street" parking and in the case of city centre public car parks the impact this will have upon the vitality and vibrancy of the town centres. Any loss of car parking provision or community buildings is likely to be strongly resisted by the local community.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The proposed alteration to the plan is that our client's site identified by the land coloured pink on Appendix 1 in attachment should be included as a Green Belt release and allocated for housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Shonleigh Trustees - Land at Park Street__[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important the the Council is questioned upon its approach to Green Belt Release given the apparent inconsistences where some sites have been identified and other more obvious ones omitted. The Councils minimum density for all sites irrespective of size is not reasonably achievable for small sites. The housing trajectory is overly optimistic. It's reliance on urban sites delivering the numbers indicated, is not reasonably achievable given the constraints of many of the sites.

It is evident that more sites need to be allocated to meet the housing numbers, particularly in the short term.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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101 - Miss Stephanie Mitchell

Submission Number: 101 Submission Date: 06/11/24 14:41

Respondent: Miss Stephanie Mitchell

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt are its openness and permanence' It also states: 'National policy sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The land that this proposed development would cover is classified as Green Belt. It has been farmland for many years, producing a variety crops, and is also a popular route for walkers.

I understand the need for housing but am extremely concerned that some of the last Green Belt land in and around Dacorum and St Albans is under threat and must be protected at all costs. Speculative planning applications for major developments on Green Belt must be stopped or this will set a precedent for developers and precious green spaces will no longer be off limits. Developers already have the opportunity to offer up applications for development sites which are included in the council's local plan.

Limited infilling in villages can accommodate new homes although there is a risk of eroding the character of the village and the openness and character of the Green Belt over time.

This developoment would clearly erode the very precious and long standing nature of our village, Leverstock Green. Not an extension of Hemel Hempstead but a vibrant village full of community spirit and activities epitomised by the vibrant community centre, church, school and scouts. Thousands of extra homes will render our village a thoroughfare complete with extra pollution.

The proposed plans would take up to a decade of construction work which they propose to carry out from early morning until night, six days a week. This will have a major impact both on immediate neighbours and adjacent roads and properties for a significant period of time. Issues include noise pollution, construction dirt, possible access issues and a sizable and extended decline in the quality of the area we live in. These would have an adverse impact on the mental and physical health of individuals, as well as the quality of life of residents, with some being elderly and/or disabled.

Leverstock Green is home to Woodfield Special Needs school with many pupils attending from across the borough. Many of these pupils are more vulnerable to pollution and changes in their environment.

Currently there is no GP services directly in Leverstock Green and the Dental Surgery is oversubscribed and overwhelmed, causing local residents to struggle to get appointments when they need them. Any extra homes would add thousands of people to these waiting lists and a huge burden to these already oversubscribed services, if those residents are even able to find a surgery that can take them on. A further concern would be the impact of shortages in school places within the area. Leverstock Green Primary school is already oversubscribed and a one form entry school, with the same situation across the other schools locally. This would only worsen for pupils looking for secondary school places.

Maylands Avenue is a destination hub for many businesses with Leverstock Green bearing a huge load of commuters traveling to their place of work, and vice versa for those who work in St Albans and beyond who want to avoid the already hugely congested roads out of Hemel Hempstead. The current closure of one road just to the north of the village is rendering the village almost impossible to navigate during peak times and when on those days where there are no closures or delays on the M1 or M25 are small village once again bears the brunt of commuters looking for alternative routes. Adding thousands of new residents to the area - whose main access points to the new development would be through the village - would add even more pressure and inevitably cause higher levels of traffic and therefore pollution.

One of the best things about living in Leverstock Green is its village nature and the easy access to fresh air and green spaces – this would be lost forever.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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104 - The owners of land north of Wheathampstead Road

Submission Number: 104 Submission Date: 06/11/24 15:02

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land north of Wheathampstead Road :

M17 - North of Wheathampstead Road, Harpenden, AL5 1AB

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Site M17 – Land North of Wheathampstead Road, Harpenden

- The Regulation 19 draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref M17. This proposal is **strongly supported** by the owners of this site. As is set out elsewhere in this report, the land is suitable for development and should be allocated in the Local Plan.
- A total of 38 dwellings is indicatively proposed for the site and this level of provision is supported at this stage of plan-making. The live planning application submitted for the site shows 40 dwellings, which is consistent with the “indicative” estimate of 38 dwellings.
- The policy allocating this site refers to four “key development requirements” and these are listed below, along with a brief commentary on behalf of the landowner:

1. *Support for access for active modes to be delivered on both Piggottshill Lane and onto Wheathampstead Road.*

The planning application submitted for this site (ref 5/2022/2748) was accompanied by a Transport Statement and Active Travel Audit, which identified series of active travel improvements that could be made in the local area. These improvements, together with a section 106 contribution towards wider transport improvements were satisfactory to the Local Highway Authority, who do not object to the application.

2. *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*

As for item 1 above, extensive negotiations have taken place with the Local Highway Authority in relation to the planning application and these have led to a “no objection”.

3. *The layout of development should minimise any harm to the setting and significance of the Grade II Listed Aldwick Manor and Granary at Aldwickbury Farm; this may include the incorporation of appropriate set backs of development.*

The location of the two Listed Buildings is shown in Figure 6 below. Aldwick Manor is a house dating to circa 1700, although with later additions and alterations. A second Listed Building, a former granary building, is within the historic farm courtyard near to Aldwick Manor. The significance of these buildings is assessed in detail in the Heritage Statement submitted with the planning application (ref 5/2022/2748). This Statement concludes that *"Whilst the land could be said to be part of the wider setting of the two listed buildings it makes no contribution to the significance of these buildings which stand on their own in their contemporary residential settings."* Recent approved development around these buildings has altered their setting and continues the process of change from its agricultural origins.

The indicative layout shown at Figure 7 (Section 5.0) has taken account of the setting of these two Listed Buildings and the indicative form of development has been aligned to create vistas towards and away from the buildings. The detailed layout and materials used would be considered at Reserved Matters stage but for the purposes of the Local Plan work, there is no heritage reason why the site cannot be developed.

4. *Development proposals must take appropriate account of the existing trees on / adjacent to the site.*

Planning application ref 5/2022/2748 was accompanied by an Arboricultural Report and Tree Protection Plan identifying the important trees on and around the site and assessing the impact of the proposed development of up to 40 homes. This work concluded that the dwellings could be accommodated without harming notable trees on or near the site. In particular, the two copses of trees can be retained and incorporated into green space within the development. Similarly, the two groups of trees and one single tree that are the subject of the provisional TPO served on 14 October 2024 (see figure 6 below) can be retained and protected through development.

- In summary, we consider Policy M17 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Wheathampstead Road - Novembe_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M17 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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105 - The owners of land north of Wheathampstead Road

Submission Number: 105 Submission Date: 06/11/24 15:04

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land north of Wheathampstead Road :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Wheathampstead Road - Novembe_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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106 - The owners of land north of Wheathampstead Road

Submission Number: 106 Submission Date: 06/11/24 15:06

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land north of Wheathampstead Road :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG4 – Large, Medium and Small sites

- Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.
- As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a "considered approach to development" (criterion a) and "Excellence in design, energy efficiency and water management" (e). Other aspects of LG4 don't need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.
- We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the "effectiveness" soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.
- Notwithstanding our high-level concerns about Policy LG4, it contains a number of requirements that have viability implications for new development, such as the requirement for affordable housing, self- or custom-build housing, highway improvements and tree planting. The viability consequences of these aspects are considered in the Council's viability assessment prepared by BNP Paribas.
- Section 5.0 of this report outlines our concerns in respect of the Council's viability appraisal and these are not repeated here but, in summary, we have concerns that the cumulative impact of the proposed policy requirements is not fully considered and that the actual viability impacts of the draft Local Plan are likely to be higher than anticipated.

- For clarity, we are not making a case that the policy requirements of the draft Local Plan render development at the report site unviable. The report site is a greenfield site with a low alternative use value. Rather, it is a question of making sure that the proposed policy obligations are reasonable and meet the soundness tests. At this stage, it does not appear that the draft Local Plan is based on sufficient evidence and, as such, would struggle to meet the "justified" soundness test. The viability appraisal should be updated with a more accurate assessment of the likely costs involved.
- In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Wheathampstead Road - Novembe_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M17 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

107 - The owners of land north of Wheathampstead Road

Submission Number: 107 Submission Date: 06/11/24 15:09

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land north of Wheathampstead Road :

LG6 - Green Belt Compensatory Improvements

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG6 – Green Belt Compensatory Improvements

- Policy LG6 is the Council's response to paragraph 147 of the NPPF, which encourages Local Plans to consider *"ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land"*.
- Part a) of this policy requires a Green Belt compensation strategy to be provided for those Part B allocations facilitated by a Green Belt boundary change. The degree to which sites are able to facilitate compensation will vary depending on the specifics of the site and surroundings. Many of the Broad Locations propose significant new areas of open space or country parks and these are exactly the sort of policy measures encouraged by the NPPF. However, on smaller sites or where sites do not adjoin existing rights of way, opportunities are likely to be limited.
- In our view, the improvements to the environmental quality and accessibility of the remaining Green Belt proposed at the Broad Locations is sufficient to discharge paragraph 147 of the NPPF. Applying the obligation to smaller sites is not necessary and could delay much-needed new housing.
- Criteria b) to e) appear to be a rehash of policy requirements that are already set out elsewhere in the draft Plan. Specifically:

1. Part b) of this policy reiterates the requirements of policy NEB1 and should be deleted as unnecessary repetition.
2. Part c) of this policy reiterates the requirements of policies NEB5 and NEB12 and should be deleted as unnecessary repetition.
3. Parts d) and e) of this policy reiterate the requirements of policies TRA1 and SP10 and should be deleted as unnecessary repetition.

- There does not appear to be any specific or unique obligations on the Part B sites that would not apply to other proposed development on the edge of the Green Belt. It would avoid confusion and repetition if these elements of the policy were deleted.
- Part f) of Policy LG6 requires development of Part B sites to *"Provide woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside"*. This appears to be an attempt to limit the impact on the views from existing dwellings. We have two concerns with this. Firstly, protecting individual views is not typically the role of the planning.
- Secondly, this requirement could impact on overall site capacity. The requirement for "woodland buffer planting" suggests a depth of planting, rather than a single line of trees. How deep would this planting need to be to be considered "woodland"? This could be achievable on larger sites but on small sites adjacent to the urban area, the loss of a 10m strip to woodland planting could seriously impact the capacity of the site as a whole, and therefore threaten the Council's overall housing target. The need for buffer planting should be considered on a case-by-case basis at the planning application stage.
- In summary, we consider Policy LG6 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Wheathampstead Road - Novembe_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M17 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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108 - The owners of land north of Wheathampstead Road

Submission Number: 108 Submission Date: 06/11/24 15:11

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land north of Wheathampstead Road :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

- The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.
- Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".
- In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Wheathampstead Road - Novembe_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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110 - Thames Water Utilities Limited

Submission Number: 110 Submission Date: 06/11/24 15:39

Respondent: Thames Water Utilities Limited Mr Chris Colloff

On Behalf Of Thames Water Utilities Limited :

NEB8 - Managing Flood Risk

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The promotion of SuDS is supported. However, it is considered the policy requires strengthening to ensure that the policy is effective in reducing the risk of all forms of flooding. In particular, the reference to SuDS being required for minor and householder development where applicable is vague and is unlikely to be effective. While the requirement for green SuDS is supported these may not be possible in all circumstances and it is considered that the policy would benefit from referencing a drainage hierarchy to be followed by development proposals to ensure it is effective.

Connection of surface water to existing sewers increases the risk of sewer flooding and pollution incidents and as such connection to foul sewers should be avoided.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is considered that Part (m) of the policy should be revised as follows to provide greater clarity on the drainage hierarchy to be followed by new development:

"m) SuDS should be **green where possible,** provide multiple benefits, such as biodiversity and integrate into the green infrastructure network **and should follow the following drainage hierarchy**

1) Storing rainwater for later re-use;
2) Use infiltration techniques;

3) Attenuate rainwater in ponds/basins for later gradual release;
4) Attenuate rainwater by storage for later gradual release;
5) Discharge rainwater directly to a watercourse;
6) Discharge rainwater to a surface water sewer.

discharge of surface water to watercourse or sewer system is not to exceed pre-development (greenfield) runoff rates or a maximum of 2/l/s/ha whichever is lower."

It is considered that the 2l/s/ha requirement should be incorporated into the wording of the policy. This standards is supported by DEFRA guidance (see: https://assets.publishing.service.gov.uk/media/602e7158d3bf7f7220fe109d/_Rainfall_Runoff_Management_for_Developments_-_Revision_E.pdf).

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The development site is located in close proximity to Harpenden STW. To ensure that the amenity of future occupiers is protected it is considered that specific reference should be made to the need for any development to demonstrate how the amenity of future residents from will be protected from any noise, odour, lighting or flies including how necessary mitigation will be secured and delivered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is considered that point 5 should be expanded for clarity of requirements of new development proposals to state:

"5. In accordance with adopted Waste Local Plan Policy 5: Safeguarding of Sites, the nearby safeguarded Sewage Treatment Works must be considered in the design to ensure no unreasonable restrictions are placed upon the facility and the proposal does not prejudice its current or future operation. The Waste Planning Authority must be involved in scheme Design and will be directly consulted on any planning application at the site. **Development proposals need to demonstrate that there is no unacceptable impact on amenity of residents from odour, noise, lighting or flies. Where mitigation is necessary, proposals will need to set out how mitigation will be secured and delivered.**"

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC47 - Crabtree Fields / Land at Waldegrave Park, Harpenden, AL5 5SA

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site is in close proximity to Harpenden STW and as such the amenity of any future occupiers will need to be protected from any unacceptable impacts from odour, noise, light or flies. To ensure these issues are adequately considered in any application it is considered that additional text should be added to ensure any submission suitably takes into consideration the potential issues and secures any necessary mitigation measures. Without additional text the allocation may not be effective in ensuring the impacts on occupiers are considered and mitigated.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is considered that the following requirement should be added to the allocation:

"In accordance with adopted Waste Local Plan Policy 5: Safeguarding of Sites, the nearby safeguarded Sewage Treatment Works must be considered in the design to ensure no unreasonable restrictions are placed upon the facility and the proposal does not prejudice its current or future operation. The Waste Planning Authority must be involved in scheme Design and will be directly consulted on any planning application at the site. Development proposals need to demonstrate that there is no unacceptable impact on amenity of residents from odour, noise, lighting or flies. Where mitigation is necessary, proposals will need to set out how mitigation will be secured and delivered."

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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111 - Cllr. David Mitchell

Submission Number: 111 Submission Date: 06/11/24 16:01

Respondent: Cllr. David Mitchell

LG1 - Broad Locations

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Hemel Garden Communities (HGC) programme is at a very early stage in its concept. 11,000 new houses is a huge project yet there is no substantial evidence to show it is viable and deliverable. It is all on greenbelt land NOT recommended by the ARUP green belt review for development. The land is in the Chiltern Hills and the northern parts are adjacent to the National Landscape which should be protected. It is high quality agricultural land, grade 2 and 3a, which should be reserved for our food security. HGC is not served well by public transport. The four closest rail stations are all several miles away and the bus services are currently poor. The HGC programme is over-reliant on people walking and cycling, with little private parking being made available or new main roads being provided. This would require a huge modal shift which would be difficult to achieve in the time scale. In this respect, HGC a very risky social experiment.The HGC is a long way from the Hemel town centre so the development does not connect well with the rest of Hemel. Over a third of St Albans District's new housing is proposed at HGC which does not connect well with the rest of the District. The Nickey Line is enthusiastically being put forward as a significant cycle and footpath linking Hemel to Harpenden via Redbourn but currently this route is not fit for purpose. HGC might seem great on paper but the reality of building a new town onto to an existing new town is not good spatial planning.

The site at West Redbourn (B3) has no proper access. The proposed access points are from existing cul-de-sacs and country lanes, and traffic would have to travel across Redbourn Common. This would have a big impact on the existing community.

South of Harpenden Lane, Redbourn (LG4) is mostly a flood plain. This is noted but further work needs to done on the impact new development would have on the existing development. More work needs to be done on the affect development would have on the rare chalk stream that flow through Redbourn, i.e. the River Ver and the River Red.

The broad sites in the Local Plan are proposed on over 700 hectares of greenbelt in total, of which over 500 were not recommended by ARUP for consideration in their green belt review. Half of the SADC green belt sites are in the HGC area, which is a big loss of greenbelt in one area. If HGC goes ahead it would be urban sprawl and lead to coalesence between Redbourn and Hemel Hempstead. It has been asserted that the chosen green belt sites meet the 'exceptional circumstances' criteria for building on the green belt by dint of the need for housing and by building next to existing settlements. However this has not been demonstrated in a way that overcomes all the problems with the HGC programme and the intinsic difficulties of the sites in Redbourn village. The draft Local Plan cannot be considered legal and sound.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

HGC and West Redbourn should not be included in the Local Plan. If they are, much more work needs to be done on the Infrastructure Delivery Plan. A site at NE Redbourn owned by the Lawes Agricultural Trust should be considered instead as it would integrate with Redbourn village much better.

Generally, development should be spread more evenly around the District as this would better meet the needs of St Albans District residents. The lack of public transport and inadequate roads has to be resolved. Maybe the Nickey Line could be a tram line?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I am very familiar with the draft Local Plan and have a good working knowledge of planning issues in general. I could add a lot of local knowledge to proceedings particularly the area of the Hemel Gardens Community programme and the sites in Redbourn Village. I am well informed about the District as a whole.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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The site at West Redbourn (B3) has no proper access. The proposed access points are from existing cul-de-sacs and country lanes, and traffic would have to travel across Redbourn Common. This would have a big impact on the existing community.

South of Harpenden Lane, Redbourn (LG4) is mostly a flood plain. This is noted but further work needs to done on the impact new development would have on the existing development. More work needs to be done on the affect development would have on the rare chalk stream that flow through Redbourn, i.e. the River Ver and the River Red.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Generally, development should be spread more evenly around the District as this would better meet the needs of St Albans District residents. The lack of public transport and inadequate roads has to be resolved. Maybe the Nickey Line could be a tram line?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I am very familiar with the draft Local Plan and have a good working knowledge of planning issues in general. I could add a lot of local knowledge to proceedings particularly the area of the Hemel Gardens Community programme and the sites in Redbourn Village. I am well informed about the District as a whole.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Hemel Garden Communities (HGC) programme is at a very early stage in its concept. 11,000 new houses is a huge project yet there is no substantial evidence to show it is viable and deliverable. It is all on greenbelt land NOT recommended by the ARUP green belt review for development. The land is in the Chiltern Hills and the northern parts are adjacent to the National Landscape which should be protected. It is high quality agricultural land, grade 2 and 3a, which should be reserved for our food security. HGC is not served well by public transport. The four closest rail stations are all several miles away and the bus services are currently poor. The HGC programme is over-reliant on people walking and cycling, with little private parking being made available or new main roads being provided. This would require a huge modal shift which would be difficult to achieve in the time scale. In this respect, HGC a very risky social experiment.The HGC is a long way from the Hemel town centre so the development does not connect well with the rest of Hemel. Over a third of St Albans District's new housing is proposed at HGC which does not connect well with the rest of the District. The Nickey Line is enthusiastically being put forward as a significant cycle and footpath linking Hemel to Harpenden via Redbourn but currently this route is not fit for purpose. HGC might seem great on paper but the reality of building a new town onto to an existing new town is not good spatial planning.

The site at West Redbourn (B3) has no proper access. The proposed access points are from existing cul-de-sacs and country lanes, and traffic would have to travel across Redbourn Common. This would have a big impact on the existing community.

South of Harpenden Lane, Redbourn (LG4) is mostly a flood plain. This is noted but further work needs to done on the impact new development would have on the existing development. More work needs to be done on the affect development would have on the rare chalk stream that flow through Redbourn, i.e. the River Ver and the River Red.

The broad sites in the Local Plan are proposed on over 700 hectares of greenbelt in total, of which over 500 were not recommended by ARUP for consideration in their green belt review. Half of the SADC green belt sites are in the HGC area, which is a big loss of greenbelt in one area. If HGC goes ahead it would be urban sprawl and lead to coalesence between Redbourn and Hemel Hempstead. It has been asserted that the chosen green belt sites meet the 'exceptional circumstances' criteria for building on the green belt by dint of the need for housing and by building next to existing settlements. However this has not been demonstrated in a way that overcomes all the problems with the HGC programme and the intinsic difficulties of the sites in Redbourn village. The draft Local Plan cannot be considered legal and sound.

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* Yes

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

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M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 7

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I would like to be notified about the adoption of the Local Plan:

* Yes

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112 - Mr Richard Bullen

Submission Number: 112 Submission Date: 06/11/24 19:34

Respondent: Mr Richard Bullen

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

Multiple paragraphs and Table 1.3

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* Yes

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* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

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Housing numbers: section 1.21 states that population has increased by 6% since 2011. The Dwelling Stock Estimates ((www.gov.uk/government/collections/dwelling-stock-including -vacants) (Table 125)) shows that the housing stock for St Albans District in 2011 was 58000. This had increased to 63000 by mid-2023. This increase in the housing stock is 8.26%, suggesting that there has been a diminution of housing need in the District since 2011. There is no mention of this in Regulation 19. This makes the plan unsound.

“The Local Plan sets out the planning policies and proposals for the future development of the City and District of St Albans” (Reg 19 para 1.2). Table 1.3 Settlement Hierarchy – Settlement “St Albans, Hemel Hempstead (currently in Dacorum Borough but expansion into District planned)” There are no published proposals to change the boundary between Dacorum Borough and St Albans City and District to give effect to this “expansion”. NPPF (December 2023) section 61 states “ In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. The housing numbers applied to the sites included in Hemel Garden Communities within the District are solely to meet the housing need of the residents of St Albans C&DC. Under the heading Duty to Co-operate, (Reg 19) Section 1.11 states that “St Albans is also working jointly with Dacorum on proposed cross boundary development at Hemel Garden Communities”. Under the heading “Hemel Garden Communities” Section 3.34 states “The Hemel Garden Communities

(HGC) Programme is an ambitious proposal to transform Hemel Hempstead through the regeneration of the existing town…". Thus, the allocation of housing numbers to HGC is for the benefit of Dacorum Borough and, as such, fails to meet the opening declaration in section 1.1. This make the plan unsound

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Also, in the event that HGC is allowed to proceed, it must meet the requirement of the NPPF December 2023, section 7. This states "The purpose of the planning system is to contribute to the achievement of sustainable development…" The Reg 19 section 1.24 states that the average house price within the District is £619567. There is nothing in the Reg 19 that suggests that this average will not apply to the proposed housing at HGC. Reg 19 Section 1.23 states" The rail options to London underpin the popularity of commuting out of the District." The location of HGC is as distant as possible from the railway stations at Hemel Hempstead, St Albans City and Harpenden. Unless and until there is local employment that pays London salaries, or public transport to and from the railway stations mentioned is transformed, the HGC proposal is not sustainable and so unsound.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Response_[R].pdf

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Type:

* Paragraph

Number:

Multiple paragraphs

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Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

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* Yes

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Housing numbers: section 1.21 states that population has increased by 6% since 2011. The Dwelling Stock Estimates ((www.gov.uk/government/collections/dwelling-stock-including -vacants) (Table 125)) shows that the housing stock for St Albans District in 2011 was 58000. This had increased to 63000 by mid-2023. This increase in the housing stock is 8.26%, suggesting that there has been a diminution of housing need in the District since 2011. There is no mention of this in Regulation 19. This makes the plan unsound.

"The Local Plan sets out the planning policies and proposals for the future development of the City and District of St Albans" (Reg 19 para 1.2). Table 1.3 Settlement Hierarchy – Settlement "St Albans, Hemel Hempstead (currently in Dacorum Borough but expansion into District planned)" There are no published proposals to change the boundary between Dacorum Borough and St Albans City and District to give effect to this "expansion". NPPF (December 2023) section 61 states " In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". The housing numbers applied to the sites included in Hemel Garden Communities within the District are solely to meet the housing need of the residents of St Albans C&DC. Under the heading Duty to Co-operate, (Reg 19) Section 1.11 states that "St Albans is also working jointly with Dacorum on proposed cross boundary development at Hemel Garden Communities". Under the heading "Hemel Garden Communities" Section 3.34 states "The Hemel Garden Communities (HGC) Programme is an ambitious proposal to transform Hemel Hempstead through the regeneration of the existing town…". Thus, the allocation of housing numbers to HGC is for the benefit of Dacorum Borough and, as such, fails to meet the opening declaration in section 1.1. This make the plan unsound

The "St Albans Green Belt Review Final Report June" 2023, Ove Arup and Partners, Table 5.8 Recommendations, sets out those sites that are not recommended released from the Green Belt because of the "Strong" overall performance and "Important" as making a contribution to the wider Green Belt". Sites SA-168, SA-170, SA-171 and SA-172 are all included in the HGC proposal. The NPPF December 2023 states (para 145) "Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified"…. There is no such fully evidenced and justified exceptional circumstances. As such, the plan is unsound

In the event was HGC is allowed to proceed, the location would act as a furtherance of the sprawl of Hemel Hempstead. Thus this is breach of the first purpose of the Green Belt. In addition, the distance between the eastern edge of the proposed development (housing) and the western edge of Redbourn (village) would be less than that between the land between Redbourn (village) and Harpenden which SADC stated was inappropriate for development as it would breach the second purpose, to prevent neighbouring towns merging into one another. Accordingly, any proposal to include a site for development west of Redbourn would not be in accordance with section 143 of the NPPF and so is unsound.

Also, in the event that HGC is allowed to proceed, it must meet the requirement of the NPPF December 2023, section 7. This states “The purpose of the planning system is to contribute to the achievement of sustainable development…” The Reg 19 section 1.24 states that the average house price within the District is £619567. There is nothing in the Reg 19 that suggests that this average will not apply to the proposed housing at HGC. Reg 19 Section 1.23 states” The rail options to London underpin the popularity of commuting out of the District.” The location of HGC is as distant as possible from the railway stations at Hemel Hempstead, St Albans City and Harpenden. Unless and until there is local employment that pays London salaries, or public transport to and from the railway stations mentioned is transformed, the HGC proposal is not sustainable and so unsound.

The consultation on the “Proposed reforms to the National Planning Policy Framework and other changes to the planning system” sets out (section 9) “Grey Belt: for the purposes of Plan-making grey belt is defined as land in the Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes…” Whilst the Reg 19 has been prepared in accordance with the current NPPF, assuming the draft Plan goes forward to implantation, it will be reviewed five years later. At that time, the review will take place in accordance with the NPPF then current. The sites west of Redbourn, SA-168, SA-170, SA-171 and SA-172 could not be regarded making a “limited contribution” as they have been declared by Ove Arup as making a “strong” contribution. For this reason, this plan is unsound.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I consider it necessary to attend as SADC has made a fundamental error in ignoring the issue I raise, concerning a comparison between population growth as mentioned in Reg 19 and the greater increase in housing stock, which is not!

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Housing numbers: section 1.21 states that population has increased by 6% since 2011. The Dwelling Stock Estimates ((www.gov.uk/government/collections/dwelling-stock-including -vacants) (Table 125)) shows that the housing stock for St Albans District in 2011 was 58000. This had increased to 63000 by mid-2023. This increase in the housing stock is 8.26%, suggesting that there has been a diminution of housing need in the District since 2011. There is no mention of this in Regulation 19. This makes the plan unsound.

“The Local Plan sets out the planning policies and proposals for the future development of the City and District of St Albans” (Reg 19 para 1.2). Table 1.3 Settlement Hierarchy – Settlement “St Albans, Hemel Hempstead (currently in Dacorum Borough but expansion into District planned)” There are no published proposals to change the boundary between Dacorum Borough and St Albans City and District to give effect to this “expansion”. NPPF (December 2023) section 61 states “ In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. The housing numbers applied to the sites included in Hemel Garden Communities within the District are solely to meet the housing need of the residents of St Albans C&DC. Under the heading Duty to Co-operate, (Reg 19) Section 1.11 states that “St Albans is also working jointly with Dacorum on proposed cross boundary development at Hemel Garden Communities”. Under the heading “Hemel Garden Communities” Section 3.34 states “The Hemel Garden Communities (HGC) Programme is an ambitious proposal to transform Hemel Hempstead through the regeneration of the existing town…”. Thus, the allocation of housing numbers to HGC is for the benefit of Dacorum Borough and, as such, fails to meet the opening declaration in section 1.1. This make the plan unsound

The “St Albans Green Belt Review Final Report June” 2023, Ove Arup and Partners, Table 5.8 Recommendations, sets out those sites that are not recommended released from the Green Belt because of the “Strong” overall performance and “Important” as making a contribution to the wider Green Belt”. Sites SA-168, SA-170, SA-171 and SA-172 are all included in the HGC proposal. The NPPF December 2023 states (para 145) “Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified”…. There is no such fully evidenced and justified exceptional circumstances. As such, the plan is unsound

In the event was HGC is allowed to proceed, the location would act as a furtherance of the sprawl of Hemel Hempstead. Thus this is breach of the first purpose of the Green Belt. In addition, the distance between the eastern edge of the proposed development (housing) and the western edge of Redbourn (village) would be less than that between the land between Redbourn (village) and Harpenden which SADC stated was inappropriate for development as it would breach the second purpose, to prevent neighbouring towns merging into one another. Accordingly, any proposal to include a site for development west of Redbourn would not be in accordance with section 143 of the NPPF and so is unsound.

Also, in the event that HGC is allowed to proceed, it must meet the requirement of the NPPF December 2023, section 7. This states "The purpose of the planning system is to contribute to the achievement of sustainable development…" The Reg 19 section 1.24 states that the average house price within the District is £619567. There is nothing in the Reg 19 that suggests that this average will not apply to the proposed housing at HGC. Reg 19 Section 1.23 states" The rail options to London underpin the popularity of commuting out of the District." The location of HGC is as distant as possible from the railway stations at Hemel Hempstead, St Albans City and Harpenden. Unless and until there is local employment that pays London salaries, or public transport to and from the railway stations mentioned is transformed, the HGC proposal is not sustainable and so unsound.

The consultation on the "Proposed reforms to the National Planning Policy Framework and other changes to the planning system" sets out (section 9) "Grey Belt: for the purposes of Plan-making grey belt is defined as land in the Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes…" Whilst the Reg 19 has been prepared in accordance with the current NPPF, assuming the draft Plan goes forward to implantation, it will be reviewed five years later. At that time, the review will take place in accordance with the NPPF then current. The sites west of Redbourn, SA-168, SA-170, SA-171 and SA-172 could not be regarded making a "limited contribution" as they have been declared by Ove Arup as making a "strong" contribution. For this reason, this plan is unsound.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I consider it necessary to attend as SADC has made a fundamental error in ignoring the issue I raise, concerning a comparison between population growth as mentioned in Reg 19 and the greater increase in housing stock, which is not!

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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113 - Mrs Dominique Sheldon

Submission Number: 113 Submission Date: 06/11/24 21:55

Respondent: Mrs Dominique Sheldon

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am writing to you as a concerned resident of Leverstock Green who will be directly affected if the above proposed development is allowed to move forward. I am extremely concerned about this and wish to object strongly for several reasons, which I have outlined below. Green Belt The land that this proposed development would cover is classified as Green Belt. It has been farmland for many years, producing a variety crops, and is also a popular route for walkers. I understand the need for housing but am extremely concerned that some of the last Green Belt land in and around Dacorum and St Albans is under threat and must be protected at all costs. Speculative planning applications for major developments on Green Belt must be stopped or this will set a precedent for developers and precious green spaces will no longer be off limits. Developers already have the opportunity to offer up applications for development sites which are included in the council's local plan. One of the absolute main reasons we love living in Levertsocok Green is for its proximity to the fields and nature walks. It has a 'village' feel to it on the edge of the countryside. Something we pride oursleves on living by.

Nature -The land is home to several species that may be at risk or in need of protection such as hedgehogs, bats, newts and many nesting birds: such as red kites. The proposed development is expected to take many years to complete and it is difficult to see how these species would remain and survive. This would be a significant loss to the local biodiversity.

Health and well-being- As previously mentioned, the proposed plans would take up to a decade of construction work which they propose to carry out from early morning until night, six days a week. This will have a major impact both on immediate neighbours and adjacent roads and properties for a significant period of time. Issues include noise pollution, construction dirt, possible access issues and a sizable and extended decline in the quality of the area we live in. These would have an adverse impact on the mental and physical health of individuals, as well as the quality of life of residents, with some being elderly and/or disabled. Leverstock Green is home to Woodfield Special Needs school with many pupils attending from across the borough. Many of these pupils

are more vulnerable to pollution and changes in their environment. One of the best things about living in Leverstock Green is its village nature and the easy access to fresh air and green spaces – this would be lost forever. Residents are also, frankly, concerned about the effect of both this development and an extended construction period on the value of our homes. Backing onto the fields that are proped to be developed is seriously worrying and and gut wrenchingly sad.

Infrastructure -Currently there is no GP services directly in Leverstock Green and the Dental Surgery is oversubscribed and overwhelmed, causing local residents to struggle to get appointments when they need them. Any extra homes would add thousands of people to these waiting lists and a huge burden to these already oversubscribed services, if those residents are even able to find a surgery that can take them on. A further concern would be the impact of shortages in school places within the area. Leverstock Green Primary school is already oversubscribed and a one form entry school, with the same situation across the other schools locally. This would only worsen for pupils looking for secondary school places. Maylands Avenue is a destination hub for many businesses with Leverstock Green bearing a huge load of commuters traveling to their place of work, and vice versa for those who work in St Albans and beyond who want to avoid the already hugely congested roads out of Hemel Hempstead. The current closure of one road just to the north of the village is rendering the village almost impossible to navigate during peak times and when on those days where there are no closures or delays on the M1 or M25 are small village once again bears the brunt of commuters looking for alternative routes. Adding thousands of new residents to the area - whose main access points to the new development would be through the village - would add even more pressure and inevitably cause higher levels of traffic and therefore pollution. I would implore alternative options to be sought to protect the very nature of the village of Leverstock Green which will be completely lost to this development.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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114 - Hertfordshire County Council - Property Team

Submission Number: 114 Submission Date: 06/11/24 23:21

Respondent: Vincent + Gorbing George Sellers

On Behalf Of Hertfordshire County Council - Property Team :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 13

Type:

* Policies Map

Number:

Policy Map 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The Proposals Map as currently presented is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested changes are intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The following changes are sought to Policy Map 4 in connection with Broad Location B6 at West of London Colney.

These changes are sought to provide a consistent plan:

- It is considered that the area of land identified for the delivery of the entire secondary school provision, including sports pitches should also be removed from the Green Belt. The proposed built form would mean that this land no longer meets the tests of including land within the Green Belt, and the continued designation of the sports pitches as Green Belt would limit the extent that such facilities could serve a dual community / Sport England level of use. It would also mean that any minor extensions or alterations to the school buildings cannot be delivered without the need to demonstrate very special circumstances.

- The land to the south of the secondary school, previously earmarked for a primary school, should be removed from the Green Belt and included within the beige housing allocation designation in order that the site can accommodate the necessary homes to meet the 405 target. Whilst it is currently designated as Green Belt, once the secondary school is built, this piece of land will no longer perform against any of the principles of including land within the Green Belt and would not represent a strong and robust Green Belt boundary.
- It is requested that the Significant Publicly Accessible Green Space (proposed) is removed from the area to the south of Bridleway 4. It is currently unclear whether this will form part of the development scheme, and it is currently not publicly accessible land. Should it become so during the course of the further evolution of the West of London Colney proposals, there is nothing to stop this from happening even without such an allocation.

Further details regarding this site are set out at Chapter 2 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Reg 19 Oct 2024 Reps FV3 w apps_compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is considered that the changes sought both to the Proposals Map and Broad Location B6 would be best discussed and considered within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

add the following additional word to the last bullet:

renewable energy provision and generation;

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

There are a number of points within the representations made on behalf of HCC Property that would benefit from discussion within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The underlined wording is requested to be added to the second sentence of this policy.

The Council will support proposals that help to combat climate change, <u>including development proposals for renewable and low-carbon energy generation at appropriate locations in the District</u>, where the proposals:

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property, which would benefit from discussion within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

CE2 - Renewable and Low Carbon Energy

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.
- This policy should refer more explicitly to large scale renewable energy generation and how proposals should be assessed in order for the Plan to be sound.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The following wording should be added as criterion d) before the current criterion d) point:

1. *d) the Council will support proposals for large scale renewable energy production subject to demonstration of no unacceptable impacts on the following:*

- visual amenity and landscape character;

- Heritage assets;

- designated landscapes and protected ecological areas;

- residential amenity and human health.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property which would benefit from being discussed within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is requested that the following amendments are made:

- removing reference to 'semi-mature' and instead require *'plant at least 1 tree for each dwelling…*from both **Policy LG1 criterion (n)** and **LG4 criterion (l)**

- remove criterion v) as it may not be applicable in all instances to make a development acceptable. This point would be better made within an Infrastructure Delivery Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Reg 19 Oct 2024 Reps FV3 w apps_compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property which would benefit from being discussed within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is requested that the following amendments are made:

- removing reference to 'semi-mature' and instead require *'plant at least 1 tree for each dwelling…*from both **Policy LG1 criterion (n)** and **LG4 criterion (l)**

- remove criterion r) as it may not be applicable in all instances to make a development acceptable. This point would be better made within an Infrastructure Delivery Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Reg 19 Oct 2024 Reps FV3 w apps_compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property which would benefit from being discussed within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- Policy LG5 Green Belt refers to utilities installations as an example of very special circumstances to justify development within the green belt. This would be enhanced if solar farms are referred to. Suggested wording as follows:

iv. renewable energy generation, such as solar farms

Please see further detail set out at Chapter 6 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Reg 19 Oct 2024 Reps FV3 w apps_compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property which would benefit from being discussed within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- It is noted that HOU1 – Housing Mix, sets out a specific mix of both market and affordable housing. This policy will be in place for the 20 year life span of the Local Plan, and it is considered that some flexibility is built into this requirement to reflect changing needs over time and at a local level.
- It is therefore considered that the wording used in Policy LG1 criterion (k) is reiterated as part of Policy HOU1, to include the wording: *'but will also have regard to the most up-to-date evidence on housing need and be in general conformity with the Council's latest evidence base'.*
-

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

- The above requested change was previously submitted as part of the Regulation 18 submissions but has not been adopted as part of the current Regulation 19 Draft. It is therefore considered appropriate for this point to be discussed in the forum of the EiP to consider the right approach.
-

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

COM1 - Education

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Hertfordshire County Council Children's Services has revised its forecasts for the long-term requirements for a primary school in the north area of St Albans, concluding that the provision of a new primary school at the Ariston Works site is no longer required.
- This policy as currently written is not consistent with national policy or local need, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- It is requested that reference to Ariston Works as a site to meet long term need for a new primary school is removed from criterion (e) in light of the revised forecasts published by HCC.
- It is also requested that the 'blue dot' currently placed on the Pioneer Club building within the Ariston Works site on the Proposals Map is removed.
- Further details are set out within Chapter 4 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Reg 19 Oct 2024 Reps FV3 w apps_compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is considered that the requested amendments would be best discussed in the forum of the EiP given the opposing stances currently being taken by SADC and HCC as service provider.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 9 - Utilities Infrastructure

Comment Number: 17

Type:

* Paragraph

Number:

Chapter 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Chapter 9: Utilities Infrastructure as currently written does not comply with Government objectives and policy to support the provision of renewable energy. This approach is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given the Council's declaration of a Climate Emergency in 2019 and the objective of achieving net zero by 2030, it is considered imperative that Chapter 9: Utilities Infrastructure includes a section on how the Council are going to support the delivery of renewable energy generation. It is considered a missed opportunity to support and promote this sector by not including objectives and policy about how this is going to be delivered through this Plan period.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property which would benefit from being discussed within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP9 - Utilities Infrastructure

Comment Number: 18

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- Given the Council's declaration of a Climate Emergency in 2019 and the objective of achieving net zero by 2030, it is considered imperative that Chapter 9 includes a section on how the Council are going to support the delivery of renewable energy generation. It is considered a missed opportunity to support and promote this sector by including objectives and policy about how this is going to be delivered through this Plan period.
- Policy SP9 – to support the above, it is requested that a further bullet is inserted within this policy that supports the delivery of renewable energy infrastructure within the District, including the designation of sites within the District to support the delivery of renewable energy facilities. Suggested wording as follows:

e) The Council will support development proposals for renewable and low-carbon energy generation to meet the net zero carbon objective, including delivery of sites allocated within the Local Plan for this purpose, where they can demonstrate that there are no adverse impacts, including cumulative impact on:

i) the overall visual effect on the landscape, with consideration of local topography

ii) residential or local amenity, including air quality, noise and light flicker; and

iii) species at risk from air strike.

Please see details set out at Chapter 6 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property which would benefit from being discussed within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB2 - Local Green Spaces

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

It is considered that Flamsteadbury Park, Redbourn as a whole does not meets the tests of allocation as an LGS. It is demonstrated at Chapter 5 of the attached document why the designation is inconsistent with national policy and guidance in relation to this matter.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- It is requested that the allocation of Flamsteadbury Park as a Local Green Space is amended.
- It is requested that, in line with representations made at Part B, the northern half of the site is allocated as a small housing site, to meet the growth strategy of this Local Plan, and the southern part of the site is allocated as a Local Green Space, to continue to contribute toward the open space provision within the village.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The same representations were put forward on behalf of HCC Property at the Regulation 18 Stage to allocate part of the site for housing. It is therefore considered appropriate for the Inspector to explore the merits of the requested amendments within the forum of the EIP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. It is not considered compliant or sound that the area to the south of Broad Location B6 at London Colney has been allocated as Significant Publicly Accessible Green Space.

The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- It is requested that the Significant Publicly Accessible Green Space (proposed) is removed from the area to the south of Bridleway 4 at Broad Location B6 London Colney. It is currently unclear whether this will form part of the development scheme, and it is currently not publicly accessible land. Should it become so during the course of the further evolution of the West of London Colney proposals, there is nothing to stop this from happening even without such an allocation. The allocation is premature to bring forward as part of this Local Plan.
- Further explanation and justification is set out at Chapter 2 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

This is a new allocation as part of the Reg 19 Plan. The allocation of this land has not been discussed with HCC Property as landowner. It is therefore considered appropriate for the Inspector to hear discussion on this point within the forum of the EIP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB9 - Agricultural Land

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy as currently written is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- Policy NEB 9 Agricultural Land seeks to protect the best and most versatile land except if there is an overriding need for development. It is considered that the need to generate renewable energy is as important as food security. In particular, the provision of a solar farm could still allow the grazing of animals, which enables the continued use of the land to ensure national food security. Provision of a solar farm is also not development that would result in the permanent loss or removal of the best and most versatile soil. These installations generally have a life span of 30 years, after which time the land would become available for alternative uses or returned for the sole purpose of agricultural. A change to the wording is therefore suggested as follows:

An exception may be made where it can be evidenced that there is an overriding need for the development and there is no alternative land of a lower quality which could be reasonably used, or that the proposals do not result in a permanent loss of this resource.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

A number of representations have been made on behalf of HCC Property which would benefit from being discussed within the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 6

Type:

* Site

Number:

Land at Stephen's Way, Redbourn - Unallocated

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

By not including this site [Land at Stephen's Way, Redbourn] as a small housing allocation, the Plan is not consistent with national policy, thus enabling the delivery of sustainable development to meet the Council's housing need. The below suggested wording is intended to address this

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- It is considered that the northern portion of this site [Land at Stephen's Way, Redbourn] should be allocated as a small housing site.
- Allocation of the site to provide a small housing scheme, and retention and improvement of the play space would achieve the objectives of the Open Space Report in improving the quality of this open space. More valuable and usable amenity green space (lost through the development of the site) will be provided as part of the Broad Location beyond, and therefore all the objectives are met.
- It is therefore requested that this site is added to **Appendix 1 – Site Allocations** and identified on the **Proposals Map**.
- Further details regarding this site are set out at Chapter 5 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Representations made by HCC Property Team at the Regulation 18 stage in relation to the allocation of this site have not been responded to. This site would make a valuable contribution to local housing need as well as securing improvements to the play facilities. It is considered that these issues would benefit from discussion within the forum that is the EIP in order that the Inspector can fully consider the proposals.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B6 - West of London Colney, AL2 1LN

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The allocation has currently worded is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The revised allocation takes on board the comments made by HCC GIU as part of the previous Local Plan consultation, which notes that a primary school is no longer required as part of the allocation. There are however a number of additional amendments sought, which HCC would like to see taken on board as part of the **B6 Broad Location allocation**. These are:

- The indicative unit numbers for the site should be amended back to the Regulation 18 draft of 405 units, to reflect the indicative masterplan and to ensure achieve a density of 40dph as set out at **Policy LG1**.
- The allocation should allow for the provision of a 70+ bed care facility to reflect the need expressed by HCC Adult Care Services (to be confirmed in separate representations to be made by HCC GIU).
- The allocation should allow for 10 special needs dwellings to reflect the need expressed by HCC Adult Care Services.
- In relation to **Point 3 of the Key development requirements** for the site, it is requested that either the word 'segregated' is removed when describing the proposed cycle access, or the words 'where possible' are added. HCC fully intend to deliver a scheme that is safe for and establishes priority for cyclists and pedestrians, however, there may be some areas outside of the site on route to London Colney, where segregated access may not be possible to achieve.
- The plan included within **Part 2** of the Local Plan as part of the allocation of B6 should remove the whole of the education land from the Green Belt designation, including the area allocated for playing field. This is due to the growing need for new school facilities to meet the wider local/Sport England requirements, by providing community use facilities. This is consistent with the previous representations made by GIU on behalf of Children's Services.
- The plan included within **Part 2** as part of the allocation of B6 should be consistent with the Proposals Map, showing the areas for Community Infrastructure and open space.

In addition to the requested amendments to the West of London Colney allocation, it is also requested that the following amendments to the **Proposals Map** are made to support the above changes and provide a consistent plan:

- It is considered that the area of land identified for the delivery of the entire secondary school provision, including sports pitches should also be removed from the Green Belt. The proposed built form would mean that this land no longer meets the tests of including land within the Green Belt, and the continued designation of the sports pitches as Green Belt would limit the extent that such facilities could serve a dual community / Sport England level of use. It would also mean that any minor extensions or alterations to the school buildings cannot be delivered without the need to demonstrate very special circumstances.
- The land to the south of the secondary school, previously earmarked for a primary school, should be removed from the Green Belt and included within the beige housing allocation designation in order that the site can accommodate the necessary homes to meet the 405 target. Whilst it is currently designated as Green Belt, once the secondary school is built, this piece of land will no longer perform against any of the principles of including land within the Green Belt and would not represent a strong and robust Green Belt boundary.
- It is requested that the Significant Publicly Accessible Green Space (proposed) is removed from the area to the south of Bridleway 4. It is currently unclear whether this will form part of the development scheme, and it is currently not publicly accessible land. Should it become so during the course of the further evolution of the West of London Colney proposals, there is nothing to stop this from happening even without such an allocation.

Further details regarding this site are set out at Chapter 2 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Reg 19 Oct 2024 Reps FV3 w apps_compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The changes requested would be best discussed in the forum of the EiP, so that the Inspector can fully understand and be informed by the reasons for these changes, including the needs of the HCC Services.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M18 - North East of Austen Way, St Albans, AL4 0XH

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This allocation as currently drafted is not consistent with national policy, thus enabling the delivery of sustainable development. The below suggested wording is intended to address this

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The draft allocation sets out the key constraints that have previously been identified. It is however considered that the following amendment should be made to the **M18 North East of Austen Way allocation**:
- Development of the site for housing will only be supported if it is concluded by HCC Children's Services that the site is not required for the expansion of Beaumont School.
- Please see further details set out at Chapter 3 of the attached document.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is considered that the changes sought would be best discussed in the forum of the EiP.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

115 - Mr Geoffrey Coates

Submission Number: 115 Submission Date: 07/11/24 00:58

Respondent: Mr Geoffrey Coates

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Type:

* Paragraph

Number:

3.17

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Although the NPPF permits that local authorities "may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process", St Albans District Council has failed to evidence these exceptional circumstances, especially in regard to the proposal H1-H4, collectively Hemel Garden Communities.

The Hemel Garden Communities sites include those identified as making the "most important" contribution to Green Belt aims in the Council's own Green Belt Review, namely:

To check the unrestricted sprawl of large built-up areas
To prevent neighbouring towns merging into one another
To assist in safeguarding the countryside from encroachment
To preserve the setting and special character of historic towns

Sites of far less significance to those Green Belt aims were identified in the earlier call for sites, and not taken forward.

To justify de-classification of Green Belt sites, the LPA is required to consider the development potential of all existing urban areas. St Albans District Council have not done this, confining their consideration to brownfields sites.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proper consideration of all urban sites, not just brownfields sites, is required before de-classification of Green Belt sites on the scale required for Hemel Garden Communities is considered. Any de-classifcation should respect the core aims of Green Belt legislation and avoid the sites identified as most significant in the Green Belt review.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Proper engagement with communities has been absent from SADC's approach to deveoping this plan

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The level of development within Redbourn Parish (3768 new dwellings in one rural parish), and in particular the Hemel Garden Communities proposal (H1-H4) are wholly incompatible with TRA1 provisions a i and aii.

a i: Safe and suitable access cannot be provided for walking, cycling and vehicles to so many additional dwellings using existing infrastructure. Redbourn lies beyond walking distance to any station; cycling is impractical for those with luggage, those who cannot dress for wet weather, the mobility impaired and the elderly. Hemel Garden Communities (a total of 11,000 new dwellings, of which around 3100 in Redbourn Parish) is five miles from the nearest station and is car-dependent from the get go. No credible plan has been offered to mitigate this; merely hopes of modal shift on an unprecedented scale. This is not consistent with the duty to consider climate impact.

a ii: Development on this scale will inevitably cause unacceptable impacts upon the transport network. The B487 is the only road serving Hemel Garden Communities. It already comes to a standstill in peak hours. It cannot support the additional traffic of an 11,000 home development, a large industrial estate and further building in Redbourn itself.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Development on this scale is not feasible at this site without contravening TRA1 clauses a i and ii. There is no credible means to avoid car use in a development 5 miles from the nearest station. The only viable mitigation is to remove sites H1 and H2 from the plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As stated in other annotations, St Albans District Council have conducted a PR exercise, not a consultation, at Reg 18. No meaningful improvements have been made to the Local Plan at this stage in response to comprehensive feedback from individuals and Redbourn Parish Council. It has been pushed forward as-is wihtout proper public engagement in an attempt to beat the introduction of the incoming government's new NPPF.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA1 - Transport Considerations for New Development

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The level of development within Redbourn Parish (3768 new dwellings in one rural parish), and in particular the Hemel Garden Communities proposal (H1-H4) are wholly incompatible with TRA1 provisions a i and aii.

a i: Safe and suitable access cannot be provided for walking, cycling and vehicles to so many additional dwellings using existing infrastructure. Redbourn lies beyond walking distance to any station; cycling is impractical for those with luggage, those who cannot dress for wet weather, the mobility impaired and the elderly. Hemel Garden Communities (a total of 11,000 new dwellings, of which around 3100 in Redbourn Parish) is five miles from the nearest station and is car-dependent from the get go. No credible plan has been offered to mitigate this; merely hopes of modal shift on an unprecedented scale. This is not consistent with the duty to consider climate impact.

a ii: Development on this scale will inevitably cause unacceptable impacts upon the transport network. The B487 is the only road serving Hemel Garden Communities. It already comes to a standstill in peak hours. It cannot support the additional traffic of an 11,000 home development, a large industrial estate and further building in Redbourn itself.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Development on this scale is not feasible at this site without contravening TRA1 clauses a i and ii. There is no credible means to avoid car use in a development 5 miles from the nearest station. The only viable mitigation is to remove sites H1 and H2 from the plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As stated in other annotations, St Albans District Council have conducted a PR exercise, not a consultation, at Reg 18. No meaningful improvements have been made to the Local Plan at this stage in response to comprehensive feedback from individuals and Redbourn Parish Council. It has been pushed forward as-is wihtout proper public engagement in an attempt to beat the introduction of the incoming government's new NPPF.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans District Council have failed in their duty to cooperate with Redbourn Parish Council. The Parish Council have passed a Local Plan at referendum. The level of building within Redbourn Parish as a whole, and particularly at Hemel Garden Communities, is inconsistent with the policies in that document.

The Parish Council moreover commissioned a professional planning consultant (Troy Planning) to report on the proposals at Reg 18; SADC have given no meaningful consideration to the points raised in that report, despite it clearly warning that the Plan as it stands is incompatible with the NPPF and that the scale of development proposed in Redbourn Parish is unsustainable. SADC has not engaged with the substance of this report.

It is far from clear that SADC have adequately cooperated with Dacorum in drawing up the Hemel Garden Communities plans. Responsibility for provision of key services does not seem clear, despite HGC being fundamentally an extension of Hemel Hempstead conurbation into St Albans District.

Hemel Garden Communities proposals H1 and H2, and the contiguous industrial estate H3, epitomise the failings I have identified elsewhere in my commentary. They make extensive use of Green Belt land without fulfulling due process in seeking its declassification--namely, to establish the exceptional circumstances which would permit that, and to demonstrate that all urban sites (not merely brownfield sites) have been duly considered. The sites they propose for development are identified in SADC's Green Belt Review as the most significant for maintaining the integrity of the Green Belt and its aims.

The proposals at these lcoations are not consistent with a duty to consider climate change as they are inherently car dependent and offer no credible mitigation for that situation.

The proposals at these lcations are inconsistent with traffic policy, notably TRA1, requiring that development not have an adverse effect on traffic flow and safety. No modelling has been offered for the likely impact upon B487 traffic, only a vague expression of faith in the arrival of a modal shift in travel on an unprecedented scale.

Moreover the impact on biodiversity has not been properly evaluated, despite Redbourn being the site of a globally significant chalk stream and a breeding ground for Red Kites, Great Crested Newts and other rare species.

Sewage outflow has polluted our River Ver for more days this year than it hasn't, yet the additional wastewater evolved by this development has not been properly considered. It seems unavoidable that pumping will resume at Friars Wash to feed the demand of 4000 new homes, threatening the water table and with it the very existence of the chalk stream.

On all these grounds, Hemel Garden Communities H1 and H2 (and associated industrial estate H3) are perhaps the least suitable sites for development not only in this Draft Plan but from the entire call for sites. This proposal is a pipe dream conceived in the offices of the Planning Department without practical knowledge of the sites on the ground. It has become the pet project of the department and a coterie of city centre councillors, who see it as a means to displace feasible development from their own wards, and it has been sacralised in those circles to the extent that it requires someone outwith the structures of SADC to point out that the emperor's new clothes are threadbare. Public objection at Reg 18 has been simply ignored in an attempt to push through a Local Plan--any Local Plan--before a new NPPF comes into force.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The removal of proposals H1, H2 and H3 is the only sound way to mitigate the damage of this ill-conceived chimera of a development.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As stated, SADC have marginalised the voices of residents, treating Reg 18 as a PR opportunity for this Plan and not meaningfully engaging with feedback. Attending the hearing may go some way to restoring the proper role of the citizenry at the heart of planning decision-making.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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The Parish Council moreover commissioned a professional planning consultant (Troy Planning) to report on the proposals at Reg 18; SADC have given no meaningful consideration to the points raised in that report, despite it clearly warning that the Plan as it stands is incompatible with the NPPF and that the scale of development proposed in Redbourn Parish is unsustainable. SADC has not engaged with the substance of this report.

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Sewage outflow has polluted our River Ver for more days this year than it hasn't, yet the additional wastewater evolved by this development has not been properly considered. It seems unavoidable that pumping will resume at Friars Wash to feed the demand of 4000 new homes, threatening the water table and with it the very existence of the chalk stream.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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As stated, SADC have marginalised the voices of residents, treating Reg 18 as a PR opportunity for this Plan and not meaningfully engaging with feedback. Attending the hearing may go some way to restoring the proper role of the citizenry at the heart of planning decision-making.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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It is far from clear that SADC have adequately cooperated with Dacorum in drawing up the Hemel Garden Communities plans. Responsibility for provision of key services does not seem clear, despite HGC being fundamentally an extension of Hemel Hempstead conurbation into St Albans District.

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The proposals at these lcoations are not consistent with a duty to consider climate change as they are inherently car dependent and offer no credible mitigation for that situation.

The proposals at these lcations are inconsistent with traffic policy, notably TRA1, requiring that development not have an adverse effect on traffic flow and safety. No modelling has been offered for the likely impact upon B487 traffic, only a vague expression of faith in the arrival of a modal shift in travel on an unprecedented scale.

Moreover the impact on biodiversity has not been properly evaluated, despite Redbourn being the site of a globally significant chalk stream and a breeding ground for Red Kites, Great Crested Newts and other rare species.

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On all these grounds, Hemel Garden Communities H1 and H2 (and associated industrial estate H3) are perhaps the least suitable sites for development not only in this Draft Plan but from the entire call for sites. This proposal is a pipe dream conceived in the offices of the Planning Department without practical knowledge of the sites on the ground. It has become the pet project of the department and a coterie of city centre councillors, who see it as a means to displace feasible development from their own wards, and it has been sacralised in those circles to the extent that it requires someone outwith the structures of SADC to point out that the emperor's new clothes are threadbare. Public objection at Reg 18 has been simply ignored in an attempt to push through a Local Plan--any Local Plan--before a new NPPF comes into force.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The removal of proposals H1, H2 and H3 is the only sound way to mitigate the damage of this ill-conceived chimera of a development.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As stated, SADC have marginalised the voices of residents, treating Reg 18 as a PR opportunity for this Plan and not meaningfully engaging with feedback. Attending the hearing may go some way to restoring the proper role of the citizenry at the heart of planning decision-making.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Sustainability Appraisal Note

Comment Number: 7

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Creation of over 4000 homes plus an industrial estate in Hemel Garden Communities, 5 miles in either direction from the nearest rail station, is inherently car-dependent and at odds with the statutory duty to consider climate impact.

A modal shift on the scale of 4000 new households and an industrial estate, switching en masse to active travel modes over a 5 mile journey, is unprecedented both in reality and as a justification for development in a Local Plan.

The Nickey Line cycle/foot path is proposed as a panacea, but this is an unlit mud-and-shingle path which requires users to cross numerous main roads and does not lead at either end to a station. This suggestion could only have been made by someone with no on-the-ground knowledge of the site. It would be laughable if it weren't so dangerous to vulnerable road users and women after dark.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Building on this scale so far from a rail station and without any tested transport alternative is incompatible with the duty to mitigate climate change. Only the removal of Hemel Garden Communities could make this Local Plan consistent with this duty.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

St Albans District Council have made no meaningful response to the numerous and detailed concerns raised in the Reg 18 consultation. Engagement with the citizenry has been entirely one-directional, with their proposals presented as inviolate and immutable. There must be some accountability to the residents of the District.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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116 - MR Alan Bostock

Submission Number: 116 Submission Date: 07/11/24 06:51

Respondent: MR Alan Bostock

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Arup Green Belt report, which the local plan commissioned and references, not only fails to recognise the impact on open countryside but is also flawed in that insufficient study was conducted and out-of-date data relied upon.

A clear example is that the Arup Green Belt report describes M7 - Townsend Lane, Harpenden, AL5 2RW as “Its small scale and enclosed nature also prevents longer views and connections to the wider countryside.” However previous studies, for example the Strategic Housing Land Availability Assessment 2009 finds that “the site is highly visible from the open countryside to the South and South-west. Development of the site would therefore result in unacceptable visual impact on the openness and character of of adjoining countryside”

The Arup Green Belt report is clearly at odds with the Strategic Housing Land Availability Assessment and shows that the report is deficient and inaccurate .

The NPPF states that where it has been concluded that it is necessary to release Green Belt land for development, plans should first give consideration to land which has been previously developed and/or is well served by public transport. I have resided overlooking this site for over 40 years and attest that no part of it has ever been developed, neither is there any public transport nearby.

The nearest bus-stop is described as a 13 minutes walk away and the railway station 24 minutes away. These walking times are by a fit and healthy individual and undoubtedly in clement weather conditions. Townsend lane is a single track lane which is not gritted by the council and during the winter is sometimes impassable due to snow and dangerous due to black ice. These conditions have not been considered and is proof positive that this site is not 'well served' by public transport and it would be unethical to consider or claim that it is.

Furthermore it would be wrong to rely on the bus service and bus-stop available outside Roundwood school. This bus runs twice a day, once bringing the pupils to school at the start of the day and the other taking them home at the end of the school day. This bus does not run other than on school days so if there was a claim this bus-route should be considered to attempt to show that this site is 'well served' by public transport it would be very wrong.

I am concerned that the density (dwellings per hectare) that is intended for this site is too dense having consideration of the restricted access to public transport and that all of the roads that give access to the nearest bus stops are all single track. M7 site is not a ‘Town Centre’ location so demands to be well served by public transport.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

If St Albans Local Plan wants to show that this site is 'well served' by public transport it needs to commission a proper analysis of Townsend lane, Claygate Avenue, Alders End Lane and Moreton End Lane that it has thus far failed to do. There should be transparency in the analysis that recognises that school buses are not suitable for commuters. It must be recognised that the lack of public transport will exacerbate the already dangerous travelling conditions for the school children using Roundwood Park and Roundwood Primary School because of decision of parents to have their children driven to these schools.
Townsend lane, Claygate Avenue, Alders End Lane and Moreton End Lane are all single track roads and are already impassable in the mornings. There are pinch points at the junction with the A1081 particularly with Moreton End Lane which causes appalling travelling conditions. The lack of public transport will only add to this and increase the dangers to school children and commuters.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I want to ensure that the important factors that I have made clear are properly considered against the NPPF guidance and not dismissed by referencing out-of-date or deficient reports.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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118 - Mr Roy Warren

Submission Number: 118 Submission Date: 07/11/24 09:00

Respondent: Sport England Mr Roy Warren

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Table

Number:

1.2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Specific support is offered for the Local Plan objective promoting active, healthy and sustainable communities. This objective would accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

119 - Mr Roy Warren

Submission Number: 119 Submission Date: 07/11/24 09:01

Respondent: Sport England Mr Roy Warren

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy is supported especially criteria d) and f) as they promote active travel which contributes to improving physical activity as well as responding to climate change. Sport England's Uniting the Movement strategy https://www.sportengland.org/about-us/uniting-movement recognises that Sport England has a contribution to make to tackling climate change by influencing how people live and travel.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

120 - The owner of The Dak, Colney Heath Lane

Submission Number: 120 Submission Date: 07/11/24 09:11

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owner of The Dak, Colney Heath Lane :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Housing target

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. While this is supported, it should be seen as a minimum level of supply and any opportunity to increase the level of provision within the context of the overall strategy should be explored.
- The Council has chosen to accelerate the Local Plan timescale to enable examination under the current NPPF, rather than address the potential 75% increase in housing target likely to be brought about by the new NPPF expected to be published early in 2025. While this decision is understandable, given the age of the current Local Plan and the need for a strategic framework of some sort, the wider context suggests that if additional sites are available now that could sit within the overall framework set by the draft Local Plan, then those opportunities should be taken.

Strategic Policy SP3 – Approach to the Green Belt

- We set out concerns at Regulation 18 stage about the approach taken in the Council's Green Belt Review to the definition of parcels and what that meant for the level of granularity and precision in the findings. Section 6.0 of this report outline those concerns. These issues have not been addressed; indeed no changes have been made to the 2023 Green Belt Review.
- The weaknesses in the Green Belt Review should be addressed and this is likely to lead to a small number of additional sites being identified for potential release from the Green Belt, one of which is the land at the Dak. The addition of this site will help ensure the overall housing target is met.

Strategic Policy SP3 – Immediate plan review

- This Local Plan is not perfect. There are parts of it that are not sound. Some of these issues are relatively minor and can be addressed through modest changes that sit comfortably within the framework published by the Council.
- However, other changes would require a more fundamental change in approach – issues such as the plan period being inadequate and concerns over compliance with the Duty to Cooperate. These issues cannot be addressed at this stage and would require the Plan to be withdrawn and resubmitted. In our view, the need to secure an updated Plan is more important and outweighs any concerns about the strategy as a whole.
- We therefore propose a two-pronged approach – any minor soundness aspects that can be addressed quickly should be addressed now. Any wider concerns that would delay the Plan should be considered through an immediate review of the Plan.
- For the Inspector to have confidence that a Plan Review is an appropriate response to concerns with the strategy, there needs to be a firm commitment within the Plan itself to the Review. There needs to be a specific policy that commits the Council to the principle of a Review and a timetable set out that provides clarity for all parties on how that review will be undertaken.

Strategic Policy SP3 – Housing delivery

- We consider that there is a clear case for additional housing sites to be included within the draft Plan. The reasons for this include:
- Strategic cooperation over wider housing needs
- Overoptimistic site capacity and density assumptions
- Deliverability of proposed urban sites
- Overoptimistic windfall allowance

- In addition to these concerns about the overall scale of housing, there is a clear issue with the timing of delivery – a five-year supply is only possible through the use of a stepped trajectory.
- However, addressing these issues in a systematic and comprehensive way would require extensive updates to the evidence base and cannot be done within the context of a Local Plan Examination. We therefore do not advocate that these issues are fully addressed now but are instead picked up through the immediate Plan Review.
- Nevertheless, the need for more homes – particularly delivered early in the Plan period – is such that where opportunities exist to include new sites that are consistent with the overall strategy and can be included based on existing evidence, these opportunities should be taken.
- The land being promoted at The Dak is the type of site that can be included in the Local Plan to boost supply in the early years of the Plan period and that would not require the evidence base to be reformulated.
- The report site is a brownfield site on the edge of the urban area and therefore should be prioritised in a Local Plan context, in line with NPPF paragraph 147:

"Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport."

- We set out at Regulation 18 stage our concerns with the Green Belt Review and these comments are repeated in Section 6.0 of our report. In essence, the Green Belt Review inappropriately combined the report site with a far larger area of land and this distorted the findings of the Review in respect of the report site.

- As is plain from Figure 5 below, development of the report site (outlined in green) would have vastly different consequences to development of the whole of SA-91. Many of the concerns about the larger site simply do not apply to the report site, or apply but to a far lesser extent.
- When the specific Green Belt consequences of developing the report site are assessed, as we have done at Appendix 1, the result is very limited harm to the Green Belt.
- On the basis of the analysis at Appendix 1, the report site should be considered suitable for release from the Green Belt and should be allocated.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The site at the Dak should be allocated for housing and removed from the Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - The Dak - November 2024 - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of The Dak and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised."

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The land at The Dak has been excluded as a housing allocation in the draft Local Plan and the landowner objects to this exclusion.

Summary

In summary, additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken.

The land at The Dak has been inappropriately excluded from the Local Plan on the basis of a Green Belt Review that did not consider the site-specific consequences of development on this site but rather combined the site with a much larger area, making the findings for the whole largely irrelevant to the report site.

The land at The Dak is a suitable and deliverable housing site. It is a brownfield site on the edge of the urban area and as such should be prioritised when seeking sites for potential development.

The site is well located and has adjoining built development on the east and west boundaries, with Colney Heath Lane on the southern boundary. Furthermore, the site immediately west of the report site has recently been granted planning permission for 49 homes. The existing boundary features and surrounding development limit the visual impact of development.

There are no technical or legal constraints to development and if allocated the site could be brought forward for development quickly and contribute to the Council's five-year housing land supply.

There is a need for additional housing sites and the report site should be included as a housing allocation in the draft Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is a need for additional housing sites and the Land at The Dak, Colney Heath site should be included as a housing allocation in the draft Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - The Dak - November 2024 - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of The Dak and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised."

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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121 - Mr Roy Warren

Submission Number: 121 Submission Date: 07/11/24 09:14

Respondent: Sport England Mr Roy Warren

LG1 - Broad Locations

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the Broad Locations for development, the policy wording in criteria a, f, l, o and u is is welcomed. In particular, criterion o requires the development to make provision for new or contributions in relation to sports facilities which would accord with the Council's evidence base for sport (Playing Pitch Strategy) and paragraph 102 of the NPPF. Criteria f, l, and u would support the development being designed to encourage physical activity which would accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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122 - Mr Roy Warren

Submission Number: 122 Submission Date: 07/11/24 09:24

Respondent: Sport England Mr Roy Warren

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Pillar 1 (Green Network) is supported in relation to requirements c, f, g and h. Pillar 2 (Integrated Neighbourhoods) is supported is supported in relation to requirements c, k, l and m. All of these requirements would collectively support the development being designed to encourage physical activity which would accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement. Pillar 2 requirement m is particularly welcomed as it would provide for a strategic and co-ordinated approach to delivering sport and physical activity across the HGC Growth Areas which is required to ensure that the sport and physical activity needs of the development are fully met in practice.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

123 - Jarvis Homes

Submission Number: 123 Submission Date: 07/11/24 09:30

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

M20 - Lower Luton Road, Harpenden, AL5 5AF

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M20 – Lower Luton Road, Harpenden

4.1 The Regulation 19 draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref M20. This proposal is **strongly supported** by the promoters of the land. As is set out elsewhere in this report, the site is suitable for development and should continue to be allocated in the Local Plan.

4.2 A total of 25 dwellings is indicatively proposed for the site and this total seems an appropriate figure at this stage of plan-making.

4.3 The policy allocating this site refers to “key development requirements”. These are repeated across with some commentary on each on behalf of the site promoter. None of the requirements present a problem for the development of the site.

4.4 *1. There must be no residential development outside Flood Zone 1 and the Exception Test is required because part of the site is within Flood Zone 2, 3a, 3b and the development type is ‘More Vulnerable’. The site is also at risk of other sources of flooding including surface water and ground water.*

Potential flood risk has been carefully considered in the indicative site concept and will continue to be a design consideration moving forward. The indicative proposals outlined in Section 6.0 of this report reflect this by showing all residential development within what is currently indicated by the Environment Agency as Flood Zone 1, in line with Policy M20 and national guidance. As more detailed modelling information becomes available the extent of developable land may vary and flexibility should be retained to maximise the capacity of the site.

4.5 2. *Safe site access for pedestrians, cyclists and vehicles must be provided that connects through and to the shared use path on north side of lower Luton Rd.*

The Access Appraisal at appendix 3 to this report sets out how an acceptable form of access can be provided. The Access Appraisal also describes how a connection can be made to the shared use path on the north side of Lower Luton Road. This would satisfy the requirements of policy M20. In addition, the indicative layout shows scope for an additional pedestrian and cycle linkage through the site. This has the benefit of enabling users to avoid the short section of Crabtree Lane which is narrow and has no footway. This is an additional benefit.

4.6 *3. Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*

4. *Contributions to wider active travel routes including to the Town Centre and train station should be considered and could include crossing and junction improvements along Station Rd and / or Crabtree Lane (as per LCWIP).*
5. *Support for improvements for active travel to the Wheathampstead Bridleway 097 is required as part of compensatory improvements to access to the Green Belt.*

These contributions and improvements can be achieved through Section 106 agreements or similar legal mechanisms to ensure long-term commitment to active travel infrastructure and sustainable connectivity.

4.7 In summary, we consider Policy M20 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Batford Forge - Jarvis - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M20 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

124 - Mr Roy Warren

Submission Number: 124 Submission Date: 07/11/24 09:30

Respondent: Sport England Mr Roy Warren

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comments are made on the sites that have been allocated, support is offered for requirements (a) and (b) in relation to large sites needing to have masterplans agreed and a masterplanned approach to development with appropriate input from stakeholders including statutory consultees. Requirement m is supported in relation to developments providing contributions to enhance sports facilities. This would accord with the Council's evidence base for sport (Playing Pitch Strategy) and paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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125 - Jarvis Homes

Submission Number: 125 Submission Date: 07/11/24 09:33

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

4.8 The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is **supported** and should be seen as a minimum level of supply.

4.9 Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.

4.10 The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.

4.11 There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.

4.12 In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Batford Forge - Jarvis - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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126 - Jarvis Homes

Submission Number: 126 Submission Date: 07/11/24 09:34

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

4.27 The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.

4.28 Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".

4.29 In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Batford Forge - Jarvis - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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127 - Mr Roy Warren

Submission Number: 127 Submission Date: 07/11/24 09:40

Respondent: Sport England Mr Roy Warren

Strategic Policy SP7 - Community Infrastructure

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The content of the policy is supported as the policy supports increased and improved community infrastructure (which includes sports facilities) and the protection of existing facilities. The policy would be considered to be justified by the Council's evidence base for outdoor sport (Playing Pitch Strategy) and paragraph 103 of the NPPF and the wording of the policy in relation to the protection of sports facilities would broadly align with paragraph 103. Please see separate representations about the evidence base that supports the policy.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

128 - 51 Pegasus Ltd

Submission Number: 128 Submission Date: 07/11/24 09:48

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of 51 Pegasus Ltd :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

SP3 – Land and the Green Belt

These comments are submitted on behalf of the owner and promoter of land at Copsewood in Bricket Wood. The Regulation 19 Pre-Submission draft Local Plan proposes to allocate land to the immediate east of the Copsewood site at Burston Nurseries (site L1) and also to the west at Miriam Lane (site L3). These substantial housing allocations (for approximately 180 units and 101 units respectively) are both proposed to be removed from the Green Belt. However, the Copsewood site is not proposed to be allocated. This results in a strange, Z-shaped Green Belt boundary that makes little sense and does not meet the NPPF requirements for new Green Belt boundaries (see Appendix 1 to these comments).

We set out at Regulation 18 our detailed concerns with the Arup Green Belt Review and the way in which combination of parcels had been assessed. These representations are attached as Appendix 2 as they are still relevant.

However, and more significantly, since the Regulation 18 consultation the Copsewood site has received a resolution to grant planning permission for a residential development of up to 190 homes. This committee resolution (dated 13 May 2024) was agreed unanimously by the Planning Committee, who agreed with the officer recommendation that Very Special Circumstances exist to clearly outweigh the Green Belt harm. These benefits were primarily around the substantial highway improvements that the proposal can deliver. The section 106 agreement is in the final stages of production and we expect the planning permission to be formally issued by early December 2024.

This imminent planning permission, combined with the previously expressed concerns about the Council's Green Belt Review, means that the currently proposed Green Belt boundary needs to be altered. In order for the draft Local Plan to be "consistent with national policy", specifically advice in paragraph 148 about how Green Belt boundaries should be defined and not need to be altered at the end of the plan period, the Copsewood site should be identified as a committed housing site in the Local Plan. It should be removed from the Green Belt on the accompanying Policies

Map, alongside the Council's proposed sites either side of it (sites L1 and L3). Appendix 1 shows how a more robust and permanent Green Belt boundary would run along Lye Lane using "physical features that are readily recognisable", in line with NPPF para 148.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Copsewood site should be allocated for housing in the Local Plan and removed from the Green Belt on the Policies Map

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - proposed Green Belt boundary illlustration_[R].pdf
2. Appendix 2 - Reg 18 Local Plan representations - Copsewood - 51 Pegasus - September 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The following comments are made in relation to this site:

1. The proposed level of housing provision is the minimum required. The Council should explore a higher target to ensure that duty to cooperate requirements are fully met.
2. Additional housing sites need to be added to the draft Local Plan on the basis that 1) some of the allocated sites will not come forward, 2) some of the proposed densities on sites will not be achievable given other requirements of the plan, 3) the assumed windfall allowance has not been justified and 4) the proposed supply during the critical first five years of the plan is wholly inadequate.
3. The Council's Green Belt Review is not yet fit for purpose. Having recommended the release of the land adjacent to the Copsewood site, the Review then needs to go on and consider what consequences that recommendation has for adjoining sites. The Review recommends parcels to the immediate east and west but leaves the Copsewood site untouched. The resulting Z-shaped boundary makes little sense and does not meet the NPPF requirements for new Green Belt boundaries.

The Copsewood site itself is a suitable and deliverable housing site. It is located within walking distance of key facilities and its visual impact is limited. The substantial evidence base submitted with the recent outline application demonstrates the deliverability of the scheme, as do the statutory consultee responses received.

The development has a unique ability to deliver substantial improvements to local active travel infrastructure. A package of proposals has been developed in consultation with the Local Highway Authority that can reduce car-borne travel demand through enhancing the attractiveness of other, more sustainable modes of transport. This reduction not only makes a positive contribution to climate change objectives but also to health and wellbeing objectives through increase recreational activity. This is reflected in the supportive representations received from local cycling and horse-riding groups.

The weight that can be attributed to the package of measures is further increased because they deliver stated aims and objectives of the two Councils involved – St Albans City and District Council and Hertfordshire County Council. The development will deliver all of the proposals for the immediate area contained in the Local Cycling and Walking Infrastructure Plan (LCWIP).

These are not random, unrelated projects that happen to be close to the site but rather the implementation of part of a coordinated project, initiated by the Councils to enhance active travel modes. These are proposals that go beyond merely facilitating development. They have been drawn up in response to consultation feedback, not only from the highway authority but also local user groups.

It is clear that the public reaction to proposed development at the Copsewood site is entirely different from other proposed developments in the local area. Without underplaying the public comments that have been made, this is not a site that has caused a public outcry on the scale previously seen.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is a need for additional housing sites and the Copsewood site is an ideal opportunity to help meet this need by providing 190 homes in a sustainable location with limited Green Belt impact through a project that can also deliver substantial highway infrastructure improvements. The Copsewood site should be included as a housing allocation in the next iteration of the draft Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - proposed Green Belt boundary illlustration_[R].pdf
2. Appendix 2 - Reg 18 Local Plan representations - Copsewood - 51 Pegasus - September 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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129 - Landowners of Burston Nurseries (Site L1)

Submission Number: 129 Submission Date: 07/11/24 09:53

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Burston Nurseries (Site L1) :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.

Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.

The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.

There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.

In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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130 - Mr Roy Warren

Submission Number: 130 Submission Date: 07/11/24 09:57

Respondent: Sport England Mr Roy Warren

Strategic Policy SP7 - Community Infrastructure

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While the content of policy SP7 is supported (see separate representation), there is a concern that decisions about planning for meeting the current and future indoor sports facility needs of the community will not be based on an up-to-date, and therefore robust, evidence base in accordance with the requirements of paragraph 102 of the NPPF which specifically advises planning policies to be based on robust and up-to-date assessments of needs for open spaces, sports and recreation facilities and opportunities for new provision. A clear understanding of current and future community sports facility needs is essential for informing and justifying a local plan policy such as this which covers the protection, enhancement and provision of sports facilities. For example, how would the Council or an applicant be able to clearly demonstrate that an indoor sports facility is no longer required (as required by the policy) if there is no up-to-date objective evidence base available to assess the proposal against.

This concern is supported by the Council's continued reliance on their current evidence base for sport for supporting the local plan i.e. the Sport and Recreation Facilities Strategy which was published in 2005. The data collected on the supply and demand for sports facilities which informed the assessments in these strategies is now around 20 years old and is therefore considered to be substantially out-of-date for informing sports facility needs for the Local Plan period. The 2005 strategies were considered by Sport England to be robust at the time they were prepared and it acknowledged that the Council has made significant investment into its own indoor sports facilities since then to address needs that were identified in the strategies which is welcomed. However, this does not negate the need for the current local plan to be based on an up-to-date evidence base.

Sport England's advice is that assessments of sports facility needs should be prepared at least every five years. The reasons that assessments of need should be based on up-to-date data are as follows:

- The supply of facilities changes significantly over time. As well as new facilities opening and existing ones closing, access to facilities can change (e.g. on school sites), the quality of facilities changes over time as facilities become older (which influences the ability of facilities to meet the expectations of the community) and the format and operation of facilities can change.
- The demand for facilities changes significantly over time. Demand for sports facilities is affected by a number of factors including population growth, sports participation changes (both general and sport specific), local sports club infrastructure and local sports development initiatives. The nature of the demand will also change over time (e.g. growth in participation by children, women and disabled groups) and the type of facilities required in response to changes in demand will have implications.

The previous assessment of indoor sports facility needs will not have accounted for the significant changes in both supply and demand that Sport England is aware has taken place in St Albans district since the data for the 2005 strategy was collected. It will also not have accounted for current projections of future population and sports participation growth in the area which will have changed. Furthermore, the lack of recent consultation with stakeholders such as sports clubs, sports governing bodies, schools, parish councils etc on supply and demand issues may result in current and future needs not being identified.

Since the previous assessments were prepared, it is also advised that the tools and guidance available for collecting data and undertaking assessments with respect to sports facilities has advanced considerably and Sport England has published a range of more recent guidance to help local authorities such as the Assessing Needs and Opportunities guidance and the Planning for Sport guidance https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=planning_for_sport_guidance.

If the evidence base is not updated and continues to be used for determining planning applications, developers are likely to challenge the evidence base especially in the context of the need to protect existing facilities or provide for sport in new development through planning obligations or CIL. This has been exemplified by Sport England's recent experience with providing advice on major residential planning applications in the district where it has not been possible to justify developer contributions being sought to indoor sport due to the lack of a robust evidence base.

An additional concern is that the absence of an up-to-date evidence base for indoor sports facilities will have implications for planning community infrastructure in the Hemel Garden Communities. Dacorum Borough Council has an indoor sports facility strategy to inform needs and priorities while St Albans City & District Council does not. If no up-to-date needs assessment and strategy is prepared for St Albans, the indoor sports facility provision in the Garden Communities will not have regard to needs within St Albans district and therefore by default will have to focus on meeting needs identified in Dacorum Borough Council's strategy.

In view of the above, Policy SP7 would not be considered to accord with the 'positively prepared', 'justified' or 'consistent with national policy' tests of soundness.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is requested that an amendment is made to the reasoned justification to policy SP7 to confirm that a new indoor sports facility strategy incorporating an assessment of needs will be prepared within a defined time period e.g. within 1 year of the Local Plan being adopted. This evidence base, when prepared, would provide the robust and up-to-date evidence to support policy SP7 and other relevant policies of the plan such as the policies relating to Broad Locations (LG1), Large, Medium and Small Sites (LG3), Community, Leisure and Sports Facilities (COM3). This approach would in principle allow the plan to accord with Government policy in paragraph 102 of the NPPF.

Detailed advice on the preparation of indoor sports facility strategies can be found on Sport England's website https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=assessing_needs_and_playing_pitch_strategy_guidance and further advice can be provided upon request.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide specialist advice on sports facility planning considerations to the Planning Inspector

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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131 - Landowners of Burston Nurseries (Site L1)

Submission Number: 131 Submission Date: 07/11/24 10:03

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Burston Nurseries (Site L1) :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.

As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a “considered approach to development” (criterion a) and “Excellence in design, energy efficiency and water management” (e). Other aspects of LG4 don’t need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.

We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the “effectiveness” soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.

In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** test. To simplify the Plan, we consider that Policy LG4 should be removed to ensure emphasis is placed on site-specific Policies in Part B and generic Policies in Part A that apply to all developments.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** test. To simplify the Plan, we consider that Policy LG4 should be removed to ensure emphasis is placed on site-specific Policies in Part B and generic Policies in Part A that apply to all developments.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site L1 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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132 - Landowners of Burston Nurseries (Site L1)

Submission Number: 132 Submission Date: 07/11/24 10:07

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Burston Nurseries (Site L1) :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.

Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".

In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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133 - Landowners of Burston Nurseries (Site L1)

Submission Number: 133 Submission Date: 07/11/24 10:14

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Burston Nurseries (Site L1) :

L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please see attached report.

The draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref L1. The identification of the development potential of this site is **supported** by the owners of this site. As is set out elsewhere in this report, the land is suitable for development and should be allocated in the Local Plan.

None of the key development requirements present a problem for the development of the site for the following reasons:

- Policy LG4 of the Local Plan requires Large Sites to have a Masterplan agreed before developing detailed designs in line with the District's Strategic Sites Design Guidance. Wakelin Associates have prepared a high-level masterplan to support this Regulation 19 submission and which can form the basis of initial conversations with the Council at the appropriate time. A more detailed description of the proposals have been provided in Section 6.0 of this Report and how they relate to the permission for the retirement village.
- The development will fulfil these requirements through reasons explained below. A financial contribution can be sought through a S106 agreement to support relevant schemes in the LCWIP and GTPs outside of the allocation.
- The approved scheme for the retirement village required the provision of an extended bridleway from St Stephen 003 to Lye Lane. This condition has been discharged under LPA Ref: 5/2023/0786, albeit a revised application will be submitted to alter the alignment of the approved bridleway shortly due to Thames Water requirements. Notwithstanding the above, the development will fulfil these requirements and it is expected a financial contribution (through a S106 Agreement) will be made to HCC in respect of improvements to Footpath 014.
- The eastern area of the allocation will have the greatest impact on the listed buildings. This issue was subject to an appeal for the retirement village, where the inspector identified a low to moderate level of substantial harm resulting from the development, and found the benefits of this scheme to outweigh this harm. A landscaping scheme is to be implemented as part of

this development incorporating a landscaped buffer along the shared boundary to the listed buildings. In the above circumstances, it is not considered that the development on remaining part of the allocation, on the other side of the access road, will cause any additional harm.

- Whilst proposals are high level at this stage, buffers to the identified priority habitats will be offered to ensure they are protected. It should be noted that Footpath St Stephen 18 (in Burston's ownership) separates this allocation from the Orchard and Deciduous Woodland to the west/south-west. Likewise the new 6m wide bridleway will separate the allocation from Birch Wood to the south-east.
- Given the allocation is approximately 1km from the SSSI at Mill Quary it is not expected that any harm would be caused however this will be fully addressed in the Ecological Appraisal submitted with the application.
- A suitably worded planning condition can be imposed to ensure any resources found are used during the construction where possible.

In summary, we consider Policy L1 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Burston Nurseries - November 2024_[R].pdf
2. Appendix C - Indicative Master Plan_[R].pdf
3. Appendix D - Indicative Land Use Master Plan_[R].pdf
4. Appendix E - Strategic Movement and Access Strategy_[R].pdf
5. Appendix F - Heritage Assessment_[R].pdf
6. Appendix A - Location Plan_[R].pdf
7. Appendix B - Demolition Plan_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site L1 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

134 - Mr Roy Warren

Submission Number: 134 Submission Date: 07/11/24 10:18

Respondent: Sport England Mr Roy Warren

COM1 - Education

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Support is offered for the requirement in criterion b for indoor and outdoor sports facilities in new schools in the Broad Locations to serve a community joint use function and for access to be secured through community use agreements. This requirement would accord with the Council's evidence base (Playing Pitch Strategy (see strategic recommendations b and c of the strategy)) and paragraph 97a of the NPPF.

Support is offered for the identification in criterion g of the policy (and on the Proposals Map) of a Sports and Community Zone at Oaklands College. As well as meeting the college's need for additional sports facilities, this will offer potential for meeting needs for additional community outdoor sports provision (especially football pitches) identified in the Council's evidence base for sport (Playing Pitch Strategy). The requirement for community use of sports facilities and playing pitches to be secured by an appropriate mechanism is welcomed as this would offer some certainty that any new facilities that are provided will have community access secured over a long term period. The inclusion of criterion g would therefore be considered to be a positive response to the community sports facility needs identified in the evidence base and would align with the approach advocated by paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

135 - Landowners of Sites M4 and OS1

Submission Number: 135 Submission Date: 07/11/24 10:26

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Sites M4 and OS1 :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.

Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.

The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.

There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.

In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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136 - Mr Roy Warren

Submission Number: 136 Submission Date: 07/11/24 10:27

Respondent: Sport England Mr Roy Warren

COM3 - Community, Leisure and Sports Facilities

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Support is offered for the policy as it encourages new and enhanced sports facilities in appropriate and sustainable locations including major residential developments and education sites. This policy would be considered to be a positive response to the community sports facility needs identified in the evidence base (Playing Pitch Strategy) and would align with the approach to planning for sports facilities advocated by paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

137 - Landowners of Sites M4 and OS1

Submission Number: 137 Submission Date: 07/11/24 10:31

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Sites M4 and OS1 :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.

As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a “considered approach to development” (criterion a) and “Excellence in design, energy efficiency and water management” (e). Other aspects of LG4 don’t need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.

We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the “effectiveness” soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.

In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** test. To simplify the Plan, we consider that Policy LG4 should be removed to ensure emphasis is placed on site-specific Policies in Part B and generic Policies in Part A that apply to all developments.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of sites M4 and OS1 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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138 - Landowners of Sites M4 and OS1

Submission Number: 138 Submission Date: 07/11/24 10:34

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Sites M4 and OS1 :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.

Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".

In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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139 - Mr Roy Warren

Submission Number: 139 Submission Date: 07/11/24 10:39

Respondent: Sport England Mr Roy Warren

COM5 - St Albans City Football Club

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The supportive approach in the policy to relocating St Albans City FC's stadium and training facilities is welcomed, especially the recognition that a site in the Green Belt is likely to be needed for a development of this scale and that enabling development may be necessary to deliver such a project. The policy would align with the Council's Playing Pitch Strategy recommended action for the football club which sets out that the club should be supported to explore the transfer away from the club's existing site and into a new purpose built stadium offer. Criteria a(ii) and a(vi) are welcomed as they set out the importance of how the proposals help meet identified community sports and leisure facility needs and how the arising community benefits are delivered as factors that might contribute to 'very special circumstances'. These are considered to appropriate factors to consider when justify inappropriate development in the Green Belt for a proposal such as this.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

140 - Landowners of Sites M4 and OS1

Submission Number: 140 Submission Date: 07/11/24 10:42

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Sites M4 and OS1 :

M4 - North of Oakwood Road, Bricket Wood, AL2 3PT

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref M4. The identification of the development potential of this site is **supported** by the owners of this site. As is set out elsewhere in this report, the land is suitable for development and should remain allocated in the Local Plan.

None of the requirements present a problem for the development of the site for the following reasons:

- Given that both allocations are intrinsically linked and have one landowner, it is likely that one planning application will be submitted with proposals for both residential and community uses, so they can be dealt with in a coordinated approach.
- At this stage, it is suggested that the residential allocation will propose a connection to Footpath 29. This footpath already provides a route into a residential area off Woodside Road/The Meads and to the wider area of Bricket Wood. Proposals can also offer improvements, such as widening, to create a more attractive and useable shared footpath for both pedestrian and cycle users.
- It is accepted that access off the A405 is not likely to be feasible in Policy and Highway terms and therefore access can be achieved from Woodside Road/ The Meads, subject to technical highway input at the appropriate time.
- The development will fulfil these requirements through reasons explained below. In addition, a financial contribution can be sought through a S106 agreement to support relevant schemes in the LCWIP and GTPs outside of the site.
- As set out in the second paragraph, the proposal will include improvements to Footpath 29, encouraging both existing and future residents to engage in active travel. Considering the proposals include a community use, it is expected that site will become a more appealing area of Bricket Wood.
- Proposals will provide compliant shared use widths from Footpath 29 onto the bridge (at Junction 21a) to maintain continuous walking and cycling routes to Watford and St Albans.

- A Tree Survey and Constraints Plan will be developed as part of the design process to esnure that there will be sufficient separation between development and protected trees along this boundary.
- Noise Modelling can be overlayed onto a Constraints Plan at the early stages of the design phase to identify areas that are suitable for residential uses. Any areas that are not suitable can be utilised as open space in connection with the green corridor that will form from the improvements to Footpath 29. It is also worth noting that the existing bunds already provides some mitigation as it stretches along the majority of the northern boundary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0140 Local Plan representations - Sites M4 and OS1 - November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of sites M4 and OS1 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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141 - Landowners of Sites M4 and OS1

Submission Number: 141 Submission Date: 07/11/24 10:46

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of Landowners of Sites M4 and OS1 :

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The draft Local Plan and accompanying Policies Map identifies the report site as proposed community facilities ref OS1. The identification of the development potential of this site is **supported** by the owners of this site. As is set out elsewhere in this report, the land is suitable for development and should remain allocated in the Local Plan.

- As set out in the St Stephen Neighbourhood Plan, the community use delivered will reflect the aspirations of the residents in the Parish. There will be consultation with all interested parties before any application is submitted to determine what the most appropriate use; however, given the size of the allocation, a large proportion of the site will come forward as publicly accessible open space and will include significant improvements to the PRoW network.
- Access can be achieved from Woodside Road, subject to technical highway input at the appropriate time.
- A Tree Survey and Constraints Plan will be developed as part of the design process to ensure that there will be sufficient separation between development and the Priority Habitat (and protected trees) along this boundary.
- Given that both allocations are linked by common ownership and adjoin, it is likely that proposals for both the residential and community uses will be coordinated
- The extent of the site that is subject to surface water flooding is shown in Figure 2 below, taken from the Council's Strategic Flood Risk Assessment. Areas of surface water flooding are mainly located along the watercourse which traverses the site and enters Five Acres. There are pockets of higher risk areas although these are limited to a very small proportion of the site. This limited degree of risk can be managed through the development process and does not represent a constraint to development.
- The SuDS Strategy will take into account the latest guidance on development in a Groundwater Source Protection Zone.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0141 Local Plan representations - Sites M4 and OS1 - November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of sites M4 and OS1 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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142 - Mr Roy Warren

Submission Number: 142 Submission Date: 07/11/24 10:51

Respondent: Sport England Mr Roy Warren

Strategic Policy SP8 - Transport Strategy

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy is supported due to its focus on supporting sustainable travel modes especially active travel which will encourage physical activity. The strategy in the policy would accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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143 - Mr Roy Warren

Submission Number: 143 Submission Date: 07/11/24 10:56

Respondent: Sport England Mr Roy Warren

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Support is offered for the recognition in the policy of the value of Green Infrastructure for recreation, health and wellbeing. The requirements of development proposals are supported. The policy would accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

144 - Mr Roy Warren

Submission Number: 144 Submission Date: 07/11/24 11:10

Respondent: Sport England Mr Roy Warren

NEB3 - Non-Designated Local Green Space

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The principle of protecting green spaces (not designated as Local Green Space) which is likely include a large proportion of the district's outdoor sports facilities that meet the community's sport and recreation needs is welcomed. However, in relation to the second part of criterion (a), while the intention is welcomed, does not specify that replacement land and facilities need to be equivalent or better in terms of quantity and quality. At present, the wording only requires 'suitable equivalent replacement land and facilities'. As well as the need for this policy to be consistent with paragraph 103 of the NPPF, an amendment is required to ensure that replacement local green space is not inferior in practice. For example, if an outdoor sports pitch for instance is smaller or of poorer quality than the one it would replace it would not meet the needs of existing users and would not represent an acceptable replacement in principle. The current wording may be misinterpreted by an applicant because 'suitable equivalent' does not have any quantity or quality parameters. Based on Sport England's experience, where such clarifications have not made explicit in local plan policies, this can be exploited and interpreted to promote developments on open space that include inferior replacement facilities. In its current form the policy would not therefore be considered to meet the 'consistent with national policy' test of soundness.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To address this representation, it is requested that the second part of criterion (a) be revised along the following lines "*Or, if this does not apply, suitable replacement land and facilities of equivalent or better provision in terms of quantity and quality can be provided elsewhere and must be laid out and playable before the existing site is lost".*

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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145 - Catesby Estates

Submission Number: 145 Submission Date: 07/11/24 11:13

Respondent: Stantec Mr P Derry

On Behalf Of Catesby Estates :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 4

Type:

* Policy

Number:

Chapter 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

- Chapter 1 sets out the timeline for the Local Plan moving forward. It is acknowledged that the timeline aims for the submission of the plan ahead of the publication of a new National Planning Policy Framework (NPPF). It is noted that the consultation runs until 8 November 2024, yet the St Albans City & District Full Council meeting held on 16 October 2024 agreed to submit the Local Plan for examination in its current form. There are therefore concerns that there will be a missed opportunity to consider responses received to this Regulation 19 consultation ahead of its submission for Examination.
- The rationale behind the eagerness to submit relates to the proposed changes to the NPPF as set out within the July 2024 draft document. That proposes a change to how the standard methodology for calculating housing need is undertaken. As a result, the identified need for the Council area would increase from the current 885 dwellings per annum to 1,544 dwellings per annum. The Local Plan therefore seeks to be submitted under the transitional arrangements, using the current housing need figure.
- Should the Inspector consider the Local Plan could move forward, it is highly likely to be with a series of main modifications in order to meet the tests of soundness. In order to meet the tests, it is considered necessary for the Local Plan to identify additional land for the early delivery of sustainable and deliverable sites, given more clarity that the identified housing need, based against the Council's poor delivery record, can be met. Identification of sites that can be delivered early in the process will assist in the demonstration of a five year housing land supply through the early period of the Local Plan, as well as delivering early affordable housing.

- The implications of providing an unsound Local Plan are clearly set out within the letter exchange between the Minister of State and the Planning Inspectorate. This correspondence states that it is not the role of the examination to make plans sound and that Inspectors will be allowed *'to focus their valuable time and resources on those plans that are capable of being found sound and can be adopted quickly to provide certainty to local communities'*.
- Should the Local Plan be adopted, it is considered essential that an immediate review policy is factored into the Plan to take into account the rising identified housing need. This will ensure a mechanism is formally in place to guarantee that a timely review comes forward. The policy should set time parameters for the review to take place and a target for submission.
- An example of an appropriate review policy can be viewed within the adopted Bedford Local Plan 2030. The text for that policy is considered appropriate to requirements at St Albans City & District Council. Policy 1 of the Bedford Local Plan 2030 states the following:

'The Council will undertake a review of the Local Plan 2030, which will commence no later than one year after the adoption of the plan. An updated or replacement plan will be submitted for examination no later than three years after the date of adoption of the plan. In the event that this submission date is not adhered to, the policies in the Local Plan 2030 which are most important for determining planning applications for new dwellings will be deemed to be 'out of date' in accordance with paragraph 11 d) of the National Planning Policy Framework 2019.

The plan review will secure levels of growth that accord with government policy and any growth deals that have been agreed. The planning and delivery of strategic growth will be aligned with the delivery of planned infrastructure schemes including the A421 expressway, Black Cat junction, East West Rail link and potentially the A1 realignment.

The review will also serve to build stronger working relationships with adjoining and nearby authorities and may result in the preparation of a joint strategic plan based on a wider geography'.

- Strategic Policy SP1 sets out the spatial strategy for the St Albans District to inform the Local Plan. As set out within the Regulation 18 representations, there are concerns regarding the specific wording within paragraph 2 of the policy and particularly the sentence that states 'The approach seeks first to develop Brownfield Land'. The reference to developing 'first' implies that brownfield sites would need to be built-out before any greenfield sites can come forward.

The Local Plan seeks the delivery of 'at least' 14,603 net additional houses, at a rate of 885 dwellings per annum for the period of October 2024 to 31 March 2041. The reference to this being a minimum figure is welcomed. This is a key factor in providing affordability to the District, which has suffered from low delivery and resultant rising house prices. Increasing the figure above the minimum will assist in providing a wider range of housing for all different groups. For example, additional sites will equal more affordable housing, as well as specialist housing for the elderly, disabled etc.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Policy

Number:

Chapter 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

- Chapter 3 sets out the housing trajectory to support the Local Plan. Of concern, the trajectory relies upon a broad categorisation of sites rather than providing a trajectory for each individual allocated site. As such, it is not possible for the reader to assess the assumptions of delivery anticipated for each site. For example, the Broad Locations are expected to commence delivery in 2031/32 at a rate of 240 dwellings in that year. However, it is not clear which of the sites this relates too. The same issue arises from the Large Sites and the Medium and Small sites.
- The Council is reliant upon a stepped housing trajectory. This commences at 485 dwellings per annum from 2026/27 for the first five year period. The latest Annual Monitoring Report 2023 (1 April 2022 to 31 March 2023) provides annual rates and makes the following statements:
- Average delivery per year (1994/95 to 2022/23) – 395 dwellings per annum

- Average delivery per year (2018/19 to 2022/23) – 458 dwellings per annum
- The size of the increase within the stepped trajectory from 485 dwellings per annum to 1,255 dwellings per annum from 2031/32, which represents a 159% increase, is a serious concern. Given the history of delivery levels and the lack of detail on individual trajectories, there is no evidence to justify this significant increase in annual provision is achievable. The trend of housing delivery within the District suggests it would be a very difficult jump to achieve. Rather than retain the stepped trajectory, an approach of including additional sites that can be realistically delivered within the first five years will reduce the risk of failing to achieve the large step jump in numbers. It will also greatly enhance the likelihood that the full housing requirement can be achieved over the plan period.
- The Local Plan is focusing development towards the end of the plan period. This does not allow for immediate provision of the much-needed market and affordable dwellings, and will not assist in meeting the Government's goal of building 1.5 million dwellings in the next five years.
- The Local Plan should therefore include additional sites to meet shorter term delivery at the commencement of the plan period. This will assist in early delivery and ensure the stepped trajectory changes can be bridged. The Catesby Estates site at London Road can provide circa 300 dwellings and is available immediately. It can therefore assist in guaranteeing short term delivery.
- The housing trajectory also demonstrates that the Local Plan seeks to provide 14,989 dwellings. Whilst this is beyond the minimum housing needs target of 14,603 dwellings, it is only 386 dwellings above this target. Given the history of poor delivery within the District and the current five year housing land supply status, this figure of 386 dwellings is not considered appropriate and is not likely to keep a five year housing land supply through the plan period. The fluctuation between the annual housing requirement and the total housing land supply as set out in table 3.2 of the Reg 19 Local Plan suggests that achieving a five year supply throughout the period would be difficult. Again, it is reliant upon a large increase between 2028/29 (316 dwellings) to 2029/30 (822 dwellings) and 2030/31 (1,053 dwellings).
- There is significant inconsistency between the information within the Part A and Part B elements to the Local Plan, specifically regarding the content of table 3.1 within Part A and how that aligns with the assessments or table A1.1 in Part B. Table 3.1 provides a minimum capacity for each site, whereas Part B provides an indicative capacity. As an example, site B3 (West Redbourn) shows a minimum number of 593 dwellings in Part A, but an indicative figure of 545 dwellings in part B. Given the trajectory does not provide guidance on delivery within individual sites, it is not clear what number of dwellings the site is proposed to bring forward. There is also no explanation as to why the two documents differ. There are numerous other examples of this inconsistency as shown in the table below:

Site	Part A Minimum Capacity (from table 3.1)	Part B indicative capacity
North Hemel Hempstead	1,125	1,125
East Hemel Hempstead (North)	1,235	1,235
East Hemel Hempstead (South)	1,940	1,940
North St Albans	1,146	1,097
North East Harpenden	762	738
West Redbourn	593	545
East St Albans	522	472
Glinwell, St Albans	436	484
West of London Colney	405	324
North West Harpenden	293	293

Harper Lane, nr Radlett	274	274
Total	8,731	8,527

These inconsistencies need to be rectified ahead of the submission of the Local Plan for Examination. It appears the Part B studies are based on average lower housing numbers than the emerging allocations, which suggests the sites have not been assessed against the minimum quantum proposed

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address comments made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 4 - Housing

Comment Number: 5

Type:

* Policy

Number:

Chapter 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

- There are serious concerns that the Local Plan will not meet affordable housing requirements within the District. The Southwest Hertfordshire Local Housing Needs Assessment 2020 identifies a need for 443 affordable houses per annum. The Council are not currently delivering anywhere close to this figure. The Annual Monitoring Report 2022 states that between 1994/95 to 2021/22, an average of 18% of total dwelling completions were affordable units. This averages out at 73 affordable dwellings per annum.
- The emerging Plan seeks appropriately sized schemes to provide 40% affordable housing. Should all 14,063 dwellings seek 40% affordable (this will not be the case given smaller sites and windfalls, as well as viability concerns on larger sites), then only 330 affordable dwellings per annum would result (40% of 14,063, divided by 17 year plan period). The identified affordable housing need would not be met.

A more appropriate method to achieve this would be to allocate further sites. London Road St Albans would assist the Council by providing 40% affordable housing (120 units) to assist in meeting the clear shortfall. Further allocations will not only assist in meeting affordable housing demand, but would also secure delivery should any of the Broad Locations fail to deliver in line with its trajectory.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to discuss the key matters in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 7 - Community Infrastructure

Comment Number: 1

Type:

* Policy

Number:

Chapter 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

- Chapter 7 includes the requirements for cemeteries within the plan period. The emerging Strategy Policy SP7 encourages additional cemetery space where a deficit is identified, and supporting policy COM2, criteria b supports the extension of the London Road Cemetery, providing it complies with a Green Belt Impact Assessment. The supporting text to the policy confirms there is a requirement for additional cemetery space. This is informed by the Infrastructure Delivery Plan August 2024, which confirms there is insufficient land available to meet current and future demand without the allocation of additional land for cemetery use. The Infrastructure Delivery Plan confirms that the *'London Road Cemetery has been identified to be a suitable location'* for new cemetery space.
- Catesby Estates continues to control both land to the north and south of the cemetery. Land to the north is not available for cemetery extension as it forms the site of the proposed 300 dwellings forming land at London Road. Land to the south is available for the cemetery extension as part of a wider development at London Road, and as shown on the Vision Document masterplan (see **Appendix 1**). The land area shown is indicative, and there is potential to resize and reshape this in future discussions to ensure an efficient area of land. The cemetery can also be given appropriate boundaries to create the peaceful area required. The site would be an appropriate location for cemetery space as it can utilise the existing facility and therefore make land efficiency savings when compared to a new facility elsewhere.

The cemetery provides an attractive clear and defensible boundary to the built part of the proposal. It ensures that the Green Belt will remain open on the eastern side of London Road and would prevent coalescence between St Albans and London Colney.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to discuss the matters within the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 8 - Transport

Comment Number: 2

Type:

* Policy

Number:

Chapter 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

- Policy TRA2 notes the Council support the Hertfordshire Mass Rapid Transport (HERT) scheme, which proposes to link Hemel Hempstead to Harlow. The initial route of HERT includes running parallel or on the A414 to the south of St Albans.
- Catesby Estates control a parcel of land adjacent to the A414/A1081 London Road roundabout. The Vision Document that accompanies these representations (see **Appendix 1**) shows proposals to include a HERT interchange hub adjacent to the roundabout. Clearly details of the precise layout and use are not known at this stage. However, following initial discussion

direct with the HERT team, there is an opportunity for this land to support HERT and provide an interchange between HERT and sustainable travel into central St Albans. This will accommodate facilities to support first and last mile feeder journeys to and from St Albans, ensuring that multi-modal journeys can be made sustainably. Linked to the wider London Road development, this land is retained as available for this proposed use.

- Policy TRA1 sets a series of transport considerations for new development and Policy TRA4 seeks Broad Locations to prioritise sustainable and active modes of transport, as well as providing alternatives to the private car. The site at London Road meets the aims and objectives of these policies. As noted within these representations, this is not considered the case for some of the site allocations.
- There are existing bus stops along London Road directly opposite the site, providing regular services into St Albans and to Hatfield, Harpenden, Watford, Potters Bar and Borehamwood. This provides direct links to St Albans City Railway Station, which provides Thameslink services between Bedford to the north, and southwards to central London and beyond. London Road also has an existing cycle way, encouraging cycling into St Albans centre. The site has significant sustainability potential to encourage active travel, by ensuring links to these existing facilities and creating further routes between the existing public right of way network. Safe and suitable access to the site can be provided through the development of a priority junction off London Road (see **Appendix 3**).

It would be possible to travel from a proposed dwelling at London Road, St Albans and be within central London is less than an hour given the proximity of the railway station and the service distance to a number of London stations. The layout across the site is designed to encourage active travel and reduce car dependency.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to further discuss matters within the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB1 - Woodlands, Trees and Landscape Features

Comment Number: 30

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB 1 seeks development within the Broad Locations to demonstrate a delivery of a minimum of at least 1 semi-mature tree for each dwelling. This builds upon the requirements of Strategic Policy SP10 which highlights that tree planting is a priority for the Council. The principle behind the policy and the wish to encourage canopy cover is supported in principle.

The Council must however ensure that this can be achievable, particularly on the larger Broad Locations. The need for them to be semi-mature confirms that this will require a large land take. The location of trees in gardens should be discouraged (although a small amount no doubt allowed) given there is no long term ability to retain (beyond the standard 5 year replacement planning condition).

Broad Locations will therefore need to factor this into the scheme. Along with space limitations brought about by requirements for wall thickness to meet sustainability/BREEAM standards, space standards, biodiversity net gain etc, there is a pressure on space to fit all the requirements within a site. The knock-on effect will be the ability to provide appropriate numbers on the site. The concern is that the larger Broad Locations would not be able to provide the trees necessary given such space pressures. Therefore, the Council aims of responding to the climate emergency, and its priority for providing tree planting at scale may be compromised.

As noted within comments (relating to Part B below) regarding specific draft allocations, a number of these sites will require removal of trees, in some case in great quantity. Such allocations would be in direct conflict with the proposed policy.

Land at London Road, St Albans includes proposals for new areas of open space throughout the site, where it is envisaged that tree planting can make a significant contribution towards placemaking. There would also be new opportunities for further planting along the site boundaries. The site area also includes land to the south of London Road Cemetery, part of which would be used for a cemetery extension as necessary, with the remainder forming a significant area of accessible open space to be enhanced for beneficial use (including biodiversity net gain). This allows for additional tree planting, and strengthening along the southern boundary to the existing housing at Nightingale Lane. It should be noted that any such planting would be located to the north of any properties and therefore would not cause any overshadowing to these existing dwellings.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to discuss matters within the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 7

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The site at London Road St Albans is located within the Green Belt. It is located within subarea SA-99 which is assessed within the Green Belt Review.

There are serious concerns regarding the assessment in the Green Belt Review which does not give regard to the position that development would take place to the north of the cemetery, with the land to the south being used potentially for a cemetery extension and for landscaping/ecology purposes. The Vision Document (see **Appendix 1**) does not seek any residential development within the area to the south of London Road Cemetery and rather seeks to enhance this area's

beneficial use by offering opportunities to provide access, to provide opportunities for informal recreation; and, to enhance landscapes, visual amenity and biodiversity in line with Paragraph 145 of the National Planning Policy Framework.

An independent Green Belt Review has been undertaken and can be viewed within **Appendix 2** of these representations. It seeks to assess the site against the purposes of the Green Belt. The results of that independent review are summarised below (see attachment):

This independent Green Belt Review differs greatly from the results produced by Arup on behalf of the Council. There is a key concern that parcel SA-99 is misrepresented. A key issue is that SA-99 is assessing the wider parcel, rather than a separate and supplemental assessment of the land where built-form is proposed. The result is the Green Belt Review provides an inaccurate and lop-sided view of the proposed development site and design proposals. The proposed layout takes into account matters of urban sprawl and coalescence and has been designed to ensure minimal impact. The Green Belt Assessment however is assuming built form across the sub-area as a whole, which does not correspond with the proposal that has been presented for consideration through the local plan making process. The Green Belt Review is therefore not an appropriate basis against which to dismiss the site as a development option and should not be used as the Council's sole guide when seeking to identify Broad Locations for development.

The comments below are made in relation to the Council's own assessment of the site against the purposes of the Green Belt:

Purpose 1a – A number of the Broad Locations or allocated sites are not located at the edge of a discrete built up area. On the Broad Locations, this includes West of Redbourn, West of London Colney and Harper Lane Radlett. Their very location therefore is moving development to less sustainable areas within the District or creating spurs into the countryside.

Purpose 1b – The Council has scored the site a rating of 5+ when considering whether the site 'prevents the outward irregular spread of a large built-up area and serves as a barrier at the edge of a discrete built-up area in the absence of another defensible boundary'. That assessment does not take into account the proposed layout for the scheme. To the south of the proposed built-up area for residential dwellings is the existing London Road cemetery. It provides a clear barrier to prevent further development at the southern edge of St Albans. The development proposal seeks planting on land south of the cemetery that will clearly demarcate the end of the built form in this area and prevent coalescence with London Colney.

Purpose 2 – For the same reason, the score given to prevent neighbouring towns merging is considered inappropriate in light of the design proposals submitted to the Council. The cemetery provides a clear hard boundary to development on the eastern side of London Road which is not reflected within the Council's assessment.

Purpose 3 – The sub-area review fails to recognise or reference the cemetery at the site. It plays a key part in dividing the sub-area. As described above, its presence provides a defensible boundary and reduces the ability to encroach any further into the countryside. It is also noted in purpose 3 that the London Road St Albans site scores '3'. Of the total of 182 sub-areas assessed, 86 score more than '3', whilst 47 sub-areas score '3'. The sub-area containing the site therefore is preferable to a high proportion of others in this regard.

Purpose 4 – It is noted there are no identified historic or heritage assets in the vicinity of the site. Only 11 sites score more than '0' in this category. That figure does seem very low and there are concerns that some heritage assets are not being picked up.

In relation to purpose 4, it is noted that Broad Location B6 (West of London Colney) is directly adjacent to the grade II Napsbury Hospital Registered Park and Gardens and its related Napsbury Park Conservation Area, and site L1 (Burston Nurseries, Orbital Road, St Albans) fails to acknowledge the presence of the Grade II* Manor House and its grade II listed outbuilding, which fall within the site itself.

There are concerns regarding the difference in results between the wider Green Belt parcels and those identified sub-areas. The London Road site sits in strategic parcel 32. Its overall assessment is set out [in the attachment] as identified in the Green Belt Review:

This is much more in line with the independent Green Belt Review set out in **Appendix 2** of these representations. The inconsistency between the strategic and sub-area appraisals with the Arup Green Belt Review is a concern. It is wholly inconsistent that a strategic parcel between St Albans and London Colney that has already been found to have limited or no contribution in terms of purposes 1 (prevention of urban sprawl) and 2 (merging of settlements), but that a smaller portion of that same strategic area would have significantly increased impacts. The sub-area assessment results do not therefore align with the strategic parcels and our own independent Review. As such, they are not considered appropriate with regards to the assessment of the site at London Road, St Albans.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As highlighted within the accompanying Vision Document (see **Appendix 1**), London Road, St Albans provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to discuss the matters raised within the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Concerns regarding proposed delivery rates as described above. This is combined with growth at Hemel Hempstead within Dacorum Council, where the Emerging Strategy for Growth 2020- 2038 seeks a further 1,550 dwellings to the north of Hemel Hempstead and further safeguarded land for circa 4,000 dwellings post 2038. This presents infrastructure and capacity concerns, particularly at junction 8 of the M1, which will continue to be the main route into Hemel Hempstead.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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In order to address the key matters made in the representations

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Concerns regarding proposed delivery rates as described above. This is combined with growth at Hemel Hempstead within Dacorum Council, where the Emerging Strategy for Growth 2020- 2038 seeks a further 1,550 dwellings to the north of Hemel Hempstead and further safeguarded land for circa 4,000 dwellings post 2038. This presents infrastructure and capacity concerns, particularly at junction 8 of the M1, which will continue to be the main route into Hemel Hempstead.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

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In order to address the key matters made in the representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Concerns regarding proposed delivery rates as described above. This is combined with growth at Hemel Hempstead within Dacorum Council, where the Emerging Strategy for Growth 2020- 2038 seeks a further 1,550 dwellings to the north of Hemel Hempstead and further safeguarded land for circa 4,000 dwellings post 2038. This presents infrastructure and capacity concerns, particularly at junction 8 of the M1, which will continue to be the main route into Hemel Hempstead.

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In order to address the key matters made in the representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site is a thin area of land to the west of Redbourn. The proposed quantum of development appears excessive given the shape of the site and the interfaces with existing built form and the M1, the latter of which is a noise and air quality constraint. There does not appear an appropriate location for a meaningful SANG on site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

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In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This site is located east of St Albans, close to an existing industrial estate. A field parcel within the site and the Butterwick Brook watercourse currently separates the Industrial Estate from a development of glasshouses, which themselves are located adjacent to the Tier 6 settlement of Smallford. The proposed housing would spur into the countryside away from the other residential areas of the settlement. There are no 'day to day' shops in the vicinity and rather than walk through or around the industrial estate, future residents would no doubt rely upon the car. Despite it being a part-brownfield site, it does not appear spatially an appropriate location for residential units. The scale of development there (436 units) appears excessive in such a lesspreferable location away from services and facilities.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

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In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B6 - West of London Colney, AL2 1LN

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As noted, the site is directly adjacent to the grade II Napsbury Hospital Registered Park and Gardens and its related Napsbury Park Conservation Area. This has the potential to impact the quantum of development at the site. The scale of development in this location will create a spur of development into the Green Belt. The quantum of development also appears very high given the area of the site, open space requirements and the need to provide a strong Green Belt boundary.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

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In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B7 - North West Harpenden, AL5 3NP

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site assessment set out within Part B of the Local Plan highlights some constraints, including impact upon heritage assets, Tree Preservation Orders and historical flooding issues. The latter in particular is a concern given the requirement to create betterment. The ability to demonstrate this is achievable should be provided at this stage.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site is partly a brownfield site, requiring use of Green Belt land to adjoin to the settlement. As highlighted, by their very nature, they do take longer on average to come forward given the need for demolition and remediation (which given the historical usage of the site will be required). There are also concerns regarding the length of leases on the site and how the land can be guaranteed to be available as a whole. The railway line separates the site from Watling Street and there is seemingly no connection to the built form to the south. As such, development would create an isolated development, where future occupiers would be reliant upon the car.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site has a grade II listed building located centrally within its boundaries. The scheme will need to respect its special character and historic setting, which has the potential to impact upon the quantum of development. Again, there are concerns regarding any leasing. Continued development of active employment sites will lead to further out-migration and does not represent sustainable development.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Park Street is a Tier 5 Medium-Sized Village. As such, it has limited facilities. The 104 dwellings would be better placed in a more sustainable settlement such as St Albans. The long frontage along Watling Street also creates the impression of encroachment into the countryside, as highlighted by the Green Belt assessment. The site is also adjacent to a landfill area, and as such will require significant ground testing and remediation to ensure it is suitable for development.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

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In order to address the key matters made in the representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 18

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Chiswell Green is a Tier 5 Medium-Sized Village. As such, it has limited facilities. The 101 dwellings would be better placed in a more sustainable settlement such as St Albans. The private road running through the site will sever the site and require two unconnected development parcels. Spatially, there are serious concerns regarding how this site can provide an appropriately laid-out scheme. The site also has noise impact from the neighbouring land use which may impact upon the quantum of development and capacity of the site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 23

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site is a narrow strip of land at the western edge of St Albans. It is clearly constrained by tree planting, some of which is protected. This has the potential to impact upon the ability to achieve biodiversity net gain on the site. There are also heritage implications should the site be developed. The narrow nature of the site also restricts the potential extent of any buffer planting that could be provided. The Council must ensure they have appropriate evidence on all these matters to allow the scheme to come forward.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M4 - North of Oakwood Road, Bricket Wood, AL2 3PT

Comment Number: 24

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Previous comments noted that access form the A405 may not be safe. The Part B comments accept this and note access must be from elsewhere. However, there are no alternatives available. The site is not therefore considered accessible and should be removed as an emerging allocation. Noise from the M25 and A405 will no doubt require mitigation measures. Acoustic fencing would be inappropriate within a Green Belt location and therefore bunding should be provided. This will have an impact on land available for development given the area required to provide such a feature.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 333100253 A5 PD 241107 Draft Reg 19 Reps Final Reduced_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 25

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The River Ver runs along the middle of the site. This includes areas of flood zones 2 and 3. The NPPF seeks to direct development away from high risk areas. In line with paragraph 161, a sequential risk-based approach should be taken, which will demonstrate more appropriate sites exist within the District. The site will involve loss of trees, and the need to cross the river, which will bring significant cost.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M8 - Verulam Golf Club, St Albans, AL1 1JG

Comment Number: 26

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site is well-treed and therefore there are concerns regarding habitat loss and the ability to achieve biodiversity net gain. The site is separated from built form by the existing industrial scheme to the northwest of the site. This will prevent connections being made and the inability to assimilate with existing built form. There are also clear heritage implications from the scheme.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 27

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site is a clear spur into the countryside. This is recognised within the Green Belt Review, where a '5' is scored for Purpose 3. Amwell Lane is very narrow and would require widening, in turn removing a significant hedgerow.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M10 - Tippendell Lane and Orchard Drive, How Wood, AL2 2QF

Comment Number: 19

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Park Street is a Tier 5 Medium-Sized Village. As such, it has limited facilities. The 51 dwellings would be better placed in a more sustainable settlement such as St Albans. The existing planting provides concerns regarding habitat loss and the ability to achieve biodiversity net gain.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M13 - North of Boissy Close, Colney Heath, AL4 0UE

Comment Number: 20

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Colney Heath is a Tier 6 Green Belt Village. As such, it has limited facilities. The 49 dwellings would be better placed in a more sustainable settlement such as St Albans. The access appears very narrow to serve an additional number of dwellings

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M15 - Bucknalls Drive, Bricket Wood, AL2 3YT

Comment Number: 21

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site is shown to have an indicative capacity of 44 dwellings. However, achieving this quantum would require significant tree removal.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 22

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The supporting text in Part B confirms that Piggotshill Lane is narrow and cannot serve as a vehicle access, and there is no pedestrian provision. It is therefore unclear how this site can be safely accessed as there are no other connection points. The site is not therefore considered accessible and should be removed as an emerging allocation. The remediation of the sewage works would also be costly and would likely take a significant time period. The trajectory does not allow for an assessment as to the timeframes proposed to bring this site forward.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

P1 - Smallford Works, Smallford Lane, AL4 0SA

Comment Number: 28

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Smallford is a Tier 6 Green Belt Village. As such, it has limited facilities. The 58 dwellings would be better placed in a more sustainable settlement such as St Albans. There are concerns regarding the level of remediation required at the site and the neighbouring landfill, and the potential number of leases at the site. It is noted that an appeal (ref: Appeal Ref: APP/B1930/W/20/3260479) at the site refused consent for 100 dwellings and highlighted impacts upon the surrounding countryside.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

P2 - Land at North Orbital Road, AL2 1DL

Comment Number: 29

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

There are concerns regarding the timings for development at the site, given the level of built form on the site. The site also has the potential for significant noise disturbance from the A414 and will require appropriate mitigation (which may impact upon capacity). The existing access is sub-standard and links to east bound traffic only.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above provides concern regarding the suitability of the site for allocation, or queries whether the capacity is appropriate or can be achieved. The alternative to a number of these sites is London Road, St Albans. As highlighted within the accompanying Vision Document (see **Appendix 1**), it provides a sustainable form of development on the edge of St Albans, with excellent public transport and active travel infrastructure already in place.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to address the key matters made in the representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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146 - Mr Roy Warren

Submission Number: 146 Submission Date: 07/11/24 11:27

Respondent: Sport England Mr Roy Warren

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy is welcomed for the following reasons:

- The approach to new green space provision (part a) requires new green space within a development site to meet the needs of the new development and local green space deficiencies, larger strategic open spaces are preferred, spaces are expected to be multi-functional and ancillary facility infrastructure is encouraged in principle. This approach would accord with the principles in Sport England's Active Design guidance https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design and would accord with Government policy in paragraph 96(c) of the NPPF.
- The approach to new sports pitches (part f) aligns with advice provided by Sport England and recommendation (g) in the Council's Playing Pitch Strategy. This approach would therefore be considered to accord with Government policy in paragraph 102 of the NPPF.
- The approach to existing sports pitches (part g) accord with the recommendations in the Council's Playing Pitch Strategy and would therefore be considered to accord with Government policy in paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

147 - Mr Roy Warren

Submission Number: 147 Submission Date: 07/11/24 11:32

Respondent: Sport England Mr Roy Warren

DES1 - Design of New Development

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The inclusion of criterion h in the policy is welcomed as expecting new development to be designed to provide opportunities for encouraging physical activity would accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

148 - Mr Roy Warren

Submission Number: 148 Submission Date: 07/11/24 11:40

Respondent: Sport England Mr Roy Warren

DES2 - Public Space

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy is supported especially criteria a, b and f as these principles of designing public space would be broadly consistent with Sport England's Active Design guidance https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design . The signposting to the Active Design guidance in paragraph 12.11 of the reasoned justification to the policy is particularly welcomed as this will provide applicants with detailed guidance on how the policy can be implemented in practice. Collectively, the criteria in the policy would encourage physical activity through the deign of open spaces which would accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

149 - Mr Roy Warren

Submission Number: 149 Submission Date: 07/11/24 11:48

Respondent: Sport England Mr Roy Warren

Strategic Policy SP13 - Health and Wellbeing

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy is supported as it seeks to address health inequalities and encourage a healthy lifestyle including encouraging sport and physical activity. Reference to promoting Active Design in major developments criterion (h) is particularly welcomed in this regard. The policy is considered to accord with Government policy in paragraph 96(c) of the NPPF and Sport England's 'Uniting the Movement' Strategy https://www.sportengland.org/about-us/uniting-movement.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

150 - Mr Roy Warren

Submission Number: 150 Submission Date: 07/11/24 11:58

Respondent: Sport England Mr Roy Warren

HW5 - Health Impact Assessments

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy is broadly supported because it requires major developments to prepare health impact assessments and mitigate against any identified impacts which would include consideration of physical activity opportunities. The reference to Hertfordshire County Council's HIA Guidance and Toolkit is welcomed for further information is also welcomed.

Sport England supports the representations made by Hertfordshire County Council relating to the scope and key themes of HIAs (which include access to open space and active travel.) being included in the policy wording to ensure that wider health impacts are considered when preparing HIAs.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

151 - Mr Roy Warren

Submission Number: 151 Submission Date: 07/11/24 12:01

Respondent: Sport England Mr Roy Warren

HW6 - New development and existing uses (agent of change principle)

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy is supported as the application of the agent of change principle is necessary where sensitive uses are located close to sports facilities that generate impacts such as noise, lighting and ball strike. Th policy would be considered to accord with Government policy in paragraph 193 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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152 - The owners of land at Noke Side

Submission Number: 152 Submission Date: 07/11/24 12:03

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Noke Side :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – summary

- In summary, additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken.
- The Noke Side site has been inappropriately excluded from the Local Plan on the basis of a Green Belt Review that did not consider the specific site-specific consequences of development on this site but rather combined the site with a much larger area, making the findings for the whole largely irrelevant to the Noke Side site.
- In addition, the Noke Side represents an important linkage between the proposed Local Plan allocation L3 to the south and the planning permission granted by the Secretary of State to the north. The site should be allocated for development alongside these two proposals.

Strategic Policy SP3 – Housing target

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. While this is supported, it should be seen as a minimum level of supply and any opportunity to increase the level of provision within the context of the overall strategy should be explored.
- The Council has chosen to accelerate the Local Plan timescale to enable examination under the current NPPF, rather than address the potential 75% increase in housing target likely to be brought about by the new NPPF expected to be published early in 2025. While this decision is understandable, given the age of the current Local Plan and the need for a strategic

framework of some sort, the wider context suggests that if additional sites are available now that could sit within the overall framework set by the draft Local Plan, then those opportunities should be taken.

Strategic Policy SP3 – Immediate plan review

- This Local Plan is not perfect. There are parts of it that are not sound. Some of these issues are relatively minor and can be addressed through modest changes that sit comfortably within the framework published by the Council.
- However, other changes would require a more fundamental change in approach – issues such as the plan period being inadequate and concerns over compliance with the Duty to Cooperate. These issues cannot be addressed at this stage and would require the Plan to be withdrawn and resubmitted. In our view, the need to secure an updated Plan is more important and outweighs any concerns about the strategy as a whole.
- We therefore propose a two-pronged approach – any minor soundness aspects that can be addressed quickly should be addressed now. Any wider concerns that would delay the Plan should be considered through an immediate review of the Plan.
- For the Inspector to have confidence that a Plan Review is an appropriate response to concerns with the strategy, there needs to be a firm commitment within the Plan itself to the Review. There needs to be a specific policy that commits the Council to the principle of a Review and a timetable set out that provides clarity for all parties on how that review will be undertaken.

Strategic Policy SP3 – Housing delivery

- We consider that there is a clear case for additional housing sites to be included within the draft Plan. The reasons for this include:
- Strategic cooperation over wider housing needs
- Overoptimistic site capacity and density assumptions
- Deliverability of proposed urban sites
- Overoptimistic windfall allowance

- In addition to these concerns about the overall scale of housing, there is a clear issue with the timing of delivery – a five-year supply is only possible through the use of a stepped trajectory.
- However, addressing these issues in a systematic and comprehensive way would require extensive updates to the evidence base and cannot be done within the context of a Local Plan Examination. We therefore do not advocate that these issues are fully addressed now but are instead picked up through the immediate Plan Review.
- Nevertheless, the need for more homes – particularly delivered early in the Plan period – is such that where opportunities exist to include new sites that are consistent with the overall strategy and can be included based on existing evidence, these opportunities should be taken.

Strategic Policy SP3 – Land at Noke Side

- There are two key soundness issues for the Local Plan in relation to the Noke Side site.
- The first soundness issue is the Local Plan's exclusion of this site on the basis of a Green Belt Review that did not consider the site-specific consequences of development on this site but rather combined the site with a much larger area. The findings for this larger area are largely irrelevant to the Noke Side site, or at least apply to a much lesser extent. Our concerns around the Green Belt are set out in detail in section 5.0 below.

- The second soundness issue is the lack of acknowledgement of the CALA Homes site immediately north of the Noke Side site. A planning application at this site was refused by the Council (contrary to officer recommendation) but that decision was overturned at appeal in a decision that was recovered by the Secretary of State. The decision was dated 22 March 2024 so predates the Regulation 19 Plan by some way. The decision also granted planning permission for a site on the north side of Chiswell Green Lane. In total, 721 homes were allowed across a large area of land to the west of Chiswell Green.
- The relationship between the Noke Side site and the two allowed appeals is shown at Figure 6 below. The report site is "sandwiched" between the proposed Local Plan allocation immediately south (ref L3) and the CALA site immediately north.
- Given both its scale and significance and the consequences for Chiswell Green, the draft Local Plan needs to acknowledge the Secretary of State's decision. A policy should be included relating to this site and some form of policy notation applied to the Policies Map. The site should also be removed from the Green Belt.
- Such a policy will not only provide clarity but it will also provide a mechanism for a joined-up approach across the area in terms of infrastructure.
- The consequence of this policy addition is that the land rear of Noke Side should also be identified. As currently set out, the site will form residual stub of Green Belt between two residential developments. Identifying the land for development will enable linkages to be made between site L3 and the CALA Homes site, facilitating permeability and continuity in urban design terms.

The Local Plan should avoid leaving a remnant stub of Green Belt in this location, not only for common sense reasons but also to ensure that Green Belt boundaries remain robust for the long term and do not need to be further amended at the end of the Plan Period (NPPF paragraph 148 f).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Both the land at Noke Side and the CALA Homes site granted planning permission by the Secretary of State should be allocated for development in the Local Plan

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Noke Side - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of the site at Noke Side and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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153 - The owners of land at Noke Side

Submission Number: 153 Submission Date: 07/11/24 12:08

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Noke Side :

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See **attached report for details**

Policy L3 – East and West of Miriam Lane, Chiswell Green

- We have no objection to the principle of site L3.
- However, for the reasons set out in our comments on Policy SP3, the land north of site L3 should also be removed from the Green Belt. The land immediately north, known as Land rear of Noke Side, represents an important link between site L3 and the site granted planning permission by the Secretary of State to the north.
- The Local Plan needs to be proactive and set a positive framework for development in this area, rather than ignoring the Secretary of State's decision.
- In the context of the Secretary of State's decision, the proposed Green Belt boundary at the northern end of site L3 is not sound. The boundary should be realigned to ensure that there is no separation between site L3 and the CALA Homes site to the north.
- The Council's Green Belt Review did not properly assess the Noke Side site as it did not consider the specific Green Belt impact of development on this site but rather combined the site with a much larger area. The conclusions for this larger area were far less relevant to the Noke Side site itself. The Green Belt Review findings were the key reason the site was not allocated in the draft Plan.
- In addition, the Noke Side now represents an important linkage between the proposed Local Plan allocation L3 to the south and the planning permission granted by the Secretary of State to the north. The site should be allocated for development alongside these two proposals.
- The site is adjacent to the built-up area of Chiswell Green and would be a sensible and logical addition to it, in association with the surrounding planned development. The site is within walking distance of a range of local facilities including a local school and local shops as set out in Section 2.
- The site is in single family ownership and could be brought forward for development quickly. This is particularly important given the urgency of the housing need and the time needed for strategic sites to deliver on the ground.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Green Belt boundary around the edge of site L3 should be extended to included Land at Noke Side.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Noke Side - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of the land rear of Noke Side and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

154 - Mr Roy Warren

Submission Number: 154 Submission Date: 07/11/24 12:19

Respondent: Sport England Mr Roy Warren

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the principle of the allocation, the requirements in the Green Network (part 1) and Engaging Communities (Part 23) sections relating to the development requiring strategic and local public open space provision to be made including sports facilities plus contributions to sports provision within the wider HGC Growth Areas are welcomed. These requirements would be consistent with policies LG1 and LG3 and align with the recommendations in the Council's evidence base for sport (Playing Pitch Strategy) and thereby be consistent with Government policy in paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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155 - St Albans Cathedral

Submission Number: 155 Submission Date: 07/11/24 12:19

Respondent: St Albans Cathedral The Revd Will Gibbs

On Behalf Of St Albans Cathedral :

Chapter 2 - Climate Emergency

Comment Number: 1

Type:

* Policy

Number:

SP2 and SP4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We believe that due process has been followed.

We welcome the draft plan and would urge all parties to leave aside political agendas and any vested interests in order for the plan to be adopted. We remain in a highly vulnerable position as a wider community until such time as the plan is finalised and adopted. We record our thanks to those who have worked hard to diligently and carefully prepare the plan and would be keen to work with key partners across SACDC to deliver good outcomes on the back of this plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0155_St Albans Cathedral [R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We strongly endorse the commitment to the retrofitting of existing buildings in order to improve environmental performance and sustainability. We encourage SACDC to make this a serious funding priority within the constraints of local budgetary pressures.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0155_St Albans Cathedral [R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

CE2 - Renewable and Low Carbon Energy

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome a strong commitment in the Plan to renewable and low carbon energy in consideration of new developments but would urge that the same strong commitment and support be given to improvements to renewable and low carbon energy options on all existing sites and buildings. Notwithstanding heritage and conservation area considerations, we believe that the visibility of solar PV cells and other renewable and low carbon energy options should be celebrated rather than compromised or resisted.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0155_St Albans Cathedral [R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We commend the plan for the strong commitment to a better housing mix and would see the current imbalance as a serious impediment to the local economy and a significant contributing factor to high vacancy rates, especially those in the caring, retail and education professions, with recruitment and retention challenges and increased traffic for those 'priced out' of the area and having to travel significant distances from beyond the District to serve in these roles.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0155_St Albans Cathedral [R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The commitment to affordable housing in the Plan is also to be supported and commended. We would see this proportion as a bare minimum and the ideal for affordable housing would ideally be greater than this and sustained. This would help to address the current imbalance and inequality of access to good and affordable housing for significant sectors of our working demographic including, but not limited to, key workers, young working adults, single parents and asylum seekers and refugees. We note that 80% of market rent in the local area is hardly affordable for many people in these lower paid roles and anything that can be done to address this would have our full support and encouragement. We believe that the current shortage and housing crisis will be best addressed in partnership, especially with housing association schemes.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0155_St Albans Cathedral [R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

156 - Mr Roy Warren

Submission Number: 156 Submission Date: 07/11/24 12:23

Respondent: Sport England Mr Roy Warren

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the principle of the allocation, the requirements in the Green Network (parts 1 and 5) and Engaging Communities (Part 22) sections relating to the development requiring strategic and local public open space provision to be made including sports facilities and a sports hub plus contributions to sports provision within the wider HGC Growth Areas are welcomed. The proposed new Country Park is also welcomed as this will provide opportunities for encouraging physical activity. These requirements would be consistent with policies LG1 and LG3 and align with the recommendations in the Council's evidence base for sport (Playing Pitch Strategy) and thereby be consistent with Government policy in paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

157 - Mr Roy Warren

Submission Number: 157 Submission Date: 07/11/24 12:26

Respondent: Sport England Mr Roy Warren

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the principle of the allocation, the requirements in the Green Network (part 1) and Engaging Communities (Part 24) sections relating to the development requiring strategic and local public open space provision to be made including sports facilities plus contributions to sports provision within the wider HGC Growth Areas are welcomed. These requirements would be consistent with policies LG1 and LG3 and align with the recommendations in the Council's evidence base for sport (Playing Pitch Strategy) and thereby be consistent with Government policy in paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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158 - Mr Myles Green

Submission Number: 158 Submission Date: 07/11/24 12:28

Respondent: MH Planning Mr Michael Hargreaves

On Behalf Of : Mr Myles Green

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1. Through this representation Mr. Green is objecting to the failure to remove the site that is in his ownership to the south-east of Luton Lane, Redbourn, St Albans AL3 7PY from the Green Belt and to allocate it for Gypsy and Traveller residential use. The site is shown on the plan, Luton Lane Proposed Site Allocation. Mr Green is proposing that the site is allocated for a Gypsy and Traveller residential site with at least 15 pitches, together with a single house for the site warden.
2. Mr Green[redacted], James Cash proposed the site through the St Albans Local Plan 2041 Call for Gypsy and Traveller Sites. At that stage they proposed that the site should be allocated for either Gypsy and Traveller residential use or for housing development. Having reviewed the situation, they are now proposing that the site should be allocated for Gypsy and Traveller residential use plus a single warden's house.
3. Mr Green confirms that the site is available and can be brought forward for implementation within the next two to three years, and that it has capacity for at least 15 residential pitches, plus a warden's house and appropriate landscaping.
4. Green's representations complement and should be read with the representations on the Reg 19 St Albans Local Plan 2041 submitted by GATE Herts, which help to provide the justification for allocating Mr Green's land in the way he suggests. GATE Herts' representations provide evidence that:

- The St Albans Gypsy and Traveller Accommodation Needs Assessment, ORS, September 2024 is not consistent with national policy in its failure to engage effectively with Traveller organizations, and does not represent a robust evidence base to inform the preparation of the Local Plan;

- Policy HOU6 is profoundly inadequate and unsound, including in its failure to set pitch targets for Gypsies and Travellers and to identify a supply of specific deliverable or developable sites;
- Mr Green strongly supports GATE Herts' objection to the application of Policy 10 f), relating to contributions to the Chiltern Beechwoods SAMMS and SANG, to Gypsy and Traveller sites without evidence of whether such recreational activity is relevant to Gypsies and Travellers;
- Mr Green supports GATE's argument that the plan is not legally compliant because it is discriminatory.

5. Mr Green supports the actions and Modifications proposed by GATE to address the failures of the plan to be sound and legally compliant.
6. Mr Green makes the point that in the St Albans case his site is particularly important because of its ability to ensure the delivery of pitches at an early date. All the other sites identified through the Calls for Sites are in other people's ownership, and are dependent on confirmation of their willingness to bring the land forward for development. His land is available and he is fully committed to implementation at an early date.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Mr Green makes the point that in the St Albans case his site is particularly important because of its ability to ensure the delivery of pitches at an early date. All the other sites identified through the Calls for Sites are in other people's ownership, and are dependent on confirmation of their willingness to bring the land forward for development. His land is available and he is fully committed to implementation at an early date.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Luton Lane Proposed Site Allocation_[R].pdf
2. Myles Green Reg 19 rep 071124_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I will be happy to represent Mr Green at the hearing in association with any appearance on behalf of GATE Herts.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

1. Through this representation Mr. Green is objecting to the failure to remove the site that is in his ownership to the south-east of Luton Lane, Redbourn, St Albans AL3 7PY from the Green Belt and to allocate it for Gypsy and Traveller residential use. The site is shown on the plan, Luton Lane Proposed Site Allocation. Mr Green is proposing that the site is allocated for a Gypsy and Traveller residential site with at least 15 pitches, together with a single house for the site warden.
2. Mr Green[redacted], James Cash proposed the site through the St Albans Local Plan 2041 Call for Gypsy and Traveller Sites. At that stage they proposed that the site should be allocated for either Gypsy and Traveller residential use or for housing development. Having reviewed the situation, they are now proposing that the site should be allocated for Gypsy and Traveller residential use plus a single warden's house.
3. Mr Green confirms that the site is available and can be brought forward for implementation within the next two to three years, and that it has capacity for at least 15 residential pitches, plus a warden's house and appropriate landscaping.

4. Green's representations complement and should be read with the representations on the Reg 19 St Albans Local Plan 2041 submitted by GATE Herts, which help to provide the justification for allocating Mr Green's land in the way he suggests. GATE Herts' representations provide evidence that:

- The St Albans Gypsy and Traveller Accommodation Needs Assessment, ORS, September 2024 is not consistent with national policy in its failure to engage effectively with Traveller organizations, and does not represent a robust evidence base to inform the preparation of the Local Plan;
- Policy HOU6 is profoundly inadequate and unsound, including in its failure to set pitch targets for Gypsies and Travellers and to identify a supply of specific deliverable or developable sites;
- Mr Green strongly supports GATE Herts' objection to the application of Policy 10 f), relating to contributions to the Chiltern Beechwoods SAMMS and SANG, to Gypsy and Traveller sites without evidence of whether such recreational activity is relevant to Gypsies and Travellers;
- Mr Green supports GATE's argument that the plan is not legally compliant because it is discriminatory.

5. Mr Green supports the actions and Modifications proposed by GATE to address the failures of the plan to be sound and legally compliant.

6. Mr Green makes the point that in the St Albans case his site is particularly important because of its ability to ensure the delivery of pitches at an early date. All the other sites identified through the Calls for Sites are in other people's ownership, and are dependent on confirmation of their willingness to bring the land forward for development. His land is available and he is fully committed to implementation at an early date.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Mr Green makes the point that in the St Albans case his site is particularly important because of its ability to ensure the delivery of pitches at an early date. All the other sites identified through the Calls for Sites are in other people's ownership, and are dependent on confirmation of their willingness to bring the land forward for development. His land is available and he is fully committed to implementation at an early date.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Luton Lane Proposed Site Allocation_[R].pdf
2. Myles Green Reg 19 rep 071124_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I will be happy to represent Mr Green at the hearing in association with any appearance on behalf of GATE Herts.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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159 - Mr Roy Warren

Submission Number: 159 Submission Date: 07/11/24 12:58

Respondent: Sport England Mr Roy Warren

B1 - North St Albans, AL3 6DD

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the principle of the allocation, requirement 4 relating to replacement playing field provision is welcomed. The inclusion of the area proposed for replacement playing field provision within the site boundary of the site allocation on the Proposals Map is also welcomed. These amendments to the policy respond positively to representations made by Sport England on the Regulation 18 plan. Requirement 4 would be consistent with Sport England's Playing Fields policy and paragraph 103 of the NPPF.

The requirements in the policy relating to providing an all weather pitch on the primary school site that would be made available for community use (requirement 2) and on-site sports provision (requirement 5) to meet the additional needs generated by the development (or off-site provision if justified) is welcomed. These requirements would be consistent with the general recommendations in the Council's evidence base for sport (Playing Pitch Strategy) and thereby be consistent with Government policy in paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

160 - Mr Roy Warren

Submission Number: 160 Submission Date: 07/11/24 13:05

Respondent: Sport England Mr Roy Warren

B2 - North East Harpenden, AL5 5EG

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the principle of the allocation, the requirements in the policy relating to providing an all weather pitch on the primary school site that would be made available for community use (requirement 2) and on-site sports provision (requirement 3) to meet the additional needs generated by the development (or off-site provision if justified) is welcomed. These requirements would be consistent with the general recommendations in the Council's evidence base for sport (Playing Pitch Strategy) and thereby be consistent with Government policy in paragraph 102 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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161 - Mr Michael Street

Submission Number: 161 Submission Date: 07/11/24 13:08

Respondent: Self Mr Michael Street

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

It is understood that all representations on the draft Local Plan must relate to a matter of legal compliance or a matter of soundness as follows:

1. ***Legally compliant*** – the draft Local Plan has been prepared in accordance with the legal and procedural requirements for preparing Local Plans
2. ***Positively prepared*** – the draft Local Plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
3. ***Justified*** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
4. ***Effective*** – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
5. ***Consistent with national policy*** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

SPECIFIC OBJECTIONS TO SITE B3 WEST REDBOURN, AL3 7HZ -

Please find below my objections based on the above criteria:

OBJECTION ONE: causing a **DISPROPORTIONATE INCREASE IN POPULATION.**

Objection based on item 3 above ***Justified*** - " appropriate strategy……proportionate evidence".

It is proposed to build 545 units on this site. It may be assumed that this will equate to at least twice that number of adults – 1,090. The current population of Redbourn (from council's documents) is approximately 5,000 people - this development will cause a ***21.8% increase in Redbourn's***

population. No other development in the county or country has so large an increase in such a comparatively small population. This is not “appropriate” or “proportionate”. This has significant further defect/objections under ***Positively prepared*** in that there is no or very little adequate provision for Secondary Schools, Doctors, Dentists, Public Transport and Road Access.

OBJECTION TWO: STATUTORY POLLUTION & NOISE BREACHES ON SITE B3. Based on item 1 above ***Legally compliant*** *and item 5* ***Consistent with national policy*** – Readings from this site breach current DEFRA sponsored Environmental Targets (fine particulate matter) (England) Regulations 2023 set two PM2.5 targets to be met by 2040, these require that the annual mean concentration is 10 µg m-3 or lower.

Given the current press interest there might be a POTENTIAL CORPORATE MANSLAUGHTER CHARGE against Councillors and Planners. The Coroner’s Report on the death of Ella Adoo-Kissi-Debrah and the subsequent GLA/TfL’s ... paying compensation, could cause Planners and Councillors to be liable for future deaths. There are many dwellings near motorways, some built within the last 5 years BUT we now know that there is a significant and real danger from exhaust particulates. **This site B3 is next to the M1 and it has an almost constant Westerly wind off the M1 blowing directly onto B3**. This pollution will not be solved by the adoption of passenger electric vehicles. Nor mitigated by the construction of a wall between the M1 and the site B3. These particulates come, mostly, from diesel HGVs and Buses.

With this new, confirmed and verified knowledge it would be reckless and possibly criminal to put dwellings on B3.

There is also an additional ***Legally compliant*** and ***Consistent with national policy*** issue with **NOISE/SOUND**. Site B3 has readings 200m from M1 (and not taken in the rush hours) which produced a reading of over 70dbs which is considered on or over planning guidelines. “65-70dB” LIKELY **TO EXCEED PROPOSED SOAE**

This is also in in breach of ST ALBANS CITY & DISTRICT COUNCIL’s Strategic Policy SP13 – Health and Wellbeing

OBJECTION THREE A: DESTROYING THE SOURCE OF THE RIVER RED - a very rare CHAULK STREAM Based on item 2 ***Positively prepared*** . Site B3 is in the middle of the RIVER RED Catchment area see reports below

[See Images in Attachment]

COMPLETE CATCHEMENT AREA RIVER RED - EXCLOSES COMPLETE B 3 SITE

The Blue extension showing the River Red catchment area (map below). The area above HOLLY BUSH shown on map is in the middle of site B3 and is contrary to items 2

Positively prepared and item 5 ***Consistent with national policy***

[See Images in Attachment]

This is in in breach of ST ALBANS CITY & DISTRICT COUNCIL’s NEB5 - Blue Infrastructure

OBJECTION THREE B: FURTHER EVIDENCE OF FLOOD DANGERS TO THE SOUTH EASTERN SITE BOUNDARIES

[See Images in Attachment]

This is in in breach of ST ALBANS CITY & DISTRICT COUNCIL’s NEB8 – Managing Flood Risk

OBJECTION FOUR: POTENTIAL 1,367% INCREASE IN TRAFFIC DOWN MANSDALE ROAD,

See Annex A (below)for details of calculation.

This is a 4.92 m minor estate road expected to take more than 3,558 journeys a day see Annex A This is in breach of item 2 ***Positively prepared*** –…” as a minimum, **seeks to meet the area’s objectively assessed needs”**

Whilst ACCESS to Site B3 is not discussed in the Plan, the proposal of B3 as a site must have an assumption that access would be achieved. The only access request lodged with ST ALBANS CITY & DISTRICT COUNCIL's Planning Department is via Mansdale Road.

This relates to the original and amended planning application **ST ALBANS and DISTRICT 5/2021/3631** Land At Gaddesden Lane Redbourn Hertfordshire AL3 7DP which seeks access for the site B3.

With regard to ACCESS of site B3 there is a clash with the overall intentions of SAMMS.

BOTH ACCESS points are on top of the catchment area of the River Red as seen below.

Details are at *THIRD PARTY COMMENT – OBJECTION (R) - (2 OF 2) ANNEX D ITEMS 10 – 11*

[See Images in Attachment]

This would further produce extraordinary noise and pollution, especially during building works. This is in breach of ST ALBANS CITY & DISTRICT COUNCIL's Strategic Policy SP13 – Health and Wellbeing.

This also is contrary to their statement within the Plan that they have considered:

13.18 A Health Impact Assessment (HIA) looks at wider determinants of health and in particular the effects on the vulnerable populations listed above, who are more likely to experience health inequalities. Hertfordshire County Council's new HIA Guidance and Toolkit provides further information.

This is also in in breach of ST ALBANS CITY & DISTRICT COUNCIL's Strategic Policy SP13 – Health and Wellbeing.

ANNEX A to OBJECTIONS TO ST ALBANS CITY & DISTRICT COUNCIL DRAFT LOCAL PLAN 2041 REG 19 PUBLICATION

TRAFFIC VOLUME AND NOISE CAUSED BY ALLOWING ACCESS VIA 2 ENTRANCES IN MANSDALE ROAD

As already stated in my original objection there will be a 1,367% TRAFFIC INCREASE on Mansdale Road. For details of calculation see *THIRD PARTY COMMENT – OBJECTION (R) - (2 OF 2) ANNEX A STARTING AT PAGE 8.* The latest Traffic update - *THE PEGASUS GROUP TECHNICAL NOTE DATED 23 JUNE 2023 PEGASUS REF P21-2444*

TRO4 fails to take any consideration of the extra 293 housing units proposed in the St Albans plan which will have access to Flamsteadbury Lane. *ST ALBANS REG 18 DRAFT*

LOCAL PLAN JUL 2023,APPENDIX 1, LOCAL PLAN SITE B3

One way to **assess** the impact of the St Albans Plan to build these 593 **(NOTE SINCE CHANGED TO 545 in new plan)** residential units is to view the increase against the total population (and **thus** car trips generated by them); Redbourn & St Albans Plans both mention **Redbourn as having** a population of approximately 5,000. At a modest occupancy rate of 2 per dwelling that would give 1,186 persons or an increase of Redbourn's population **by 23%.** Logically this would be **more than 3,558 journeys a day** (1186 x 1.5 = vehicle ownership, x 2 trips per day). This is a crude illustrative conservative figure, and is lower than one achieved by calculating as per *TRANSPORT ASSESSMENT BY PEGASUS GROUP DATED JAN 22 - FORECAST TRIP GENERATION TABLE 8.1*

This would mean:

All this traffic would have to go down FLAMSTEADBURY LANE.

ALL TRAFFIC would have to go through the Conservation Area.

This would also be the only way heavy construction traffic could access this site for the 5 years of projected construction period.

No Modelling has been shown as to the effect/damage of construction traffic using the proposed ACCESS routes to the B487. *ECOLOGICAL IMPACT ASSESSMENT BY CSA JAN 22 - DUST EMISSION MAGNITUDE, 5.1.4* states " Number of HDVs that will exit the site...anticipated to range between **10-50 HDVs per day**". To this must be added the second site's construction HDVs. Currently, the only HDV regularly accessing Mansdale Road/Flamsteadbury Lane is the rubbish collecting lorry once-a-week with occasional further HDVs accessing Flamsteadbury Farm via Flamsteadbury Lane.

Flamsteadbury Lane and Mansdale Road are not physically constructed for the volume or more especially the weight of 5 years' worth of construction traffic. The junction road surface will break up at the "turning" junctions. All of this Construction traffic will have to pass in and out of the Redbourn Conservation Area.

The Technical note does not address the issue of significant extra Construction noise in the CONSERVATION AREA, alongside the Common and especially during services at St Mary's Church/Churchyard. DETAILS in *THIRD PARTY COMMENT –OBJECTION (R) - (2 OF 2) ANNEX F*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. OBJECTIONS_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The unique issues with site B3 - Dangerous Pollution and Noise over legislative limits, Danger to River Red catchment area, over 21.8% increase in Village population, Flooding, 1,367% increase in traffic on access roads

These issues are not/will not be voiced. They need personal representation.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

162 - Notcutts Ltd

Submission Number: 162 Submission Date: 07/11/24 13:17

Respondent: Bidwells Mr Mark Harris

On Behalf Of Notcutts Ltd :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 2

Type:

* Policy

Number:

SP1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Notcutts Ltd welcome recognition at paragraph 1.31 of the draft Local Plan that there is a clear need for more homes because of the national situation and that there is a need for more local people to live and work where they were brought up.

They also welcome recognition that there is a need to prioritise the redevelopment of brownfield land, whilst recognising that the scale of the housing crisis both locally and nationally requires the development of greenfield sites and the release of land from the Green Belt.

However, Notcutts Ltd are concerned that the process undertaken by the St Albans District Council (SADC) to identify suitable housing sites in the Green Belt is not robust and has led to suitable sites being missed.

They also have a concern with the settlement hierarchy and, in particular, the categorisation of Smallford as a washed over settlement in the Green Belt which has an impact on the operation of the garden centre. These points are elaborated on below.

<u>The Settlement Hierarchy Table 1.3</u>

At Regulation 18 stage, Notcutts Ltd made representations that Smallford should be a higher order settlement in the Settlement Hierarchy and inset from the Green Belt or, as a minimum, the infill boundary amended to include the garden centre, which is clearly part of the built-up area. This point has not been addressed in the draft Local Plan, with the Settlement still classified as a tier 6 Green Belt Village and the boundary not being adjusted.

The Settlement Hierarchy Study (touched on further below) is clear that the assessment of the relative sustainability of the settlements identified is based on the availability of services and facilities within the defined settlement boundary. However, at no point is it clearly set out how this

settlement boundary has been established. There are no settlement boundaries on the adopted polices map, with only indicative details provided on Figure 4 of the 1994 Local Plan to work from. The Settlement Hierarchy Paper simply states:

'Given that development of existing settlements has encroached into the Green Belt, the first stage of the study was to consider how to map and define the settlement areas in the District. GIS data layers were used to map the settlements, and included the Green Belt and Address Gazeteer Data'.

No further detail is provided to make it clear why the boundary was drawn to exclude the garden centre as well as the Three Horseshoes pub to the south of Hatfield Road from the settlement boundary. Whilst historically, there could have been an argument that gardens centres would have been rural in nature and therefore best considered as part of the 'open countryside' beyond settlement boundaries, this is no longer the case. Notcutts Garden Centre is such an example and is clearly commercial in nature, forming both physical and function parts of Smallford, meaning it should lie within the settlement boundary.

Notcutts therefore contend that the approach taken is not robust and is therefore not justified, failing the test of soundness. This could be rectified by carrying out a more robust, criteria-based assessment, of the characteristics of the built-up area, which should include ensuring all built up areas of the settlement are within the identified boundary.

The implication of not including the Garden Centre within the settlement boundary is that any limited developments that are needed to support the growth and development of the business do not benefit from the provisions of draft policy LG8, which sets the parameters for small scale development within Green Belt settlements. This policy is discussed in more detail in our response to the Development Management policies. However, at this stage we would note that the approach of the Council and the lack of proper consideration of the extent of the built-up area, limits the evolution of a business which clearly forms part of the built-up area of Smallford and is an important employer in the District.

In addition to this point, Notcutts Ltd consider that the process undertaken to assess the relative sustainability of settlements across St Albans is not robust and downplays the sustainability of Smallford, particularly given:

- It's functional relationship with St Albans
- The provision of employment (within the garden centre, garage, pub, Glinwell and the Hatfield Road industrial estate which is c.600m from the centre of the village and therefore walkable)
- Location on a key public transport route

If factored into the assessment process properly, these characteristics would elevate Smallford above other higher order settlement despite its limited size.

Finally SADC have not given any consideration to the implications that development proposals within the Local Plan, have on the characteristics of an area and the sustainability of settlements. In the case of Smallford, the process does not reflect the fact that as a result of the proposed allocation of Glinwell in the Local Plan, Smallford effectively becomes part of St Albans, with the settlement boundaries adjoining each other. Therefore, it would appear illogical to continue to classify Smallford as a separate settlement for the purpose of the settlement hierarchy.

Given this close relationship, when combined with the other sustainability benefits noted above, it is illogical that Smallford is still characterised as a washed over village in the Green Belt. It is clearly a sustainable location, with urban characteristics that Notcutts Ltd suggest should lead to the settlement being inset from the Green Belt as part of St Albans. Notcutts Ltd therefore suggest an amendment is necessary to the draft Local Plan and the policies map to ensure the settlement hierarchy and the settlement boundary of Smallford/St Albans is properly justified.

Green Belt Washed Over Villages Assessment

Notwithstanding the points made above, the Green Belt 'washed over villages' assessment concludes that the 'settlement' has an open character and makes an important contribution to Green Belt openness.

The assessment is flawed in concluding that the settlement has a strong linear development pattern with the Garden Centre and two recent developments to the north and south clearly providing depth to the east of Oaklands Lane. The settlement is also generally built up with limited gaps between buildings that would constitute the settlement form and pattern being considered of 'open character'. Notcutts Ltd therefore suggest a 'low' assessment score would be appropriate.

The assessment recognises that there are no large key open spaces in the defined settlement boundary of Smallford but still assesses the settlement as having a moderate score under the 'Key Open Spaces' criteria due to the minimal amount of green spaces along the length of the settlement. This score is given despite there only being one small open space adjacent to the Hatfield Road roundabout. This green space cannot justify the same 'moderate' conclusion given to places such as Sandridge, which has a large number of interlinked green spaces which clearly contribute to the openness of the settlement. This assessment process is therefore clearly inconsistent, flawed and needs to be reviewed before it can be considered sound.

As explained on Page 43 of the Green Belt Assessment, only sites with a majority of moderate or above scores are taken to stage 2 of the washed over village assessment. A 'low' assessment score, which would have been more appropriate, would therefore have led to a conclusion that Smallford does not have an open character and led to part 2 of the assessment of Green Belt openness, not being necessary.

Therefore, even in the event that the Inspector were to take a view that Notcutts Ltd comments on Smallford forming part of the built-up area of St Albans were not accepted, as a minimum, the washed over status of the settlement needs to be properly assessed and reconsidered to ensure the conclusions are justified and the Local Plan sound.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Review of the Settlement Hierarchy Study to properly consider the sustainability of Smallford, with consequential changes to the Settlement Hierarchy in table 1.3

Proper review of the settlement boundaries to reflect the extent of built form (existing and proposed) and and consequential changes to the proposals map.

Review of the Washed Over Villages Green Belt Assessment and consequential changes to the infill boundary (if Smallford not to be inset from the Green Belt as suggested)

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss in more detail the specific concerns with the evidence based which undermine the soundness of the spatial strategy

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Table

Number:

3.2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

SADC have included a stepped housing trajectory in their draft Local Plan. Whilst Notcutts Ltd do not disagree that an element of 'stepping' in the trajectory given the number of strategic sites and their likely lead in times, the PPG (Reference ID: 68-021-20190722) is clear that '*strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period'*

The only justification given for the stepped trajectory is that it is necessary to *'allow sufficient time for the significant uplift in housing delivery to be realistically delivered'.* This does not constitute the necessary evidence to satisfy the PPG requirements.

Notcutts Ltd also believe the approach taken by SADC unnecessarily delays the delivery of housing by not identifying all suitable small/medium sites for allocation, the development of which could be realised sooner in the plan period. Land to the rear of the garden centre is an example of such a site.

Further, the trajectory does not show any scope for slippage in the supply of sites, with the backloading of delivery of major sites in the plan period. Whilst an allowance has been made for the lead in times to commence development on major sites, there is only a very small contingency on the supply side (295 dwellings – equivalent to 2% of the requirements) to account for any unforeseen delays in delivery.

It is standard practice for at least a 10% buffer in the supply of sites to be allowed in the development of Local Plans to allow for unforeseen delays in delivery. This would suggest that a buffer in supply of closer to 1,460 dwellings should be allowed making a shortfall in identified supply of 1,165 dwellings (notwithstanding later points made in relation to sites).

The nature of the proposed allocations means that there is no scope to realise the development of sites sooner in the plan period. It is therefore essential for the soundness of the Local Plan that additional small/medium sized sites are identified for delivery earlier in the Plan period, otherwise it is highly unlikely that the planned housing need will be delivered as required, making the plan ineffective. Such sites could be introduced as main modifications to the draft Local Plan to allow them to come forward now.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Review of the housing trajectory (supported by additional evidence) which will lead to the need to allocate additional small/medium sized site so support short term delivery.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss matters around the housing trajectory in more detail

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Notcutts Ltd acknowledge that SADC need to and are proposing to release land from the Green Belt to meet its housing need. However, there are a number of issues with the approach taken which must be remedied before the Local Plan can be found sound.

The first of these is a fundamental issue with the Green Belt assessment, which was raised on page 9 of the Local Plan Inspector's letter of April 2020. that the Assessment fails to properly search for land opportunities in accordance with the requirements of the NPPF which sets out '*Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport*' (paragraph 147).

In searching for sites, the approach of the Council has been to simply look at sites within a buffer around settlements. This is clarified in section 4.2.1 of the Green Belt Assessment (2023) where it is stated '*the GBR Stage 2 feeds directly into SACDC's site selection process. It was therefore appropriate to undertake a more spatially focussed piece of work. The initial area of search was defined by applying a buffer around each settlement inset from the green belt, which would assist in encouraging sustainable pattern of development accessible to existing settlements and maintain the integrity of the Green Belt. This approach ensured a proportionate and focused study.'*

Section 4.2.1 (page 20) of the Green Belt Assessment goes on to state that*'Sites that were not adjacent to existing urban areas (or the buffers) were thus excluded for the assessment on the basis that their release would (a) not contribute to a sustainable pattern of development; and (b) undermine the integrity of the Green Belt by creating hole(s) within its fabric.*

Further it states that*'The identification of a buffer should not be taken as an indication that this land is necessarily the most sustainable, suitable or deliverable option for any future development.'*

On page 21, it is set out that '*it was agreed that the character of the urban settlements and the approach for a finer grain assessment leant itself to a 400m buffer for the main settlements while a 250m buffer was considered reasonable buffer for lower order settlements (Table 4.1, Figure 4.2). These buffers indicate the likely maximum extent of sustainable development and vary accordingly to the position of the built-up area in the settlement hierarchy'.*

This approach fundamentally fails to address the key requirements of paragraph 147 of the NPPF that the first area of search should be brownfield sites and/or those well served by public transport. Although it provides a step towards prioritising sustainably located sites, it simply assumes that proximity to a settlement is an indication of sustainability, which is not always the case.

Whilst there is merit in reviewing the edge of settlements to see if there are appropriate small sites that do not meet the purposes of the Green Belt and could be utilised to meet local development needs, this is not the same as identifying sites in accordance with the priorities of the NPPF. Before the Local Plan can be considered sound, this conflict with national policy needs to be addressed by an adjusted approach to Green Belt assessment that looks at sites along bus routes and close to railway stations, including land outside the arbitrary 250/400m buffers utilised in the Green Belt assessment.

Taking this more robust approach would have meant sites such as that promoted by Stonebond to the rear of the Garden Centre owned by Notcutts Ltd, would have fallen within the parameters of the assessment and likely been allocated for development given the lack of contribution made to the purposes of the Green Belt and location on a main bus route into the City Centre.

Further to this point, Notcutts Ltd would also point out that the NPPF sets out that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the LPA should first make sure as much use as possible is made of suitable brownfield sites and underutilised land.

Part of the site to the rear of Notcutts Garden Centre is brownfield with areas of hard standing and surplus buildings. The remainder of the promoted site forms a now unused and surplus ancillary area of land previously associated with the adjacent retail garden centre. Although within the Green Belt, national policy is clear that even before SADC took the correct decision to review Green Belt boundaries (an inevitable consequence of the level of housing need and the extent of Green Belt constraint) this site should have been identified for development. This would be the case even if the settlement of Smallford was to remain washed over by the Green Belt – an option open to the Council.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A review and update to the Green Belt assessment to fully accord with paragraph 147 of the NPPF which will lead to consequential changes to the review of the Green Belt boundary to accommodate additional housing growth

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss the required changes to the Green Belt assessment in more detail

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG8 - Small Scale Development in Green Belt Settlements

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Related to points made in relation to the overall spatial strategy, Notcutts Ltd have a concern that the approach of policy LG8 is overly prescriptive and not reflective of recent case law around consideration of what constitutes limited infilling. The approach taken has an undue impact on the future evolution of an established commercial use in the Green Belt.

Whilst the overall restrictions on development are consistent with national policy, the restriction to allowing infilling and redevelopment only within Green Belt Settlement boundaries is not. Indeed, the approach is inconsistent with SADC's own identification of brownfield sites for allocation which are in the Green Belt but outside settlements.

Limiting infilling within settlement boundaries goes beyond what is necessary in terms of national policy which allows infilling within 'villages', with case law dictating that infilling should be considered by the on the ground position on a case-by-case basis. (See Julian Wood v SoS and Gravesham Borough Council [2015] which found that the term "village" is not necessarily the same as a settlement boundary, and that there is a need to consider the facts on the ground). SADC have lost several appeal decisions on this basis including appeal Ref: APP/B1930/W/22/3300239 in Smallford itself.

As mentioned within comments on the spatial strategy, Notcutts Ltd have a fundamental concern with the way that the infill boundaries have been established which excludes areas that when viewed 'on the ground' are clearly part of villages. This includes the exclusion of the Notcutts Garden Centre and the land within the curtilage from the boundary of Smallford. The implication of this approach is that it puts an undue constraint on the ability of Notcutts Ltd to maintain, adapt and grow a successful local business.

Despite concerns that policy LG8 goes too far in restricting what would otherwise be appropriate development in the Green Belt, if the use of boundaries to define the limits of Green Belt infilling is to be found sound, this should only be on the basis that a proper review of the extent of the built-up area/settlement is undertaken and the proper extent of 'villages' are defined.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Reconsider the need for infill boundaries to be included in the Local Plan to accord with case law.

If infill boundaries are found sound, review the approach to defining infill boundaries (as discussed in comments on the spatial strategy) to ensure they pick up the 'on the ground' extent of villages.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss detailed matters around infill boundaries and the need for amendments to the policies.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG9 - Extension or Replacement of Buildings in the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG9 includes a table which seeks to link the acceptable scale of proportionate increases of buildings in the Green Belt to how well the proposal relates to five principles. There is no basis for such an approach in national policy with paragraph 154 of the NPPF simply setting out that extension or replacement buildings should not be disproportionally/materially larger than the existing building. At no point is this linked to the matters of design set out under criteria B of the policy.

Each development proposal will be individual and the prescriptive nature of the five criteria difficult to interpret consistently, making the policy very difficult to judge on a case-by-case basis. Therefore, Notcutts Ltd consider that the policy should be fundamentally altered to simplify the requirements around what is considered 'disproportionate'. Logically, this would be linked to the highest proportion of floorspace increase listed in the policy. If any guidance on design is to be included, this should only be included as a guide as to when developments in the Green Belt may not be justified in seeking the full percentage increase allowed by the policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The wording of policy LG9 should be revised to remove the explicit link between design and scale/proportionality

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss detailed policy wording in more detail

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

163 - Mr Roy Warren

Submission Number: 163 Submission Date: 07/11/24 13:18

Respondent: Sport England Mr Roy Warren

M18 - North East of Austen Way, St Albans, AL4 0XH

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the principle of the allocation, requirement 5 relating to development considering and addressing the potential lighting/noise impacts with the existing artificial grass pitch and cricket ball strike risk on the adjoining Beaumont School site is welcomed. This would help ensure that any prejudicial impact on the use of these sports facilities would be addressed by the development. This approach would be consistent with paragraphs 103 and 193 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

164 - Mrs Maureen Hudson

Submission Number: 164 Submission Date: 07/11/24 13:21

Respondent: Mrs Maureen Hudson

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site M16 is within the Metropolitan Green Belt. The Draft Local Plan is not sound in relation to including M16 as a suitable site for housing development. The inclusion of this site does not meet the plan's overall objective of protecting and enhancing the Green Belt. Development of this site for housing is clearly inappropriate.

...

My comments relate to site M16, Falconers Field, Harpenden AL5 3ES. Its inclusion in the Draft Local Plan represents inappropriate development within the Green Belt and the site should be withdrawn from the plan.

This area is currently considered Metropolitan Green Belt land and, according to The Sustainability Appraisal (Interim Study, July 2023), most of it lies with the Chilterns Beechwood Special Area of Conservation (CBSAC) Zone of Influence.

When the site was originally assessed for release from the Green Belt, sub area SA-17 scored highly on checking the unrestricted sprawl of a large built-up area, demonstrating its importance to the Green Belt. This shows the very important contribution that the site currently makes to the Green Belt. However, the study only assessed land up to the current building line, the area up to the end of the gardens in the cul-de-sac of Falconers Field. Since then, without further consultation, the whole of the M16 field has been included. As, under Green Belt considerations this makes further increases in the urban sprawl than originally considered, it is further contravening the Green Belt ideology.

M16 being part of the CBSAC Zone of Influence means that development proposals also need to make provision for a new Suitable Alternative Natural Greenspace (SANG). Surely and additionally, as Green Belt land should only be developed if there are ‘very special circumstances’ it would be better to leave M16 as it is.

As the Draft Local Plan suggests, one of its key issues is to address climate change, to encourage shift from private cars and encourage cycling, walking and use of public transport. The M16 site is not in a location that will support this. It is too far for families to walk to buy and carry heavy groceries from the town shops. There is a long walk down hill, and on return uphill, from and to the site to reach a bus, and the station is even further away. People will still drive. The easiest access to the main road, A1081, will be at the bottom of Park Hill. Here the narrow Nickey Line Bridge and traffic lights already cause congestion throughout the day. A cycle lane, which is suggested to encourage cycling along the A1081 into the town will only narrow the road further causing slower traffic and increased car emissions. This does not improve the environment.

Traffic access to and from the field onto Falconers Field will be problematic and dangerous for the large number of children who walk the road on their way to and from Roundwood Park School each day. Already, due to parking restrictions on Roundwood Park, parents park their cars on Falconers Field at the end of the school day, making negotiating the road from a driving and pedestrian perspective difficult and sometimes dangerous. More traffic will undoubtedly cause more problems.

Although climate resilience is a key issue in the Draft Local Plan and, as there are dramatic and disastrous climate change events in the world at large at present, one of the considerations that does not seem to have been considered is the field's value at the top of a hill in times of heavy rainfall. At such times the field becomes waterlogged and soaks up water. If developed and concreted over nature's natural way of combatting such rainfall will be negated. Heavy rainfall will run off and could well exacerbate the flooding problems on the A1081 which already exist at the bottom of the hill.

The M16 open green space is a natural breathing ground for the climate. Although some trees will receive preservation orders, other trees and historically ancient hedgerows ('carbon sinks') will be destroyed. At a time when farmers are encouraged to plant hedgerows to increase bio-diversity, development of site M16 will further rob animals, birds and insects of a natural place to thrive and flourish. We should, as Green Belt objectives maintain, 'assist in safeguarding the countryside from encroachment' and not devastate it.

Overall, it seems a great shame that the Draft Local Plan concerns itself predominately with intensively building more houses on Green Belt land, rather than seeking to balance development in the area with facility, recreation and amenity, not to mention the spacial and visual openness that is central to the Green Belt ethos. M16 consists of two paddocks and two well-built stable blocks (with water and electricity) which have been used for many decades for the grazing and stabling of ponies belonging to local children. It represents a green buffer in an otherwise wide area of urban sprawl and, rather than build more houses on it, a creative and progressive local plan might seek to preserve its use as an equine facility, or consider retaining it as an urban park or garden, a children's playground, community allotments, or as a further extension to the recreational facilities at Roundwood Park School, which adjoins it. The school has recently lost a lot of its playing field provision to building extensions and to an all-weather facility. Preserving M16 as a green space would helpfully safeguard an important area for the future development and extension of the school's playing field facilities.

From the above it is clear that site M16 does not meet the objective identified in the Draft Local Plan of protecting and enhancing the Green Belt. Its inclusion proposes inappropriate development within the Green Belt and the area should be withdrawn from the list of sites that are being considered for the building of new houses.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Site M16 should be withdrawn from the list of sites proposed for housing development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. My comments relate to site M16_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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165 - Mr Adam Webster

Submission Number: 165 Submission Date: 07/11/24 13:30

Respondent: Mr Adam Webster

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

My concerns have not been taken on board they are dismissed with a standard cut & paste non committal response.

It seems you are not interested in the local people who live in the area, who know the area intimately and the challenges it faces.

There is a strong local opinion "enough is ennough", greenbelt abuse & opening the floodgates to further greenbelt development, traffic volumes spirralling out of control, causing commercial costs and enviromnetal damage and increased safety concerns.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

166 - Denton Homes Ltd

Submission Number: 166 Submission Date: 07/11/24 13:49

Respondent: Nexus Planning Georgia Goff

On Behalf Of Denton Homes Ltd :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Part I) of Policy LG4 requires development to *"plant at least 1 semi-mature tree for each dwelling, for C2 accommodation plant 1 semi-mature tree for each 2.5 dwelling equivalent bed spaces"*. Due to site constraints, particularly brownfield urban sites, the provision of on-site tree planting is not feasible. No mechanism has been provided to allow off-site tree planting if it is not possible on-site, e.g. a financial contribution to tree planting.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A mechanism should be provided to allow off-site tree planting if it is not possible on-site, e.g. a financial contribution to tree planting.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In line with Paragraph 4.6, the housing mix should not be applied to urban brownfield sites which may require an alternative housing mix to that set out in Table 4.1. For example, one and two bedroom houses are more suitable to a town centre site than family dwellings. Therefore, housing mix should be assessed on a site-by-site basis.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It should be stated within Policy HOU2 that housing mix in urban areas should be assessed on a site-by-site basis.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TCR1 - Protecting Retail and Main Town Centre Uses

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We support the removal of Spencer Street within St Albans from the secondary shopping frontage, and town centre boundary. The Argos along Spencer Street has been vacant since 2020; therefore, demonstrating that the provision of retail in this area is no longer feasible.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC7 - 5 Spencer Street, St Albans, AL3 5EH

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We support the provision of a residential only development on this site. The Council cannot currently demonstrate a 5 Year Housing Land Supply, with a land supply of just 2 years; therefore, this site provides a key opportunity to provide residential dwellings on a highly sustainable brownfield site within close proximity to the town centre. In line with the draft NPPF, to deliver the Council's housing targets, Council's must look to brownfield land first, prioritising the development of previously used land wherever possible.

In addition, the existing retail unit has been vacant since 2020; therefore, demonstrating that the provision of retail on the site is no longer feasible.

In terms of the number of units appropriate for the site, in line with Paragraph 129 of the NPPF (2023) *"where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site"*. It is noted that the site is located within the St Albans Conservation Area, and within close proximity to statutorily and locally listed buildings; therefore, in line with Paragraph 130 of the NPPF, the density of the development should take into consideration the character of the existing area, to ensure the development does not result in harm to these heritage assets and where possible enhance the setting and significance of the heritage assets. However, development at the site has been subject to pre-application discussions dating back to 2022 and is subject to ongoing discussions via a Planning Performance Agreement. Not only do these discussions show that the site is deliverable, they have also demonstrated that, subject to detailed design, the site is capable of achieving a higher density development than 27 units that reflects the surrounding character and context of the area.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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167 - Mr Richard Walker

Submission Number: 167 Submission Date: 07/11/24 13:52

Respondent: Lightwood Strategic Mr Richard Walker

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP1 is the headline strategic policy of the proposed Local Plan. Two primary soundness issues are identified:

1. The base date of the plan period, and therefore the whole plan period, and the level of housing need to be planned for, and;
2. The absence of any reference to the uncapped local housing need (LHN) in policy or supporting text or of any policy commitment to early plan review to address the uncapped LHN.

SP1, Soundness Issue 1: The Plan Period

Headline

The plan is not positively prepared because the plan period does not include the years between the withdrawal of the previously submitted Local Plan from examination and the submission of the proposed plan, i.e. 2020/21, 2021/22, 2023/23 and 2023/24, nor the first half of 2024/25. It is also valid to include 2018/19 and 2019/20 to include the years following the introduction of the standard method, especially as the adopted Local Plan dates from 1994.

The proposed 2024 (October) to 2041 Plan does not positively plan for needs in previous years. Recorded delivery in this period is significantly less than capped need (and by implication uncapped need), and the shortfall is not absorbed within the proposed plan. The standard method only captures housing shortfall prior to its introduction in 2018, not after it.

Discussion

The previous Local Plan was submitted for examination in March 2019, following the previous pre-submission consultation in September 2018. After the first week of examination hearings, in January 2020, the Inspectors identified a Duty to Cooperate failure. This was confirmed in a further letter in April 2020, which also raised other, but not all, soundness issues. After a period of coming to terms with this outcome, the Council withdrew the Plan in December 2020. A new plan making

process commenced in the first quarter of 2021 with a call for sites consultation. Thus, during 2020/21 the previous plan failed, and the preparation of the new plan commenced. Pre-submission consultation stage on the new Plan was reached at the end of September 2024, approximately 3.5 years later. As with many Councils, there was a 'go-slow' in plan preparation on account of the previous government's proposed changes to the NPPF. Preparation sped up after new government's proposals were announced. The 'go-slow' period contributes to a later base date than could otherwise have been achieved.

The submitted plan is base dated on 1st October 2024 (halfway through 2024/25) and extends to the end of 2040/41. The capped LHN figure of 885 is applied to generate a total requirement of 14,603 over 16.5 years. The uncapped need is 1,169 per annum, which is 19,288 over the same period (+4,685, or rising to over 5,000 once the additional half year for 2024/25 is included). Soundness comments on the uncapped level of housing need are reserved for issue 2.

Table 3.2 (following Policy SP3) of the proposed Local Plan is the housing trajectory which forecasts delivery of 14,989 homes (+386 against capped need).

The plan is not positively prepared because the plan period does not include the years between withdrawal and further submission i.e. 2020/21, 2021/22, 2023/23 and 2023/24, nor the first half of 2024/25. This has the effect of sweeping away housing need (both capped and uncapped), that would have been planned for had the previous Plan not been withdrawn. This 4.5-year period prior to the proposed plan period can be broken down into three components, namely:

- The first half of 2024/25
- 2020/21–2023/24
- 2018/19-2019/20

Focusing first on 2024/25, Table 3.2 (the housing trajectory), includes all forecast delivery for 2024/25 (of 432 homes) against a capped half year requirement (of 443 homes). It is unsound to base date a plan halfway through a monitoring year. A full years' worth of completions for 2024/25 should be monitored against the full capped housing requirement for that year (of 885 homes). The inclusion of 2024/25 as a full year in the plan period increases the overall capped housing requirement to 15,045 and removes the slight (2.6%) supply buffer. To recover a 2.6% buffer, land for another 400 homes would need to be identified. At Regulation 18 stage, the interim sustainability appraisal promoted a 5% buffer (800 homes) and the Plan provided it, but as 5% no longer suits the Council, its previously stated value to sound planning has faded.

Even if it was appropriate to base date the plan to 1st October 2024, only completions recorded during the second part of 2024/25 should be attributed to the housing trajectory. Unless the Council undertakes precise six-monthly monitoring (which to our knowledge it does not), it would have to apply half the overall completions figure for 2024/25 (as an estimate). Therefore, an estimate of 216 homes might be attributable to a half year requirement of 443. On this basis, the overall supply for the proposed plan period would 226 fewer than set out in Table 3.2. The Plan clearly can't count all completions for 2024/25 against a half year requirement for that year. The resolution must really be to include 2024/25 as a full year within the plan period.

When the preceding four years following the Inspectors' letters and withdrawal are also included in a revised plan period, alongside the first half of 2024/25, the capped LHN increases by 3,982 homes (4 x 885 + 442). This increases the overall capped requirement to 18,585 to 2041.

Table 1 of these comments identifies that across the four full years since withdrawal, 1,596 homes were delivered, against a capped LHN of 3,450, resulting in a supply gap of 1,944 homes against capped need. The submitted plan sweeps this supply gap under the carpet. This housing need would have been planned for (even if under a stepped trajectory) had the previous Local Plan not been withdrawn. Table 1 also presents a row for the inclusion of 2024/25 as a full year in the plan period, which increases the shortfall since the year of withdrawal to 2,397.

It is not positive planning for an authority that fails to progress a previous plan through examination to 'lose' housing need that should be planned on account of withdrawing and starting again.

[See attachment for Table]

It is also valid to include to include the two additional years following the introduction of the standard method (2018/19 and 2019/20), especially as the adopted plan dates from 1994. This increases the overall shortfall against uncapped need since the inception of the standard method. Prior to the base year,half the capped need has been met and the shortfall is 2,639. Once the base year,as a full year,is also included, the shortfall increases to 3,376.

[See attachment for table]

In order not to over complicate this soundness issue, the equivalent table for uncapped need is not presented here and is reserved for soundness issue 2.

When the standard method was introduced in July 2018, the PPG was updated. It stated then, and states now,that:

The affordability adjustment is applied to take account of past under-delivery. The standard method identifies the minimum upli□ that will be required and therefore it is not a requirement to specifically address under-delivery separately.

This paragraph requires careful inspection. When introduced, the standard method, absorbed pre-2018 under delivery for all authorities. It methodologically wiped the slate clean as regards any under delivery against adopted plans up to its introduction, but that's as far as it can logically go.

Where the adoption of a post-2018 Local Plan has yet to take place, it does not follow that under-delivery against LHN since 2018/19 is accounted for by an evolving affordability ratio and an evolving LHN. For StAlbans, the application of the most up-to-date standard method output from 2024/252040/41 does not capture under delivery after since 2018. This is especially the case as the LHN is capped, such that even if the uncapped LHN was increasing, the act of capping acts as a 'brake' on the absorption of past under delivery 'since' 2018. As set out in Table 3, the uncapped need for St Albans has also been stable since 2018 despite under delivery. The most recent uncapped LHN is just 21 homes per annum higher than in 2018/19 (a difference of 350 if applied over 16.5 years). As set out in Table 4 under soundness issue 2, that is a tiny fraction of unmet need in St Albans since the standard method was introduced.

[See attachment for table]

For St Albans, the minor variability in its LHN (capped and uncapped) does not absorb under supply since the last plan was withdrawn in 2020/21 (or since 2018). There is no logical way to argue that the shortfall in delivery represents homes for which there was no need, nor that they are otherwise accounted by planning for the capped LHN from 2024/25.

All the PPG says is that the slate was wiped clean in 2018. It does not follow that it can be wiped clean year on year since 2018. The base date of the Plan is critical to positive planning and soundness. Positive planning would have been for the submitted plan to be base dated at 2018/19 as the logic of our case extends back this far, with 2020/21 just being interim 'event' year concerning withdrawal.

Changes Sought

- Modify SP1 to amend the base date of the plan period to 2018 (or 2020) and introduce additional land supply to meet capped need, focusing first on reasonable alternative strategic sites identified in spatial strategy optioneering at St Albans, and then any other sites deemed suitable.

or

- Modify SP1 so that it commits to an early 'update' to achieve the same outcome (NB: at this stage we are identifying the need for an early update to address capped need since 2018, but soundness issue 2 identifies the need to address uncapped need since 2018, and from 2024).

Policy SP1, Soundness Issue 2: Uncapped Need & Early Review

Headline

Policy SP1 is not positively prepared as is does not contain a clause requiring an early review of the Plan to address uncapped housing need. An early review clause is justified as the PPG ultimately requires the uncapped level of housing need to be planned for over the plan period. Our comments on early review are focused on current national policy and guidance. The proposed changes to national policy would command an early review in any case, but the final form of the NPPF has yet to be released. The national policy context will evolve during the examination.

Discussion

Although the LHNA (Iceni Projects, 2024) identifies the uncapped level of housing need (1,169 per annum) it is not presented in the SA or in the supporting text of the plan itself. The capped figure for housing need is presented as if it is 'the need', in both documents, which is false.

Ultimately, in this phase of plan review, the Council is choosing not to plan for all need (or more of it). It is planning for the minimum capped need. We recognise that it is entitled to make that choice, however, the presentation of the proposed housing requirement for the Plan, within the Plan itself, should be made by reference to the uncapped need so that outcomes of the Plan can be properly understood.

The supporting text is the place to do this. The annualised and plan period LHN for both capped and uncapped need should be identified. This information enables Policy SP1 to be understood in its full and proper context.

- The annualised LHN figures are 885 per annum against 1,169 per annum (+284 per annum)
- The figures for the submitted plan period are and 14,600 [for 16.5 years] against 19,290 (+4,690). The housing land supply policies of the submitted Plan identify around 15,000 homes and a 2.5% 'cushion' meaning that it achieves 78% of actual (uncapped) housing need for its proposed plan period.

Here we do not refer to soundness issue 1 (the plan period), but the examination findings on this matter could further affect the information that should be included in the plan to contextualise Policy SP1. If the plan period is extended (going backwards) the proportion of uncapped need that is not being met will increase.

In respect of the SA, the evaluation of the performance of the preferred option, against the housing objective, should be more explicit in that although it meets a minimum national policy 'floor', in pure sustainability appraisal terms it results in under delivery against need. Spatial strategy alternatives that exceed the preferred option are already assessed as performing more strongly for the housing objective, however, that positivity needs to be more grounded as even these alternatives fall short of actual need. The SA's exploration of spatial strategies that would deliver more than the minimum level of need is not made explicitly on account of addressing the uncapped figure, although, implicitly, higher options would contribute to getting closer to this figure.

Based on the discussion below, there is a 'positively prepared' soundness issue in respect of the absence of any early review clause in Policy SP1 to address the uncapped level of need.

5

Reference ID: 2a-007-20190220 of the PPG is titled 'Why is a cap applied?'. It explains that:

The standard method may identify a minimum local housing need figure that is significantly higher than the number of homes currently being planned for. The cap is applied to help ensure that the minimum local housing need figure calculated using the standard method is as deliverable as possible.

The cap reduces the minimum number generated by the standard method, but does not reduce housing need itself. Therefore strategic policies adopted with a cap applied may require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible.

Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered. This may help prevent authorities from having to undertake an early review of the relevant policies.

The PPG is clear in that 'the need is the need'. It is the intention of national policy that authorities with an uncapped figure do ultimately have to try and plan for it. Effectively, authorities are offered a grace period for their first standard method-based Local Plan whereby they can plan for the capped need. This is part of a general push to increase the coverage of up-to-date development plans (by making plan-making more manageable). Authorities do not 'have to' consider planning for the uncapped figure but where they don't, they can expect to have to undertake an early review.

The PPG applies the phrase 'may require' which requires some consideration of why an early review would not be required. We suggest that an early review might not be required if the evidence base was clear that early review would result in any further suitable and deliverable land supply being identified (for example, authorities such as Worthing cannot as they are contained by the sea and a national park) or that any additional land supply (whether for all or some uncapped need just was not deliverable). We do not see either set of circumstances in St Albans. The proposed supply is not the limit of suitable or deliverable supply. The 8 spatial strategy options in the SA identified two reasonable alternative strategic sites at St Albans totalling 2,200 homes and there are other sites, although not forming part of the spatial strategy options, that are deemed suitable at the site sequencing stage for each settlement

The Council has not really given consideration as to whether a higher level of need could realistically be delivered. We recognise that is does not 'have to' do this; it is only invited to consider doing so, as it may prevent the need for an early review if more land supply is adopted immediately.

Authorities that 'do' explicitly consider whether the uncapped figure could realistically be delivered (presumably wholly or partly), when preparing their first standard method-based plan, but conclude 'that it isn't' (yet where there are reasonable alternative sites) must expect to undertake an early review and update.

Based on the wording of the PPG, anyjudgement on whether the uncapped need can 'realistically be delivered' made during the preparation of the first plan, would not have a determinative bearing on the outcome of the early review/update itself. In the early review/update the authority would be expected to plan for the higher level of need (and from the base date of the adopted Plan as opposed to the update/revision date). The early review/update would have to look back to the base date of the Plan, otherwise uncapped need housing will be 'lost' from the system that is capable of being planned

6

for. This resonates with the nonsensical argument that under delivery against need 'since' 2018/19 is somehow captured by the application of the capped or uncapped standard method from 2024/25. Moving the plan period forward to October 2024 is nothing more than 'creative accountancy' to hide 'bad debts'.

On the issue of ‘realistically deliverable’, we assess that this relates primarily to absorption rates. We do not assess that the pre-submission housing trajectory presents maximum absorption rates and make the following observations.

The stepped ‘requirement’ peaks at 1,255 per annum in years 6-10 and then drops off to 1,025 in years 11-15. The figure of 1,255 is not claimed as being a district-wide maximum. The fact the current peak drops off in years 11-15 indicates a ‘minimum’ additional absorption capacity of 1,150 in these years. The market could clearly also deliver more in years 1-5 when the stepped trajectory is much lower; that fact it will not is on account of the last plan being withdrawn.

Beyond the district wide level of analysis, consideration can also be given to each settlement. The district-wide trajectory is the agglomeration of settlement level/local market delivery. The emerging South West Hertfordshire Joint Strategic Plan identifies Hemel Hempstead (86,820) and St Albans (74,900) as the County’s two sub-regional centres. When looking at both the emerging Dacorum and St Albans Local Plans, Hemel Hempstead is being planned to grow at a stronger rate. There is no reason why the rate of growth at the city of St Albans could not be higher than currently planned.

Changes Sought

Policy SP1 should be modified to include a new clause that commits the Council to an early review and focused/partial update of the Local Plan to address uncapped need (as far as possible under NPPF:11) from the base date of the plan (currently October 2024) to 2041. Based on the Plan as submitted, this would mean the Council attempting to identify:

- The difference between uncapped need and capped need for the second half of 2024/25 (142 homes).
- The difference between 16 years of uncapped need and capped need form 2025/26 (16 x 284 = 4,544 homes)
- Around 4,686 additional homes in total from the submitted base date of October 2024.

As set out under Soundness Issue 1, the base date of the plan is contested (in terms of 2025 as a half year and looking back to withdrawal of the previous Local Plan and the introduction of the standard method). The examination’s assessment of the sound policy position in respect of the base date of the Local Plan could increase the level of uncapped need to be addressed (beyond 4,686) in an early review.

Table 4 identifies the additional shortfall that accrues to end of 2023/24 under an uncapped need scenario. The key figure is the difference between the figures highlighted in yellow (which is -1,549). The equivalent figure when only looking back to the year of the withdrawal of the previous plan is -981.

Currently, the first half of 2024/25 is not in the plan period at all, and so a half year of uncapped housing need also needs to be accounted for in early plan review, i.e. 585 (1,169 / 2).

In total, up to another 2,000 homes need to be sourced in early plan review (when looking backwards) in addition to 4,686, looking forwards.

[See attachment for table]

It is essential that the main modification should identify when the Council should begin the update process (we suggest within 12 months of adoption) and when it should submit the update for examination (we suggest within 3 years of adoption). It should further qualify that policies for the supply of housing will be regarded as out of date if a three-year resubmission date is not achieved, and that very special circumstances will be deemed as being triggered for land in the Green Belt. In addition, amended supporting text should identify the residual level of housing need that the early review will have to address. In addition, any safeguarded land should be regarded as an allocation with the general provisions of LG1 (Broad Locations) being applicable to guide planning applications and their determination, alongside all the adopted ’in-date’ policies of the Plan

Due regard will need to be had to emerging national policy during the examination and whether new transitional arrangements affect the wording of a main modification. At the time of the Regulation 19 consultation, the proposed changes to the NPPF would require Local Plans that are adopted with a housing requirement that is more than 200 below the relevant LHN (assumed to be the new LHN) to undertake a new plan-making process as soon as possible. This may command a fuller review/update and timing provisions, to address as far as possible, a new,very high housing need figure (around 1,500 per annum at consultation stage of the revised NPPF). There may be revised PPG guidance (or not) that advises that this new figure once again wipes the slate clean regarding under delivery before its formal establishment.

Notwithstanding, the proposed changes to national policy and transitional arrangements, reference to early review is required for soundness based on current national policy guidance in the PPG.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Soundness issue 1 - Changes Sought

- Modify SP1 to amend the base date of the plan period to 2018 (or 2020) and introduce additional land supply to meet capped need, focusing first on reasonable alternative strategic sites identified in spatial strategy optioneering at St Albans, and then any other sites deemed suitable.

or

- Modify SP1 so that it commits to an early ‘update’ to achieve the same outcome (NB: at this stage we are identifying the need for an early update to address capped need since 2018, but soundness issue 2 identifies the need to address uncapped need since 2018, and from 2024).

Soundness issue 2 - Changes Sought

Policy SP1 should be modified to include a new clause that commits the Council to an early review and focused/partial update of the Local Plan to address uncapped need (as far as possible under NPPF:11) from the base date of the plan (currently October 2024) to 2041. Based on the Plan as submitted, this would mean the Council attempting to identify:

- The difference between uncapped need and capped need for the second half of 2024/25 (142 homes).
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- Around 4,686 additional homes in total from the submitted base date of October 2024.

As set out under Soundness Issue 1, the base date of the plan is contested (in terms of 2025 as a half year and looking back to withdrawal of the previous Local Plan and the introduction of the standard method). The examination’s assessment of the sound policy position in respect of the base date of the Local Plan could increase the level of uncapped need to be addressed (beyond 4,686) in an early review.

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Currently, the first half of 2024/25 is not in the plan period at all, and so a half year of uncapped housing need also needs to be accounted for in early plan review, i.e. 585 (1,169 / 2).

[See attachment for table]

It is essential that the main modification should identify when the Council should begin the update process (we suggest within 12 months of adoption) and when it should submit the update for examination (we suggest within 3 years of adoption). It should further qualify that policies for the supply of housing will be regarded as out of date if a three-year resubmission date is not achieved, and that very special circumstances will be deemed as being triggered for land in the Green Belt. In addition, amended supporting text should identify the residual level of housing need that the early review will have to address. In addition, any safeguarded land should be regarded as an allocation with the general provisions of LG1 (Broad Locations) being applicable to guide planning applications and their determination, alongside all the adopted 'in-date' policies of the Plan

Due regard will need to be had to emerging national policy during the examination and whether new transitional arrangements affect the wording of a main modification. At the time of the Regulation 19 consultation, the proposed changes to the NPPF would require Local Plans that are adopted with a housing requirement that is more than 200 below the relevant LHN (assumed to be the new LHN) to undertake a new plan-making process as soon as possible. This may command a fuller review/update and timing provisions, to address as far as possible, a new,very high housing need figure (around 1,500 per annum at consultation stage of the revised NPPF). There may be revised PPG guidance (or not) that advises that this new figure once again wipes the slate clean regarding under delivery before its formal establishment.

Notwithstanding, the proposed changes to national policy and transitional arrangements, reference to early review is required for soundness based on current national policy guidance in the PPG.

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1. 241106 Reg 19 Representations - Lightwood Strategic_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to respond to any counter case presented by the Council

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Table

Number:

3.2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Two primary soundness issues are identified relating to the housing trajectory at the end of this Chapter and the effectiveness of the Plan.

1. Potential double counting within the housing trajectory regarding for medium and large windfalls.
2. A housing trajectory for Hemel Garden Communities that assumes 1,000 more completions to 2041 than is reasonable.

<u>Chapter 3, Soundness Issue 1: Potential double counting within the housing trajectory</u>

Headline

The plan period windfall allowance of 2,103 is not adequatelyjustified. The evidence behind the allowance is presented within Section 5 of a September 2024 evidence paper,and barely covers a page, with no appendices. Further evidence needs to be provided to ensure that the rate is justified and that there is not double counting with planning permissions (2,365) and the 54 urban capacity allocations (860). Any double counting will harm the effectiveness of the Plan.

Discussion

The key issue is 'in-settlement' delivery on medium and large sites, and these are the focus of our soundness concerns. The key outputs of Section 5 of the September 2024 evidence paper are presented below:

[See attachment for table]

70 completions a year are expected on medium and large windfalls sites. The Council has determined not to roll forward the rate of completions from office to residential conversions.

We 'assume', but it does not clear from the Council's evidence, that the 70 unit per annum rate results from the following process of analysis:

1. Assess the annual trend for medium and large site in-settlement supply during 2013/14 to 2022/23

- This is all windfall given that no new Local Plan as been adopted since 1994.

2. Deduct office to residential conversions, to form a 'control' level of in-settlement supply for medium and large sites that can reasonably be assumed to be developed in the new plan period.

- This rate is not explicitly presented in the evidence paper.

3. Deduct medium and large in-settlement and large sites that are already permitted (within the 2,365 stock of permissions).

- The trajectory applies a zero or half year allowance for the first 2.5 years post adoption (this is equivalent to 363 homes in-settlement sites of all sizes, of which some will be medium and large sites). The evidence says that these homes "are already likely to be known", i.e. they have planning permission and are part of the stock of 2,365 permissions. The figure of 363 needs to be corroborated, as it leaves 2,000 permissions elsewhere in an authority without a recent Local Plan. Of the 363, some will be medium to large and windfall, and this figure also needs to corroborate. The key risk here, unless further data proves otherwise, is that the allowance is introduced too early into the trajectory, and the stock of relevant permissions is higher.

4. Deduct medium and large medium and large urban capacity supply (860).
5. The windfall allowance of 70 per annum should be the supply that is left if past rates are to be achieved to 2041.

Change Sought

At present, the evidence base is not considered to be transparent enough to justify the conclusion on medium and large windfalls. It may be the case that the release of further data will support the Council's position.

Chapter 3, Soundness Issue 2: Housing trajectory for Hemel Garden Communities

Headline

For all the reams of evidence on HGC, there is little in-depth assessment of the pathway from site allocation in an adopted plan, SPD adoption, the preparation, submission and determination of applications, a joint IDP,committee stages for outline permission, S106 timescales, land sales, design coding and RM stages, early infrastructure, pre-requisites and triggers. Whilst the full picture cannot be known until planning applications stage, the Local Plan needs to make valid assumptions, including on any inter relationships between the three sites. Based on the Plan as submitted, the trajectory regarding the start date for first completions at HGC is not justified and therefore the Plan cannot be relied on not delivering what it says it will at HGC by 2041, and is not effective.

Discussion

The trajectory presents a combined row for the three residential component parts of HGC with St Albans (H1, H2 and H4). The combined trajectory can only be the agglomeration of a trajectory for each site, but these are not provided in the Plan or the evidence base. All that is provided is the overall capacity of each site and the overall assumed level of delivery in the plan period. Masking the site/specific phased relationship between each component part of HGC within St Albans does not enable the trajectory to be properly evaluated.

Section 6 or the September 2024 Housing Land Supply Windfall & Capacity Evidence Paper focuses on HGC, but it is light touch. It focuses on delivery rates and seeks to distance HCC from the well-used, third version of Lichfield's report 'Start to Finish' on the build out of large sites, particularly in terms of the rate of delivery once started. Paragraph 6.3 refers to a bespoke piece of work on extremely large sites, rather than 'Lichfields', but this does not appear to have been presented in the evidence base. The Lichfield's report also presents information on the planning journey to first completions, and the Council's evidence accompanying the pre-submission plan does not push back against this.

Our concern mostly relates to the start date for first completions, linked to planning processes and infrastructure prerequisites and the absence of a disaggregated trajectory for HGC against which to examine the Council's assumptions. The 'rate' for H4 also requires investigation.

The first 100 completions within HGC are assumed in 2029/30 monitoring year,the beginning of which at the time of the Regualtion 19 consultation is in just over 5 years' time. For every 12 months of delay at the beginning of the trajectory, 450-500 homes will be pushed out of the back end of the trajectory. The Council's evidential pathway to the first 100 completions, and the next 175 completions is opaque and the output is optimistic in relation to 'Lichfields'. This report observes that for sites over 1,000 homes a period of 6.5 years is the average time between the submission of the first application and first completions. No planning application has yet been submitted, but the trajectory of the proposed Plan assumes a little over 5 years to first completions from November 1st 2024. This is unrealistic.

We observe that the trajectory assumes it will take an additional 2 years (to 2031/32) for delivery to commence on any of the other strategic sites of 250+ homes, but that HCC benefits from an accelerated assumption, even though it is more complex, with more complex governance.

Other questions that need to be answered to test the trajectory are:

- Why is it the case that H1 (1,125 of 1,500 homes) and H2 (1,235 of 1,600 homes) are not assessed as being able to fully deliver to 2041, whilst H4 is assumed as being able to deliver 1,940 of 2,400 homes?
- Will Site H4 have call on the off-site/near site Bunkers Hill SANG in Dacorum or is this reserved for other sites in Dacorum. If the latter then how does the assumed delivery of H4 relate to SANG within H1 and H2. Does the Crown Estate have all the SANG land it needs for H2 and H4 within those allocations or is there a need for SANG in H1 (Pigeon Land)?

Changes Sought

- Housing Trajectory for HGC to show first completions in 2031/32, therefore shifting right by 2 years (with the removal of 960 homes).
- HGC to be assumed to deliver 3,340 homes to 2041
- Replacement land supply (for 960 homes in the plan period) to be sourced at St Albans (City of) as the sub-regional settlement of the district.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Soundness issue 1 - Change Sought

At present, the evidence base is not considered to be transparent enough to justify the conclusion on medium and large windfalls. It may be the case that the release of further data will support the Council's position.

Soundness issue 2 - Changes Sought

- Housing Trajectory for HGC to show first completions in 2031/32, therefore shifting right by 2 years (with the removal of 960 homes).
- HGC to be assumed to deliver 3,340 homes to 2041
- Replacement land supply (for 960 homes in the plan period) to be sourced at St Albans (City of) as the sub-regional settlement of the district.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 Representations - Lightwood Strategic_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To respond to any counter case presented by the Council

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP3, Soundness Issue 1: Safeguarded Land

Headline

Given that Local Plans do not come around very often in St Albans, the justification for safeguarded land is particularly acute. Where changes to the Green Belt are being proposed, neighbouring land that is deemed suitable should also be removed from the Green Belt. There has been no consideration of whether it is 'necessary' to safeguard land from the Green Belt, in locations where amendments to the Green Belt are already being proposed.

Discussion

NPPF:148 concerns the definition of Green Belt boundaries. Clause (c) requires that 'where necessary' land should be safeguarded to meet longer term needs, well beyond the plan period. Clause (d) explains the status of safeguarded land and clause (e) focuses on ensuring that changes have a degree of permanence, i.e. that a boundary that is redrawn will not need to be further redrawn at the end of the plan period (or 2041 in StAlbans).

Under clause (c) it must sometimes be 'necessary' to safeguard land. It is therefore not entirely a free planningjudgement point and an issue that can be seen to be considered and then rejected. The key questions are: 'why would it be necessary?, what are the circumstances that 'compel' safeguarding?, and are these circumstances present generally and anywhere specifically?

We see no evidence that the Council has looked at all its proposed changes to the Green Belt to determine whether additional safeguarding is necessary. Under comments on Policy SP1 we have established that an early review is necessary to address uncapped need. The SA identifies two primary strategic omission sites. No Green Belt change is currently proposed next to SE Albans omission site, but a significant change is proposed next to 'expanded' North St Alban strategic omission site. This site also benefits from one of the firmest long term Green Belt boundaries that could exist in the form of Heartwood Forest. This, unlike a railway line, is not something that development can just hop over.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

If the true spirt of national Green Belt policy was applied to this Local Plan, the land between StAlbans and Heartwood Forest would also be removed from the Green Belt and safeguarded pending an update of the Plan. Even though Plans can be found sound, subject to early review, this cannot be the answer to everything. The history of plan-making in St Albans is poor,and there is uncapped need to plan for. Safeguarding land 'safeguards' against slow progress during an early review. Plan preparation performance provisions in the proposed review criterion under SP1 could direct the safeguarded land to be regarded as being 'allocated' for development if deadlines were missed, with the general provisions of LG1 applying.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 Representations - Lightwood Strategic_[R].pdf

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Headline

The term 'Broad Location' has specific meaning in the NPPF (paragraphs 23, 69) and the use of the term in the Local Plan for sites over 250 homes is misleading/unhelpful.

Discussion

NPPF: 23 states that "Broad locations for development should be indicated on a key diagram, and land use designations and allocations identified on a policies map."

NPPF:69 (b) refers to "*specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period."*

In NPPF terms, a broad location is therefore not a 'site/land use designation' to be shown on the policies map, only on the key diagram. The Plan regards its broad locations as 'sites'.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Council should select another term (such as 'strategic site') so the Plan is consistent with the 'broad location' terminology of the NPPF.

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* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to our comments in relation to Chapter 3 and the housing trajectory for HGC and plan period delivery.

As the housing trajectory is not disaggregated between Policies H1, H2 and H4, our SP3/LG2 comments also apply equally to these policies.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to our comments in relation to Chapter 3 and the housing trajectory for HGC and plan period delivery.

As the housing trajectory is not disaggregated between Policies H1, H2 and H4, our SP3/LG2 comments also apply equally to these policies.

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* Yes

B1 - North St Albans, AL3 6DD

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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Discussion

Clause 6 relates to support for the transport network and identifies the need for off-site 'improvements' to Sandridgebury Lane. This relatively quiet lane currently performs an important role in the cycling network (as identified in the LCWIP), linking the St Albans to Heartwood Forest.

Previously, masterplanning work for Site B1, prepared at the time of the previous Local Plan reasoned to make Sandridgebury part of an internal cycling network, which is something we support as an aid to people travelling south. However, the corollary to this is that Sandridgebury Lane, west of the railway line will become the back door (and the only secondary access) to a site of around 1,000 homes. The internal cycling strategy will be undone somewhat by the increased vehicular use of this lane to/from Sandridge and Heartwood Forest and its effect on the rest of the lane.

We are therefore concerned that off-site 'improvements' to the lane might be car orientated to the detriment of cycling. Many people would not see such an outcome as an 'improvement'. There is no alternative route on this axis, and Lightwood may not offer up its land either side of Sandridgebury Lane to offer an alternative solely part of off-site measures aimed at B1. Given the modal split strategy underpinning the Transport Assessment of the Plan, the Plan should be protecting and boosting cycling infrastructure.

It will be evident that land east of the railway is one of two reasonable alternative locations that will have to come forward if uncapped housing need or the revised standard method is to be addressed. The logic of maintaining the flow of traffic free cycling along an additional stretch of Sandridgebury Lane to/from Heartwood Forest is clear. This can be achieved in a scenario where the expansion to North StAlbans (east of the railway) is masterplanned to achieve a new internal street network that retains much of the Lane for cycling. There appears to be a risk that 'improvements' become too focused on vehicular traffic, and that this will unnecessarily alter the character of part of the lane for active travel. We are realistic that there will need to be some vehicular oriented improvements under the railway (such as give way to oncoming traffic measures or signals). There is scope to achieve uninterrupted active travel flows, whilst allowing vehicles to flow in one direction at a time.

Given that development east of the railway seems very likely to be needed and would be identified an early review of the Plan, we consider that the street hierarchy within Site B1 should have regard to enable rather than frustrate the potential for a bus route service to run from the town centre and through development on both sides of the railway. That requires a specific street section/typologyto head towards the underpass (under which a bus can drive).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For effectiveness the objective for, and improvements sought, along Sandridgebury Lane (off-site) should be qualified with more precision in clause 6.

To accord with national planning policy on transport, and to maximise 'opportunities' of public transport and viable services, clause 6 should ensure that Site B1 does not come forward in a way that would make it a cul-de-sac for a bus route.

Ultimately, the Council should be putting in place a similar masterplanning strategy for North St Albans as it is for HGC, especially in respect of transport and movement. Some might question why St Albans is not worthy of the same quality of thought that is taking place north and east of Hemel Hempstead.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 Representations - Lightwood Strategic_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To respond to any counter case presented by the Council

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This site is allocated for 60 homes. Clause 6 advises of a pipeline running through the site, and development proposals must appropriately take this into account.

We consider that the plan could try and enable this site, but should not rely on it in the trajectory on account of the pipeline.

A high-pressure gas pipe, operated by Cadent traverses the site east-west over 225 metres. The pipe is subject to Health and Safety Executive (HSE) consultation zones, with the inner red zone covering 90% of the site, and the middle zone covering 10% in the NE corner. The HSE will 'Advise Against' development in the inner and middle zone. The site promotor should evidence if and how the pipeline could be viably diverted, possiblyjust a few metres, the cost of this, and whether the consultation zones will be reduced if the material of the pipe is changed, and if so by how much. Another option might be 'capping', but for the site to be relied on during examination, this too would need an HSE assessment of the effect of capping on its consultation zones.

Notwithstanding the gas pipe, the allocation requires 3rd party land for access (either a property on High Ash Road or through the recreation ground car park). Further evidence of any access rights/access deal will be needed for examination.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 Representations - Lightwood Strategic_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To respond to any counter case presented by the Council

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Sustainability Appraisal Note

Comment Number: 1

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Reasonable Alternatives: Hemel Garden Communities as a constant

The submitted SA notes that "*whilst HGC was a 'variable' across the growth scenarios in 2023, at this stage the decision is taken (on balance) to hold it 'constant"*. Each of the four HGC allocations (H1-H4) therefore form part of each growth scenario (with H3, an employment allocation, supporting H1,2 and 4).

The SA strategy of holding HGC as a constant is largely to be one of convenience, rather than one based on strong planning logic, argument, or necessity. Granted, HGC has merit as a whole, but to suggest that it is not capable of sub-division lacks substance for SA spatial strategy optioneering. HGC (in St Albans) is not presented as single site, but as a collection four sites and must therefore be capable of being considered as a series of components. We understand the planning logic that H1(in the north) is necessary to deliver other part of HGC in Dacorum. We also see the logic of H3 (Employment) as a constant, and therefore the land between H1 and H3 (this being H2) as a constant. However, H4, in the south (2,400 homes and 1,940 during the plan period) appears to be capable of being viewed as a more variable part of HGC.

Based on the other spatial strategy options that are presented in the SA, there is a clear and obvious alternative to all H1-H4, and that is to direct a higher level of development to St Albans (City of), where an expanded North StAlbans (1,400) and East StAlbans (800) present an 'in combination' reasonable alternative to all the period delivery in H4. In our assessment, HGC does not 'collapse' as a project without H4 and so an alternative spatial strategy that tested the relative roles of the two sub-regional settlements in Hertfordshire should have been considered/evaluated. To regard this as an 'unreasonable alternative' is to stretch the credibility of the plan-making process and the leeway that can be given to planning judgment when looking at the reasonable roles of the most strategic settlements.

We note that at Regulation 18, comments from people living at Leverstock Green also suggested a reduction in scale of H4 to 1,000 rather 2,400, which would achieve a more compact form of extension. The reason this was rejected in the SA was that it was said that it would not link so well with a separate secondary school allocation between the A4147 and Bedmond Road. We find this to be a very weak point, with the school location still being accessible to a development of 1,000 homes and if needs be, the school could move to the residual part of H4.

Similarly, and given our comments on the housing trajectory, under SP3, if delivery assumptions concerning HGC are inflated (by around 1,000), such that H1,2 and 4 form part of the Plan but cannot deliver what the Council hopes for /expects, it will be necessary to evaluate compensatory supply as part of an adjusted spatial strategy. Based on the submitted SA, the choice would be

between an expanded North St Albans and East St Albans, or conceivably both could be allocated as sites that deliver across plan periods or with safeguarded land playing a role on the policy framework.

Remedy

The SA as published is at risk of irrationality. It would be prudent for an addendum to be produced that regarded HGC as a variable location, with a focus on H4, and for a spatial strategy to be evaluated with compensatory development at St Albans.

Consistency across scenarios

We observe that Scenarios 7 and 8 (the preferred option with the additional SE St Albans or Ex North St Albans) are presented as a 'dead heat, across all objectives, including transport, where each are ranked '2'

We are therefore unable to understand why Scenarios 4 and 5 (where small sites are removed and either SE St Albans or Ex North St Albans is added) results in daylight between the scenarios. Scenario 4 (SE Albans) is ranked '1' and Scenario 5 (Ex North St Albans) is ranked '3'.

Whilst the SA provides much scope for planning judgment it must still be consistently applied.

Remedy

Amend Scenarios 4 and 5 so that they are equal for the transport objective

Relativity of assessment against the housing objective

The SA is assessing scenarios of the capped housing need, which, as set out under issue 2 of SP1, is just a temporary national policy provision, which if utilised will require an early review of the plan.

Whilst it is logical to rank each scenario from low to high in terms of housing supply, it does not follow that even the highest-ranking scenarios should be coloured in a shade of green. This is because they offer a sustainability outcome that is still significantly under the actual uncapped level of housing need, which should be the sustainability measure.

Remedy

The colour banding should be amended to reflect the reality. Scenarios 1-4 should be red, and 5-8 should also be red (or orange) as all scenario do not deliver the actual need, merely an interim figure pending early review.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see the Section on on the Sustainability Appraisal of the Local Plan in the attached suite of representations

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 Representations - Lightwood Strategic_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To respond to any counter case presented by the Council

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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168 - Mr Adam Webster

Submission Number: 168 Submission Date: 07/11/24 14:11

Respondent: Mr Adam Webster

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site allocation process is flawed in the methoodology used for Arup's review. The defensible boundaries & buffers were not dealt with regard to L2.

The flaws that were pointed out have been ignored.

L2 Watling Street site, why has it been included in Regulation 19 process? especially after so many people objected

Why has this been included in the plan when L2 was rejected by the council?

Traffic ssessment L2, the traffic assessment bears no relation to the reality of the local traffic, which is getting worse and volumes becoming real risks to safety, commercial aspects & the envronment.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

169 - CALA Group Ltd

Submission Number: 169 Submission Date: 07/11/24 14:18

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of CALA Group Ltd :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – summary

- In summary, additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken.

Strategic Policy SP3 – Housing target

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. While this is supported, it should be seen as a minimum level of supply and any opportunity to increase the level of provision within the context of the overall strategy should be explored.
- The Council has chosen to accelerate the Local Plan timescale to enable examination under the current NPPF, rather than address the potential 75% increase in housing target likely to be brought about by the new NPPF expected to be published early in 2025. While this decision is understandable, given the age of the current Local Plan and the need for a strategic framework of some sort, the wider context suggests that if additional sites are available now that could sit within the overall framework set by the draft Local Plan, then those opportunities should be taken.

Strategic Policy SP3 – Approach to the Green Belt

- We set out concerns at Regulation 18 stage about the approach taken in the Council's Green Belt Review to the definition of parcels and what that meant for the level of granularity and precision in the findings. Section 6.0 of this report outline those concerns. These issues have not been addressed; indeed no changes have been made to the 2023 Green Belt Review.
- The weaknesses in the Green Belt Review should be addressed and this is likely to lead to a small number of additional sites being identified for potential release from the Green Belt; the addition of this site will help ensure the overall housing target is met.

Strategic Policy SP3 – Immediate plan review

- This Local Plan is not perfect. There are parts of it that are not sound. Some of these issues are relatively minor and can be addressed through modest changes that sit comfortably within the framework published by the Council.
- However, other changes would require a more fundamental change in approach – issues such as the plan period being inadequate and concerns over compliance with the Duty to Cooperate. These issues cannot be addressed at this stage and would require the Plan to be withdrawn and resubmitted. In our view, the need to secure an updated Plan is more important and outweighs any concerns about the strategy as a whole.
- We therefore propose a two-pronged approach – any minor soundness aspects that can be addressed quickly should be addressed now. Any wider concerns that would delay the Plan should be considered through an immediate review of the Plan.
- For the Inspector to have confidence that a Plan Review is an appropriate response to concerns with the strategy, there needs to be a firm commitment within the Plan itself to the Review. There needs to be a specific policy that commits the Council to the principle of a Review and a timetable set out that provides clarity for all parties on how that review will be undertaken.

Strategic Policy SP3 – Housing delivery

- We consider that there is a clear case for additional housing sites to be included within the draft Plan. The reasons for this include:
- Strategic cooperation over wider housing needs
- Overoptimistic site capacity and density assumptions
- Deliverability of proposed urban sites
- Overoptimistic windfall allowance

- In addition to these concerns about the overall scale of housing, there is a clear issue with the timing of delivery – a five-year supply is only possible through the use of a stepped trajectory.
- However, addressing these issues in a systematic and comprehensive way would require extensive updates to the evidence base and cannot be done within the context of a Local Plan Examination. We therefore do not advocate that these issues are fully addressed now but are instead picked up through the immediate Plan Review.
- Nevertheless, the need for more homes – particularly delivered early in the Plan period – is such that where opportunities exist to include new sites that are consistent with the overall strategy and can be included based on existing evidence, these opportunities should be taken.
- The land being promoted north of Tippendell Lane is the type of site that can be included in the Local Plan to boost supply in the early years of the Plan period and that would not require the evidence base to be reformulated.

- We set out at Regulation 18 stage our concerns with the Green Belt Review and these comments are repeated in Section 5.0 of our report. In essence, the Green Belt Review inappropriately combined the report site with a far larger area of land and this distorted the findings of the Review in respect of the report site.

Figure 4: Report site in relation to the wider sub-area SA-107

(see attached report for details)

- As is plain from Figure 4 above, development of the report site (shaded red) would have vastly different consequences to development of the whole of SA-107. Many of the concerns about the larger site simply do not apply to the report site, or apply but to a far lesser extent.
- When the specific Green Belt consequences of developing the report site are assessed, as we have done at Appendix 1, the result is very limited harm to the Green Belt.
- On the basis of the analysis at Appendix 1, the report site should be considered suitable for release from the Green Belt and should be allocated.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The site at Tippendell Lane should be allocated in the Local Plan and removed from the Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Land north of Tippendell Lane - CALA - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of the land north of Tippendell Lane and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The land at Tippendell Lane has been excluded as a housing allocation in the draft Local Plan and CALA Homes object to this exclusion as the site promoter.

Summary

The following comments are made in relation to this site:

- **Overall housing provision:** Additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken.
- **Inadequate Initial Five-Year Supply:** The plan's proposed housing supply for the critical first five years is insufficient to meet demand. The underprovision in these initial years could exacerbate housing shortages and impact the Council's ability to meet housing targets effectively.

- **Concerns with the Green Belt Review:** The Council's Green Belt Review inaccurately applies the second of the five Green Belt purposes as per the National Planning Policy Framework (NPPF). Specifically, it evaluates the impact on the merging of smaller villages and settlements, whereas the NPPF is concerned with preventing the merging of larger towns. The Green Belt Review's assessment of the site in question is flawed because it groups the site with an adjacent land parcel, leading to skewed assessment results. A more focused, site-specific evaluation – conducted using Arup's methodology – demonstrates that urban influences surrounding the site lessen its impact on encroaching into open countryside.

Strategic Location and Surrounding Development: The Tippendell Lane site is a suitable and deliverable housing location. It benefits from a sustainable setting, especially in relation to the planned Strategic Rail Freight Interchange

- reliance on personal vehicles. Additionally, the site is surrounded on three sides by existing residential developments, minimising the visual impact of new housing.
- **Absence of Constraints:** There are no known technical or legal obstacles that would impede development on this site. If allocated, the site could be brought forward swiftly, providing much-needed housing stock and directly contributing to the Council's five-year housing supply. Supporting evidence has been submitted to demonstrate both the suitability and the deliverability of the site.

Given the Local Plan's shortfall in housing provision, the Tippendell Lane site is a valuable addition for consideration as a housing allocation in the Local Plan. Its deliverability and lack of constraints position it as an optimal choice to help bridge the gap in housing supply.

The CALA Homes site is both suitable and deliverable. It lies on the edge of two Selected Settlements – How Wood and Park Street. As shown in Table 1 above [see attachment], the site is close to a wide range of services and facilities, including both a primary school within walking distance. How Wood and Park Street railway stations are both within 13 minutes of the site on foot and provide access to trains into London via Watford Junction.

Although not included within Table 1 (because it is not constructed yet), a Strategic Rail Freight Interchange has been granted planning permission around 600m to the east of the report site. The provision of this major employment location within easy walking distance will only boost the sustainability credentials of the report site.

The site has adjoining residential development to the south, east and north and development of the site would be seen as a logical extension of the village of How Wood. Open space created on the eastern side of the site would help maintain visual separation from Park Street and reflect the existing open space provision on the eastern side of the railway line.

In terms of deliverability, the site is being promoted by a successful national housebuilder with a reputation for high quality and well-designed homes.

CALA Homes is working with the owners of the land under the auspices of an option agreement. The option agreement enables CALA to promote the site and once the option agreement is triggered, CALA can purchase the site quickly and it can be brought forward for development. There are no legal issues or constraints that would prevent development.

To demonstrate the technical deliverability of the site, a range of evidence has been produced, as follows:

- Indicative layout (as shown in Figure 6 [see attachment] (and Appendix 2) , this demonstrates that an acceptable form of development is possible.
- Preliminary Ecological Appraisal (Ethos, July 2023, appendix 3) – the site contains some features of ecological interest, generally around the edges of the site but nothing that would unduly constrain development. Further surveys will be needed in the usual way.

- Initial highway assessment (Rappor, 2022, appendix 4) – this work demonstrated that an acceptable access can be formed on to Tippendell Lane and that appropriate visibility splays can be achieved using land within the site or adopted highway land.
- Landscape and Visual Appraisal (The Landscape Partnership, 2023, appendix 5) – this report considers the landscape and visual effects that would arise from development and includes photo analysis of key views and an Opportunities and Constraints Plan (appendix 6).

In addition to the above, pre-application advice was sought from St Albans City and District Council. The Council's pre-app advice from March 2023 provided useful feedback on the layout of the scheme but raised no substantive technical issues that could not be overcome.

With this evidence, the Council can be confident that if the site were to be allocated it would be brought forward quickly and housing would be delivered as expected. The site is of a size that development could be completed within 2-3 years. This is an important consideration given the shortage of new sites proposed to be delivered in the first five years of the plan period.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given the Local Plan's shortfall in housing provision, the Tippendell Lane site is a valuable addition for consideration as a housing allocation in the Local Plan. Its deliverability and lack of constraints position it as an optimal choice to help bridge the gap in housing supply.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Land north of Tippendell Lane - CALA - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of the land north of Tippendell Lane and ou participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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171 - Jarvis Homes

Submission Number: 171 Submission Date: 07/11/24 14:29

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M16 – Falconers Field, Harpenden

- The Regulation 19 draft Local Plan and accompanying Policies Map identifies land at Falconers Field, Harpenden as a proposed Location for residential development. This proposal is **strongly supported** by both Jarvis Homes and the owners of the site. As is set out elsewhere in this report, the Falconers Field site is suitable for development and should be allocated in the Local Plan.
- A total of 39 dwellings is indicatively proposed for the site and this level of provision is supported at this stage of plan-making.
- The policy allocating this site refers to “key development requirements”, which are repeated below, along with a brief commentary:
- *Proposals must include support for improvements to the local Rights of Way network, including access to the footpath adjacent to the western boundary and the Nickey Line.*

Improvements to the local Rights of Way network, including access to the footpath adjacent to the western boundary and the Nickey Line, can be addressed at the planning application stage. This can also be secured through a Section 106 agreement or other financial contributions as appropriate.

- *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA. Including traffic calming on Roundwood Lane, and segregated cycling on Luton Road.*

3. *Support for improvements to primary and secondary walking and cycling routes will be required and this site will need to contribute towards upgrades to them.*

These contributions and improvements can be achieved through Section 106 agreements or similar legal mechanisms to ensure long-term commitment to active travel infrastructure and sustainable connectivity.

- *Most of the site lies within the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI). Appropriate contributions must be made towards the Strategic Access Management and Monitoring Strategy (SAMMS). Development proposals will also need to make provision for a new Suitable Alternative Natural Greenspace (SANG), or alternatively contribute towards the maintenance of a suitable SANG project elsewhere.*

Given that the majority of the site falls within the Zone of Influence (ZOI) for the Chilterns Beechwoods Special Area of Conservation (CBSAC), we acknowledge the requirement for appropriate contributions toward the Strategic Access Management and Monitoring Strategy (SAMMS). There is no scope for a new Suitable Alternative Natural Greenspace (SANG) within the site itself but a contribution could be made to the maintenance of an existing SANG project in a suitable nearby location.

- *Development proposals must take appropriate account of all trees protected by Tree Preservation Order.*

The proposed development has been carefully designed to ensure no impact on trees protected by the Tree Preservation Order. A landscape buffer will be incorporated along the site's western edge, providing an additional protective measure for the trees and enhancing the overall site landscape.

- In summary, we consider Policy M16 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Falconers Field - Jarvis - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of site M16 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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172 - Mr and Mrs Robert and Karen Choppin

Submission Number: 172 Submission Date: 07/11/24 14:30

Respondent: Studio LK Lita Khazaka

On Behalf Of : Mr and Mrs Robert and Karen Choppin

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

1.1. The Draft Local Plan 2041 is accompanied by an extensive evidence base.

1.2. The Inspector appointed to examine this Draft Local Plan and consider Mr and Mrs Choppin's submission is directed to have regard to the Call for Sites exercise in 2021 for this Local Plan, the council's first appraisal of the site and the subsequent assessment of its merits thereafter (extracts of which are supplied in Appendices 1 to 4 – *see attachment*).

1.3. Despite this prolific amount of evidence, it is noted that the Regulation 19 draft does not include a statement showing how the council is addressing its Duty to Cooperate with neighbouring authorities and other public bodies either. The council purports to support other authorities on the matter with regard to the supply of employment land (refer Policy SP5) but not on housing matters. This was a legal matter on which the last Draft Local Plan failed when it was submitted to examination in 2020.

1.4. This failure is especially pertinent with regard to new challenges this new Draft Local Plan faces and in particular the need to protect the Chiltern Beechwoods SAC including whether neighbouring Dacorum can meet its housing needs from within its district boundaries as a result of this constraint. The council has not confirmed either whether multi agency commitments are in place to fund and/ or deliver the substantial amounts of new infrastructure to support the Local Plan especially around the Hemel Garden Communities project.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

These are set out in our representations on Chapter 4.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 submission[2]_reva final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The reasons are set out in our submission.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Summary

The trajectory is flawed. E.g. new Table 3.2 has re-categorised sources of future housing delivery relative to the Regulation 18 draft version. These three sources are: Windfall allowances (2,013 net); Harpenden NP allocations (57); and Part B site allocations (10,653). In total, this amounts to 12,723 homes and not 14,603 as the Regulation 19 draft is planning for.

There is a missing 1,880 homes in the trajectory. The council is urged to prepare a paper clarifying the trajectory it has published and correct any errors in it.

Moreover, the trajectory is overly ambitious in some respects and unreasonable in others. The revised Table 3.2 of the Draft Local Plan contains very ambitious targets for housing delivery. For example, it assumes that 2,103 homes (13%) will be delivered on windfall sites. It is unclear how the council has reached this figure and it is inappropriate to “gamble” on such a high figure coming from sites that it is not aware of. Past opportunities of new homes through the prior approval

process and on previously developed land in urban areas will dry up. Much of the recent windfall has come from the release of Green Belt land on appeal. These opportunities will disappear once the council has a new adopted Local Plan.

Moreover, the council has re-imposed Article 4 directions on most of its employment stock that will prevent their easy conversion to housing and its employment policies (Policy SP5) seek specifically to protect the remaining stock.

A further defect in the trajectory is that it assumes no sites coming forward for development in the period 2023/4 to 2027/8 and the bulk being delivered in the period 2031/2 to 2035/6 delivering levels of housing never experienced in the district (1,255 homes a year for five years).

This trajectory is putting off the acute local problems of housing affordability because it effectively restricts supply for a further seven years. This is wholly inconsistent with the NPPF (Paragraph 69a) which requires councils to identify “specific, deliverable sites” in the first five years of a Local Plan.

Planning for new homes in the spatial strategy

2.1. The spatial strategy places great reliance on the role of the Hemel Garden Communities project in delivering 30% of the borough’s stated housing target. It is unclear if it is viable to “put so many eggs in one basket” especially as there is no published Duty to Cooperate evidence that other agencies will commit to deliver the substantial amount of infrastructure required with it. For example, the Infrastructure Schedule spreadsheet refers to Department for Transport (DfT) RIS3 funding for improvements to the M1 at Junctions 8 and 9 (projects 104 and 105) but the Arup Infrastructure Delivery Plan1 makes clear that DfT funding will be limited to maintenance only. Until this matter is sorted – including identifying which body will pay for upgrading the road infrastructure in the absence of DfT funding and which one will cover any cost overrun of the works - the Hemel Garden Communities project may be at risk of not being delivered or at least not delivered to the scale proposed.

Housing numbers and trajectory

2.2. Notwithstanding this matter, the housing target in Policy SP1 is unsound. The council has reduced its housing target from at least 15,096 homes in the Regulation 18 draft to at least 14,603 homes and has now put back yet again the start date of 1 October 2024 for the delivery of these new homes. The proposed buffer in terms of sites that will deliver this target (refer Table 3.2) has been reduced from 5% to 2.6% too between the Regulation 18 and 19 drafts of the Local Plan.

2.3. The council’s revised approach is unsound because it cannot be justified based on current government guidance and the council has not identified an alternative method. Put simply, the housing target is too low and the proposed housing trajectory (refer Table 3.2) makes overly ambitious assumptions about windfalls and unallocated sites delivering new homes while putting off the delivery of much needed housing until the 2030s. This approach is not consistent with national policy in the National Planning Policy Framework (the NPPF)2.

2.4. Studio LK notes the following four grave deficiencies with regard to the Draft Local Plan’s housing numbers and trajectory.

2.5. First, the housing target in the Draft Local Plan is too low. The Regulation 19 Draft Local Plan housing target is for at least 14,603 net new homes. This appears to be based on a multiplication of the annual housing target (885 net new homes, a correction to the figure of 888 in the Regulation 18 draft) over a 16.5 year period (that is, 885 x 16.5). As the Draft Local Plan states that it is planning until 2041, this implies a start date for the Local Plan of October 2024. This start date cannot be correct as work on the draft Local Plan actually started in January 2021 when the council issued a Call for Sites, the Sustainability Appraisal Scoping Report and the updated Statement of Community Involvement/ Local Development Scheme. This was when Mr and Mrs Choppin first engaged professional assistance to participate in this consultation.

2.6. It is to be remembered that the council has been the subject of a number of Intervention Letters from successive Secretaries of State because of its inability to prepare a sound plan. It has given repeated promises that a Local Plan would be prepared promptly. Work began on this Draft Local Plan immediately after the 2018 Draft Local Plan was withdrawn in November 2020

2.7. Assuming this New Local Plan is to run until 2041, the housing target therefore needs to be for housing delivered over a 20 year period, on the basis that work on the Local Plan actually started in 2021, or else the Local Plan needs to run from 2021 to 2038. Assuming an annual figure of 885 net new homes and that the Local Plan is to run until 2041, this would mean that the housing target should be at least 17,700 net new homes (that is, 885 x 20). It is clear that the council recognises this defect because, although it states that the Local Plan start date is 1 October 2024, its latest Housing Trajectory (Table 3.2) still includes 1,080 housing completions from 2021/22, 2022/23 and 2023/24 (7.2% of the total trajectory).

2.8. A housing target of at least 17,700 homes may be conservative as the council still has a Duty to Cooperate with other local authorities. The council may be meeting the employment land needs of some of its neighbouring authorities but it may also have to take some unmet housing need from either a near neighbour in South West Hertfordshire (possibly Dacorum if that authority cannot satisfactorily convince an Inspector or Natural England that it can mitigate the environmental damage to the Chilterns Beechwoods SAC associated with the need to plan for new housing) or one of the London boroughs given that the district is in the Travel to Work Area of both Greater London and Watford Junction and enjoys fast, frequent rail links from Harpenden and St Albans (Abbey and Central).

2.9. Second, the housing buffer in the Housing Trajectory is too low. It needs to be a 20% buffer to be consistent with the NPPF (Paragraph 77). Even if one were to assume a start date of 2024 for the Draft Local Plan (which the council cannot for the reasons set out above), the local planning authority must also plan for all the years when there was no up-to-date Local Plan in place and the council was not meeting Government-set housing delivery test targets (refer Table 1 –*see attachment*).

2.10. The council has consistently underperformed in this respect in recent years. Figure 1 –*see attachment*– shows that the council has not met the standard housing method target in any of the past five years for which statistics have been published.

2.11. In recent years, the pipeline of new housing sites has increasingly relied on unplanned for releases of Green Belt land (refer Figure 2 –*see attachment*) approved either on appeal or through the application of "material considerations".

2.12. In such situations, the NPPF requires a 20% buffer. Assuming that the council must plan for a higher housing target of at least 17,700 net new homes over a 20 year period (from 2021 when work on this Local Plan actually began until 2041 following the withdrawal of the 2018 iteration of the Local Plan), this would mean that the council should plan for a housing trajectory that will potentially deliver at least 21,240 net new homes.

2.13. Third, this flawed housing trajectory is flawed. The new Table 3.2 has re-categorised sources of future housing delivery relative to the Regulation 18 draft version. These three sources are: Windfall allowances (2,013 net); Harpenden NP allocations (57); and Part B site allocations (10,653). In total, this amounts to 12,723 homes and not 14,603 as the Regulation 19 draft is planning for. There is a missing 1,880 homes in the trajectory. The council is urged to prepare a paper clarifying the trajectory it has published and correct any errors in it.

2.14. Fourth, the trajectory is overly ambitious in some respects and unreasonable in others. The revised Table 3.2 of the Draft Local Plan contains very ambitious targets for housing delivery. For example, it assumes that 2,103 homes (13%) will be delivered on windfall sites. It is unclear how the council has reached this figure and it is inappropriate to “gamble” on such a high figure coming from sites that it is not aware of. Past opportunities of new homes through the prior approval

process and on previously developed land in urban areas will dry up. As has been shown above (at Figure 2), much of the recent windfall has come from the release of Green Belt land on appeal. These opportunities will disappear once the council has a new adopted Local Plan. Moreover, the council has re-imposed Article 4 directions on most of its employment stock that will prevent their easy conversion to housing and its employment policies (Policy SP5) seek specifically to protect the remaining stock.

2.15. A further defect in the trajectory is that it assumes no sites coming forward for development in the period 2023/4 to 2027/8 and the bulk being delivered in the period 2031/2 to 2035/6 delivering levels of housing never experienced in the district (1,255 homes a year for five years). This trajectory is putting off the acute local problems of housing affordability because it effectively restricts supply for a further seven years. This is wholly inconsistent with the NPPF (Paragraph 69a) which requires councils to identify “specific, deliverable sites” in the first five years of a Local Plan.

Flaws in the council’s approach to site allocations

2.16. Studio LK submits that the council’s approach to site allocations in general is flawed and inadequate in other respects too.

2.17. By way of a starting point, the Draft Local Plan proposes some housing allocations that run contrary to other strategies. For example, Site Allocations B5 (Glinwell), B6 (land west of London Colney) and B8 (Harper Lane) are in areas where the council believes there are minerals deposits and, thus, their allocation would be contrary to the Hertfordshire Minerals Plan.

2.18. Other parts of this Draft Local Plan (Policy SP7) seek to protect existing community infrastructure yet the council is seeking to allocate church sites for housing - Site Allocations P3 (Friends Meeting House) and U3 (former Brocket Wood United Reformed Church) - when these sites should be considered in the first place for other community use given the problems of high land prices locally.

2.19. Further, it seems illogical for the council to release the nearby Smallford Works on Smallford Lane (Site Allocation P1) for housing while seeking at the same time to take out of the Green Belt substantial areas for employment land elsewhere (55 ha in Policy SP5), much of it in the Green Belt north and east of Hemel Hempstead at the same time. Moreover, it is an isolated site and not as suitable for housing as Mr and Mrs Choppin’s site which adjoins housing on three sides.

2.20. Finally, the submission below identifies other deficiencies on housing numbers. Most notably, the draft Local Plan does not address its need for specialist housing groups. It has not allocated sufficient sites for gypsies and travellers. This is not only a soundness matter but potentially a legal deficiency in the whole of the Local Plan process too in that the council does not appear to be addressing its Public Sector Equality Duty under the Equality Act 2010.

2.21. That the Draft Local Plan has not allocated any pitches for travelling showpeople either despite the advice in the GTAA reinforces Studio LK’s view that the council’s approach to site allocations overall is illogical and flawed.

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Revised trajectory that makes adequate provision for a larger buffer and the need to meet a higher housing target.

To remedy these many defects in the council's approach to its housing target numbers, trajectory and sites allocation, Mr and Mrs Choppin urge the Inspector and council to support the allocation of additional sites for housing that could be delivered quickly and specifically identify them in the Local Plan to help address uncertainty about the Plan's housing trajectory and plan for what is likely to be a much higher housing target. Table 2 [in attachment] summarises the aforementioned problems with the approach taken so far by the council against the four tests of soundness in paragraph 35 of the NPPF.

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Table

Number:

3.2

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Moreover, the council has re-imposed Article 4 directions on most of its employment stock that will prevent their easy conversion to housing and its employment policies (Policy SP5) seek specifically to protect the remaining stock.

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2.21. That the Draft Local Plan has not allocated any pitches for travelling showpeople either despite the advice in the GTAA reinforces Studio LK's view that the council's approach to site allocations overall is illogical and flawed.

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To remedy these many defects in the council's approach to its housing target numbers, trajectory and sites allocation, Mr and Mrs Choppin urge the Inspector and council to support the allocation of additional sites for housing that could be delivered quickly and specifically identify them in the Local Plan to help address uncertainty about the Plan's housing trajectory and plan for what is likely to be a much higher housing target. Table 2 [in attachment] summarises the aforementioned problems with the approach taken so far by the council against the four tests of soundness in paragraph 35 of the NPPF.

Mr and Mrs Choppin seek to add a further allocation to the list of sites – Site PX Smallford Stables, 187 Colney Heath Lane, AL4 0TP - that would be included within Policy LG4 Large, Medium and Small Sites and inserted into Part B Site Allocations.

In promoting this alternative site, Studio LK has highlighted shortcomings in the way this site was first screened in but not taken forward for inclusion in the list of sites for allocation. To assist the appointed Inspector to understand this point, relevant extracts from the council's evidence base are attached in the Appendices 1 to 4 [see attachment] of this submission.

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* Yes

LG1 - Broad Locations

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.1. Studio LK observes other problems in the council's approach towards the provision of housing which further confirms its views that the housing target should be increased and more sites brought forward.

4.2. Studio LK's comments on Policy HOU 1 below are offered on the basis of the substantial amount of site appraisal and design the company does on sites across the South East of England.

4.3. At Policy HOU 1 – Housing Mix, the one size approach to housing mix on all schemes of 10 or more homes is too restrictive. More flexibility in mix would be appropriate especially for an ageing population and in the context of a continued forecast drop in mean household size over the lifetime of the Draft Local Plan. For example, a flatted scheme in the centre of St Albans or Harpenden is likely to be more suitable for smaller and older households (including downsizers) than a new build scheme on an edge of centre location such as the Smallford Stables site (Site Allocation PX). Studio LK suggests that the council adopt the same flexible approach to housing mix as it does when seeking to apply car parking standards in different parts of the district.

4.4. Policy HOU 6 – Gypsies, Travellers and Travelling Show People has more serious deficiencies. The evidence base the council has commissioned (the GTAA) directs the council to plan for 80 households who meet the "planning definition" of gypsy or traveller, a further 19 pitches for undetermined households and seven plots for travelling showpeople. However, the Draft Local Plan policy only allocates between 30 and 40 pitches for travellers on two site allocations and none for travelling showpeople. The council does not have an established track record of approving new sites for gypsies and travellers in the Green Belt or other windfall sites to make up the shortfall. The council's own evidence base confirms that neighbouring authorities will not take up the shortfall.

4.5. In the context of very high land prices and restrictive Green Belt policies, it is submitted that this draft Local Plan will be found unsound on this ground alone. Potentially the council may also be in breach of its Public Sector Equality Duty by not planning for the needs of this section of the population and, thus, its plan found to be legally defective too.

4.6. The council could easily address this defect by allocating the shortfall of pitches and plots on all of its Broad Location (Policy LG1) site allocations (that is, sites of more than 250 homes), an established practice across the Home Counties in recently adopted Local Plans. This would theoretically result in a reduction in overall "bricks and mortar" housing on these proposed site allocations but it further reinforces our client's view that other sites are needed for conventional family housing to meet this widening shortfall, especially those with easy access to existing social infrastructure such as the Smallford Stables site.

4.7. Studio LK therefore offers Smallford Stables (Site Allocation PX) on this basis.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 submission[2]_reva final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG4 - Large, Medium and Small Sites

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Need more sites. Include Site PX Smallford Stables, 187 Colney Heath Lane, AL4 0TP

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Include Site PX Smallford Stables, 187 Colney Heath Lane, AL4 0TP

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 submission[2]_reva final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Need to allocate more sites.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.1. Studio LK observes other problems in the council's approach towards the provision of housing which further confirms its views that the housing target should be increased and more sites brought forward.

4.2. Studio LK's comments on Policy HOU 1 below are offered on the basis of the substantial amount of site appraisal and design the company does on sites across the South East of England.

4.3.HOU1 is inflexible. At Policy HOU 1 – Housing Mix, the one size approach to housing mix on all schemes of 10 or more homes is too restrictive. More flexibility in mix would be appropriate especially for an ageing population and in the context of a continued forecast drop in mean household size over the lifetime of the Draft Local Plan. For example, a flatted scheme in the centre of St Albans or Harpenden is likely to be more suitable for smaller and older households (including downsizers) than a new build scheme on an edge of centre location such as the Smallford Stables site (Site Allocation PX). Studio LK suggests that the council adopt the same flexible approach to housing mix as it does when seeking to apply car parking standards in different parts of the district.

4.4. Policy HOU 6 – Gypsies, Travellers and Travelling Show People has more serious deficiencies. The evidence base the council has commissioned (the GTAA) directs the council to plan for 80 households who meet the "planning definition" of gypsy or traveller, a further 19 pitches for undetermined households and seven plots for travelling showpeople. However, the Draft Local Plan policy only allocates between 30 and 40 pitches for travellers on two site allocations and none for travelling showpeople. The council does not have an established track record of approving new sites for gypsies and travellers in the Green Belt or other windfall sites to make up the shortfall. The council's own evidence base confirms that neighbouring authorities will not take up the shortfall.

4.5. In the context of very high land prices and restrictive Green Belt policies, it is submitted that this draft Local Plan will be found unsound on this ground alone. Potentially the council may also be in breach of its Public Sector Equality Duty by not planning for the needs of this section of the population and, thus, its plan found to be legally defective too.

4.6. The council could easily address this defect by allocating the shortfall of pitches and plots on all of its Broad Location (Policy LG1) site allocations (that is, sites of more than 250 homes), an established practice across the Home Counties in recently adopted Local Plans. This would theoretically result in a reduction in overall "bricks and mortar" housing on these proposed site allocations but it further reinforces our client's view that other sites are needed for conventional family housing to meet this widening shortfall, especially those with easy access to existing social infrastructure such as the Smallford Stables site.

4.7. Studio LK therefore offers Smallford Stables (Site Allocation PX) on this basis.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 submission[2]_reva final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.1. Studio LK observes other problems in the council's approach towards the provision of housing which further confirms its views that the housing target should be increased and more sites brought forward.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 8

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

All appendices, tables and images can be found in the file attached to this representation.

5.1. Studio LK has set out above that: (a) the council's spatial strategy may be at risk because of its reliance on one large urban extension at Hemel Hempstead; (b) that its housing target is flawed and does not contain an appropriate buffer of sites in its trajectory; (c) that it has not planned for enough gypsy and traveller housing which represents a potential legal defect in the Local Plan, and that this shortfall should be covered on all Broad Allocation sites; and (d) that some of its allocations are at odds with other planning policies (including minerals and community infrastructure protection).

5.2. For this reason, it is appropriate that other better sites are brought forward as site allocations in the Local Plan.

Smallford Stables, 187 Colney Heath Lane, AL4 0TP

5.3. Mr and Mrs Choppin wish to promote this site (2.72 ha gross) for housing development to help address the defects in the Draft Local Plan identified above.

5.4. Their site is on Green Belt land on the western side of Colney Heath Lane located just south of the built up area of St Albans but north of the village of Colney Heath. However, it forms part of a ribbon development out of the city and is flanked to the north west and south east by housing. The ribbon development nature of this strip has been reinforced as a result of the recently approved planning applications on Green Belt land (planning application no. 5/2022/2557). This site has been approved for 40 dwellings in outline form.

5.5. Mr. and Mrs. Choppin's site contains a number of buildings associated with its use as a stables site and, thus, can be said to have some of the characteristics of Previously Developed Land (refer Figures 3 and 4 –*see attachment*) as well as infill.

5.6. Smallford Cottage is a Grade II listed building but its setting has been substantially harmed and eroded by the proximity of a number of outbuildings and other buildings associated with the business (refer Figure 4 –*see attachment*). There is an opportunity to improve this relationship between the listed building and other structures on the site.

5.7. The site enjoys good access to all utilities and a range of local services (refer Figure 5 –*see attachment*) and is within easy walking distance of Nicolas Breakspear Secondary School (circa 800m) and Colney Heath Primary School.

5.8. The site also enjoys good access to services by foot and by public transport. There are two bus stops within 800m of the site (Routes 230/304/330/331/354/355/356/358) – see Figure 6 –*see attachment*.

5.9. There are no environmental constraints that would restrict this site from coming forward. It is in Flood Zone 1, does not contain any protected trees and is not in a designated nature reserve site. While the Hertfordshire Minerals Plan (2002-2016) locates the site within a wide Sand and Gravel Belt that covers the whole of the south of the county, any chance of extracting aggregate on this site is limited because of the proximity of nearby housing and the fact that the sand and gravel on land to the north has been extensively removed already. Thus, its development for housing would not prejudice other adjacent land within the Green Belt either.

5.10. The site is available for development now. There are no land ownership assembly or other legal constraints on the site that would prevent it from coming forward.

5.11. The reasons for promoting the site now are: the need for the Local Plan to deliver a higher housing target than the publicised version; the need for more “specific, deliverable sites” to come forward in the first five years of the lifetime of the Local Plan; and the handling of the site following the Call for Sites consultation in January 2021 including the findings of the Arup Green Belt Part 2 Review.

5.12. This case is set out below, first by considering how this candidate site was analysed by the council and then by setting out why sites such as this need to be brought forward.

History of the consideration of the site during the evolution of the Draft Local Plan

5.13. This site was first submitted for consideration in the 2021 Call for Sites associated with this Draft Local Plan (refer Appendix 1 –*see attachment*).

5.14. The council issued an initial screening view following the Call for Sites exercise stating that Site CH11-21 should be taken forward for further consideration (Appendix 2). Indeed, the overall conclusions of this appraisal were: “The site is considered potentially suitable, available and achievable subject to further assessment”.

5.15. However, the council then issued a further Screening View in 2022 (Appendix 3), resolving not to take the site forward for the Arup Green Belt Review Stage 2, purportedly based on the Local Plan Site Selection – Proforma Methodology Paper.

5.16. The Methodology Paper states that council officers scored all candidate sites on 38 criteria covering three topic areas: Major Policy and Environmental Constraints; Accessibility; and Other Key Constraints. Not all of the criteria are relevant to all sites.

5.17. It is accepted that the process of screening in and out sites is not prescribed and local authorities have latitude to assess sites in a number of ways consistent with local circumstances. This process is both a quantitative one (of scoring sites) but, done correctly, also requires an element of professional judgement. It is not just a numbers game.

5.18. However, it is clear that the council’s approach to scoring sites has some flaws. For example, it incorrectly assesses sites that are agricultural land in Grades 1 to 3 as “best and most versatile” when this should only apply to land in Grades 1 to 3a. The screening process also failed to give any weight to the presence of Previously Developed Land contrary to Paragraph 89 of the NPPF and the council’s own Sustainability Appraisal.

5.19. The Proforma Methodology Paper gives each site a Weak (W), Medium (M), Strong (S) score against each relevant criterion.

5.20. Smallford Stables (CH11-21) scored 5 Weak, 10 Medium, 16 Strong, indicating that the site scored well (Medium) or very well (Strong) against 26 of the relevant 31 criteria against it was assessed. It was a flaw in the council’s approach that it did not use its professional judgement to bring this site forward on this basis despite the flaws and critiques in the council’s approach shown above.

5.21. Furthermore, the write up to this appraisal erroneously stated that this site was 1.4 kilometres from a primary school, 1 kilometre from a bus stop and 920 m from a bus stop. Figures 5 and 6 give a more accurate appreciation of the site’s access to services.

5.22. Arup then conducted its Stage 2 Review of sites (Appendix 4). The site was incorporated into a much larger parcel (SA-91), an area of 42.9 ha. It is conceivable that releasing all of this larger parcel would be likely to harm the objectives of the Green Belt, the most important of which is its openness. However, the Smallford Stables site only comprises 6% of this larger parcel and, moreover, has other features too that justify its positive consideration for release from the Green Belt. These include: its location within a ribbon housing development; the fact that a 2.72 ha parcel

of land would not be a viable farm; the opportunity to remove the cluster of unsightly outbuildings that would enhance the setting of the listed building at this site; and its good access to local services on foot and by public transport.

5.23. Mr and Mrs Choppin therefore urge the Planning Inspector to: (a) examine critically the criteria used to screen in and out sites; (b) consider the inconsistencies with which other sites have been included as allocations; and (c) give positive consideration to the merits of bringing this site forward given the defects in the housing and site allocation elements of the Draft Local Plan set out above.

The case for bringing this site forward

5.24. The case for bringing forward more sites like CH11-21 needs to be stated clearly.

5.25. This submission has demonstrated why the council has to plan for a significantly higher housing target of “at least 17,700 homes” with a trajectory of 21,240 homes rather than the “at least 14,603 homes” figure in the Regulation 19 Draft. This site will make a contribution towards meeting this higher target. It will deliver more much needed housing including affordable housing.

5.26. This submission has also demonstrated that the Draft Local Plan housing trajectory is inconsistent with national planning policy because it has not identified a schedule of “specific, deliverable” sites in Years 1 to 5 of its life.

5.27. This site has few constraints. It could easily be delivered within the first five years of the lifetime of the Local Plan. There is a listed building within the site but the council has allocated other sites within the Draft Local Plan that have statutorily listed buildings within or immediately adjacent to their site boundaries (Sites H1, B3, B5, B7, B8, L1, M17, M18, M21, M22, P2, UC2, UC3, UC4, UC5, UC7, UC8, UC9, UC11, UC20, UC23, UC27, UC35, UC36, UC48, UC53, OS4).

5.28. The site has some of the characteristics of Previously Developed Land. Theoretically, developing this site for housing will both accord with national policy to promote brownfield land first (Section 11 of the NPPF) and support the Draft Local Plan (Policy SP1 and Chapter 3) too. As the council assessed the site as not having any environmental constraints at its first screening, this assessment reinforces the suitability of this site for consideration in principle and further confirms that the council were in error not to bring this forward for the Arup Stage 2 review.

5.29. Moreover, the site has the characteristics of infill too. Therefore, some form of housing development would not be inappropriate (refer paragraph 154(g) of the 2023 NPPF and Policy LG9 – Extension or Replacement of Buildings in the Green Belt) on part or all of the site, provided the setting of the listed building is protected. It is submitted that given this fallback position in policy, the council should plan positively to release this site.

5.30. It is further submitted that promoting this site would give the council more control over the release of Green Belt land elsewhere in the district and thus it would be plan-led.

5.31. Cognisant of all of these factors, Mr and Mrs Choppin urge the Inspector to include this site as a site allocation that could usefully deliver up to 70 new dwellings consistent with Policy LG4 – Large, Medium and Small Sites.

5.32. To support this allocation, a template for the site’s inclusion in Part B of the Local Plan is set out at Table 3 [see attachment].

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Add Site PX Smallford Stables, 187 Colney Heath Lane, AL4 0TP to the schedule of site allocations

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 Reg 19 submission[2]_reva final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To clarify the deficiencies of the Local Plan on housing numbers, trajectory and therefore the need for more site allocations.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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173 - Jarvis Homes

Submission Number: 173 Submission Date: 07/11/24 14:31

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Falconers Field - Jarvis - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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174 - Jarvis Homes

Submission Number: 174 Submission Date: 07/11/24 14:33

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

- The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.
- Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".
- In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Falconers Field - Jarvis - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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178 - LIH

Submission Number: 178 Submission Date: 07/11/24 14:48

Respondent: Urbanissta Mrs Jo Hanslip

On Behalf Of LIH :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

2.0 Policy Environment for Regulation 19 Plan

- National Context for Housing Delivery – Draft NPPF (2024)

2.1 On the 4th July 2024, the Labour Party were elected to form the Government across Britain. A cornerstone of Labour policy is to increase and encourage housing growth across the Country to support economic and social change.

2.2 On the 30th July 2024, consultation on proposed changes to the NPPF were announcement to achieve '*sustainable growth in our planning system'*.

2.3 These proposed changes to the NPPF (2024) where supported by a Written Ministerial Statement (WMS) by Angela Rayner, Deputy Prime Minister and Secretary of State for Housing Communities and Local Government [1]. The WMS is a material planning consideration for the determination of planning applications and the preparation of Local Plans.

2.4 We highlight below some key themes of the WMS which are then addressed in detail as they pertain to the draft NPPF (2024).

"Our manifesto was clear: sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people.

Our approach to delivering this growth will focus on three pillars; stability, investment and reform. But this growth must also be generated for everyone, everywhere across the country – and so nowhere is decisive reform needed more urgently than in housing.

.... turbocharge growth and build the 1.5 million homes we have committed to deliver over the next five years.

We are therefore reversing last year's changes which loosened the requirement for local authorities to plan for and meet their housing needs, and we are going further still, by mandating that the standard method is used as the basis for determining local authorities' housing requirements in all circumstances.

..... The new method provides a stable and balanced approach.....

As such, local authorities will be expected to make every effort to allocate land in line with their housing need as per the standard method, and will need to demonstrate that they have done so at examination of their plan.

....for plans at an advanced stage of preparation (Regulation 19), allowing them to continue to examination unless there is a significant gap between the plan and the new local housing need figure, in which case we propose to ask authorities to rework their plans to take account of the higher figure; and....

....While this will delay the adoption of some plans, it is important to balance keeping plans flowing to adoption with making sure they plan for sufficient housing....

There is no time to waste. It is time to get on with building 1.5 million homes."

Underline Urbanissta emphasis

2.5 In the Budget Statement on 30th October 2024 [2] the following statement at Paragraph 3.22 is made in relation to the draft NPPF (2024) and planning reforms:

"The government will continue to take action to ensure that the planning system supports public and private investment. This includes:

- *Responding to the National Planning Policy Framework consultation before the end of the year to confirm pro-growth reforms to the planning syste*
- *Implementing legislative changes to ensure a simplified and streamlined planning system, through the Planning and Infrastructure Bill to be introduced in Parliament early next year.*

1 https://questions-statements.parliament.uk/written-statements/detail/2024-07-30/hcws48

2 https://assets.publishing.service.gov.uk/media/672232d010b0d582ee8c4905/Autumn_Budget_2024__web_accessible_.pdf

- *Providing an additional £5 million to deliver improvements to the planning regime for Nationally Significant Infrastructure Projects, as well as £46 million to boost capacity and capability in local planning authorities.*
- *Allocating £70 million in 2025-26 to support infrastructure and housing development while boosting nature's recovery."*

Underline Urbanissta emphasis

2.6 The Government's need and intention to deliver economic growth and the critical role that boosting the supply of housing plays in this is clear.

2.7 It is our contention (for the reasons set out In these representations), that StADC are intentionally cherry picking the aspects of the WMS and draft NPPF proposed changes to suit a local political objective, which is to limit and constrain the level of housing provided and planned for within the district. We assert that their approach runs directly counter to the WMS objectives and applying paragraph 35 is clearly unsound. These representations relate primarily to Draft Policies SP1, SP3, Polices GL 1 – 4 and Table 3.1 of Reg 19 Local Plan Part A Part B Local Plan Table A1.1 and its associated site allocations, and the draft Plan's evidence base including in particular (and for present purposes) the Green Belt Review (2023), the SA (2024) and IDP (2023 & 2024).

2.8 This underlying political objective of StADC to unjustifiably limit the delivery of the necessary supply of homes is a recurring theme that we return to throughout these representations as it goes, among other things, to the heart of the extent and degree to which StADC have sought to fulfil their DtC and the extent to which the Draft Plan can be considered sound. This political objective we assert creates a dangerous (undermining) precedent for plan making generally which will negatively impact upon the Government's intentions to 'turbo charge' housing delivery and, as such, this and other failings which we identify in these representations should be addressed robustly by StADC prior to the Submission of the draft Plan.

2.9 For present purposes, the proposed changes in the NPPF (2024) include:

- A new standard method for calculating housing targets.
- Reviewing Green Belt boundaries, placing emphasis upon housing delivery on brownfield, 'grey belt' land and where required undeveloped land within it.
- Delivering affordable, well-designed homes and places.
- Increasing emphasis upon Local Plan preparation to achieve up-to -date plans as soon as possible.
- Strengthening cross boundary cooperation where necessary.

2.10 Based upon the current standard methodology (NPPF December 2023), StADC has a requirement of 885 dwellings per annum. Indeed, the Regulation 18 Plan (July 2023) proposed some 888 dwellings as its annual target. Based upon the new standard method (draft NPPF 2024) this would indicate an annual housing requirement for StADC of some 1,544[3] dwellings an increase of some 659 dwellings per annum more than is currently planned for. This uplift, set against the current level of annual delivery of circa 400 dwellings is acknowledged to represent a required significant and proactive step change by StADC in its planning for the delivery of a sufficient supply of homes, which will require StADC to find additional sites to allocate for housing.

2.11 The new two-step standard method is mandatory, and Council's such as StADC may not argue 'exceptional circumstances' to reduce assessments of need. If a reduction is proposed due to National Landscape or other such designations, clear and demonstrable evidence will be required to justify this, including efforts such as sharing need with neighbouring Local Authorities' (LPAs') and reviewing Green Belt boundaries.

2.12 The proposed affordability indicator of house prices exceeding average earnings of 4:1, would certainly be a highly material consideration in StADC, where affordability issues are at their most acute. Indeed, the Council's own housing needs assessment identifies that house prices exceeding average earnings of 15:1[4].

2.13 In relation to the exceptional circumstances test at the plan making stage for releasing sites from the Green Belt, paragraph 142 of the consultation draft NPPF (2024) states:

"Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Exceptional circumstances include, but are not limited to, instances where an authority cannot meet its identified need for housing, commercial or other development through other means. In these circumstances authorities should review Green Belt boundaries and propose alterations to meet

3 outcome-of-the-proposed-revised-method. www. gov.uk*. July 2024.*

4 South West Hertfordshire - Local Housing Needs Assessment Report (LHNR) para 6.75.

these needs in full, unless the review provides clear evidence that such alterations would fundamentally undermine the function of the Green Belt across the area of the plan as a whole. .... "

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2.14 As to green belt sites at the decision-making stage, paragraph 152 of the consultation draft NPPF continues and states:

"In addition to the above, housing, commercial and other development in the Green Belt should not be regarded as inappropriate where:

1. *The development would utilise grey belt land in sustainable locations, the contributions set out in paragraph 155 below are provided, and the development would not fundamentally undermine the function of the Green Belt across the area of the plan as a whole; and*
2. *The local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 76) or where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years; or there is a demonstrable need for land to be released for development of local, regional or national importance.*
3. *Development is able to meet the planning policy requirements set out in paragraph 155."*

2.15 StADC has a well-documented housing shortfall being unable to demonstrate a 5-year supply of housing (at circa 1.7/1.9 years)[5] and has a HDT score of 55% which does not exceed the above 75% threshold. The presumption in favour of sustainable development therefore applies. The Council has undertaken a review of its Green Belt boundaries most recently, in 2023, but it is anticipated that further pressure will be brought to bear on StADC considering the proposed NPPF (2024) changes.

2.16 We will show in Section 6.0 to these representations that StADC have failed in undertaking a robust and well evidenced Green Belt review on which it has underpinned its land use decisions and, as such, the draft Plan is based upon fatal evidential flaws which undermine its potential soundness.

2.17 It is evidence that with the Government's agenda being on housing delivery that additional land for housing will need to be found by StADC if the objective of achieving the delivery of 1.5 million homes in the next 5 years is to be achieved.

2.18 In avoiding addressing the main objectives of the WMS and draft NPPF (2024), StADC are intentionally avoiding dealing with the implications of the revised standard method, circumventing the system by seeking to unduly expedite draft Plan delivery which relies upon the 'transitional arrangements' in the draft NPPF (2024) and a position that 'a plan is better than no plan'. This cannot be effective or justified as an approach to plan making, and if such a precedent is set, runs the risk of undermining the Government's main policy objective of increasing housing supply and generating growth within the economy. This is not sustainable development and clearly runs counter to the government's intentions as set out in the Autumn Budget 2024.

<u>Transitional Arrangement for Plan Making</u>

2.19 Whilst StADC wishes to delay and defer the delivery of increased housing provision as clearly stated in the WMS and draft NPPF (2024), the authority appears to have placed great stock on the draft transitional arrangements and as such, are expediting their progression of their Local Plan in a clearly stated position directly to avoid providing - or even contemplating the provision of, the level of housing required by the WMS and draft NPPF (2024).

2.20 Paragraph 226 and 227 of the draft NPPF (2024) state:

"*For the purposes of plan-making*

226 The policies in this Framework (published on [publication date]) will apply for the purpose of preparing local plans[82] from [publication date + one month] unless one or more of the following apply:

227. the emerging annual housing requirement[83] in a local plan that reaches or has reached Regulation 1984 (pre-submission stage) on or before [publication date + one month] is no more than 200 dwellings below the published relevant Local Housing Need figure 85;

228 the local plan is a Part 2 plan that does not introduce new strategic policies setting the housing requirement unless the relevant Local Plan Part 1 has been prepared applying the policies in this version of the Framework;

5 StADC Annual Monitoring Report 2023 (1April 22 to 31st March 23) para 3.16.

1. *the local plan is or has been submitted for examination under Regulation 22[86] on or before [publication date + one month].*

Where a, b or c applies, the plan will be examined under the relevant previous version of the Framework[87]

227. Where paragraph 226c) applies, local plans that reach adoption with an annual housing requirement[84] that is more than 200 dwellings lower than the relevant published Local Housing Need figure[86] will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.

228 After applying the policies of this version of the Framework, local plans that have reached Regulation 19 (pre-submission stage) on or before [publication date + one month] with an emerging[88] annual housing requirement[84] that is more than 200 dwellings lower than the relevant Local Housing Need[86] figure should proceed to examination[89] within a maximum of 18 months from [publication date]. "

80 As an exception to this, the policy contained in paragraph 76 and the related reference in footnote 8 of this Framework should only be taken into account as a material consideration when dealing with applications made on or after the date of publication of this version of the Framework.

81 Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a four year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.

82 Under the Town and Country Planning (Local Planning) (England) Regulations 2012

83 Defined as the total housing requirement, divided by the number of years in the plan period. The housing requirement can include any unmet need arrangements. Where a joint local plan is in preparation, to determine whether a shortfall exists between the emerging annual housing requirement and the relevant Local Housing Need figure, any shortfall should be apportioned to each local authority equally to determine whether a shortfall exceeds 200 dwellings per annum. Where there is an operative Spatial Development Strategy (SDS) that is less than 5 years old, the SDS will continue to provide the housing requirement for relevant emerging local plans.

84 Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

85 As published on [insert date] at [insert web link].

86 Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012

87 The policies in the version of this Framework (published on 19 December 2023) may apply for the purpose of preparing plans that reach or reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage between 19 March 2024 and [publication date plus one month].

88 Set out in the most recent Regulation 19 (pre-submission stage) consultation.

89 Meaning the plan has reached Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2.21 We address StADC's response to the transitional arrangements in more detail in below but reiterate here, the selective way the Council is having regard to Government policy. We contend, StADC's approach undermines both the soundness of the Plan and the robustness in which the Council can exercise its obligations effectively under the DtC, resultant from the unseemly 'scramble' to secure a position under the existing NPPF provisions (2023).

2.22 The word 'turbocharge' is a clear and decisive statement and direction of travel for national policy in respect of the need for housing delivery across the Country, which will have implications for the extent and nature of housing delivered within StADC as well as more widely across the country. StADC should at the very least, pause, reflect, and demonstrate regard to the changing policy position and assess robustly with its members the implications of emerging policy guidance.

2.23 Whilst it is acknowledged that the consultation draft NPPF (2024) might be subject to refinement prior to its final issue, what is evident from the extracts of policy above as well as the Autumn Budget (2024) and the WMS[1] that the national agenda has shifted significantly and that the focus on delivering sustainable, well-designed homes in places (in greater number) where necessary on land which makes a limited contribution to the purposes of the Green Belt, is clear. StADC, in its desperation to avoid reviewing its housing provision seems to be completely ignoring the principal objective of Government policy to increase the provision of housing.

- NPPF (December 2023)

2.24 Turning to matters of current national policy, paragraph 16 of NPPF (December 2023) states with respect

to plan-making that:

"Plans should:

1. *be prepared with the objective of contributing to the achievement of sustainable development[9];*
- *) be prepared positively, in a way that is aspirational but deliverable;*
1. *be shaped by early, proportionate and effective engagement between plan- makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
1. *contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
2. *be accessible through the use of digital tools to assist public involvement and policy presentation; and*
3. *serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)."*

2.25 This provision remains unchanged in the draft NPPF (July 2024)

2.26 Paragraphs 26 and 27 of NPPF (December 2023) states, with respect to maintaining effective cooperation, that:

26 "*Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.*

27 *In order to demonstrate effective and on-going joint working, strategic policy- making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency*."

2.27 The Statement of Common Ground (Overarching)[37] is very limited in scope in seeking to demonstrate that StADC have had constructive, active and on-going discussions with any other planning authorities (including Dacorum) in relation to their draft Local Plan. As we note above, this failure to cooperate with surrounding authorities was a reason for the failure of the 2017 Local Plan[6] and in 2020.[7] It is abundantly clear that StADC has not learnt Its lesson from its 2 previous plan-making failures.

2.28 The draft NPPF (July 2024) includes a new paragraph which states:

27 "Once the matters which require collaboration have been identified, strategic policy-making

authorities should make sure that their plan policies are consistent with those of other bodies where a strategic relationship exists on these matters, and with the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that:

1. *a consistent approach is taken to planning the delivery of major infrastructure, such as major transport services/projects, utilities, waste, minerals, environmenta l improvement and resilience, and strategic health, education and social infrastructure (such as hospitals, universities, major schools, major sports facilities and criminal justice accommodation);*
2. *unme development needs from neighbouring areas are accommodated in accordance with paragraph 11b; and*
3. *any allocation or designation which cuts across the boundary of plan areas, or has significant implications for neighbouring areas, is appropriately managed by all relevant authorities".*

2.29 Clearly, in progressing the Regulation 19 Plan in line with the exiting NPPF (2023) and in seeking to 'avoid' the draft NPPF (2024) mandates, StADC have had little or no regard to addressing unmet need that might arise from neighbouring areas. There is no evidence currently in the public domain, to show that StADC have had any such discussions let alone the required constructive, active and on an on-going basis discussion with any other planning authorities.

2.30 StADC have failed to provide evidence to demonstrate:

- what the level of unmet need is - either within StADC area – or within neighbouring authorities with whom StADC must cooperate
- Key to the draft Plan is demonstrating that the spatial and land use decision in the plan have been informed by an understanding of the level of unmet needs that exist within the plan area.
- London's unmet housing need also seems to have been completely overlooked in the plan's formulation and evidence base.

6R on the Application of StADC City and District Council v Secretary of State for Communities and Local Government. Case Number: CO/26/2017

7 https://www.stalbans.gov.uk/sites/default/files/attachments/ED40%20%20Inspectors%20Post%20Hearings%20Letter%2014.4.20.pdf

2.31 Paragraph 35 of NPPF (December 2023) states:

"Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

1. *Positively prepared–providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs...; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
2. *Justified–an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

3. *Effective–deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
4. *Consistent with national policy–enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

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2.32 This key soundness test remains unchanged in the draft NPPF (July 2024) other than paragraph 35 being renumbered to 36.

- St Albans Position on draft NPPF (2024)

2.33 We address in Section 3.0 below matters of the DtC and soundness in detail, so in this Section we provide details of the 'context' in which StADC has been advising Council members and taking decisions in respect of the Regulation 19 Plan. We will relate these aspects back to matters of soundness in Section 3.0. For the reasons states, we assert that StADC has pre-determined the outcome of the consultation of the Regulation 19 Plan which is a fundamental failing in the process.

2.34 In a press release[8] issued on the 29th August 2024, StADC Council indicated that following the proposed changes to the standard method associated with the consultation on the draft NPPF by the new Government, that the Council intended to expedite preparation of their Local Plan so as to avoid '*identifying sites for a further 11,000 homes*'.

2.35 Cllr Paul de Kort, Chair of the Council's Planning Policy and Climate Committee (PPC) states in the pre release[8] that:

"*By bringing forward the timetable for the Local Plan, the Council has the best chance of getting a new Local Plan agreed ahead of the government's new deadline. This will set the strategic foundation needed both to defend StADC District from ad hoc building in the Green Belt and to set out the policies that will mean any future development meets strict guidelines for sustainable development. "*

2.36 The press release[8] continues:

"*StADC City and District Council planned to submit its draft Local Plan by April 2025. However, in light of the proposed changes to national planning law, the Council now plans to bring the timing forward.*

Without doing so, the Council would be forced to delay submission by 2-3 years in order to identify sites for a further 11,000 homes that the new government proposals require. "

2.37 The timetable set out in the press release states:

"*To achieve this accelerated timetable for submission, the Planning Policy and Climate Committee meeting scheduled for 3 October will be brought forward to 23 September. Should the Committee agree, the draft Local Plan Regulation 19 technical consultation will begin on 26 September and continue for 6 weeks. Feedback from the Regulation 19 technical consultation will be considered by the Planning Policy and Climate Committee on 28 November, when it will also consider submission of the Plan to government.*

Full Council will consider the content of the draft Plan in the autumn. "

2.38 We make the following observations in relation to these publicly stated views:

- The Council are deliberately seeking to avoid positively planning for some 11,000 dwellings that would be required by the new standard method, directly contrary to the WMS of the 30th July 2024

8 https://www.stalbans.gov.uk/news/council-speeds-its-local-plan-process

objectives, which as a statement of intent as to the direction of travel for national policy is a material consideration for plan making.

- There is no evidence to demonstrate that meeting the requirement of the draft NPPF (2024) would result in a delay of 2 – 3 years in plan making. No detailed assessments to what the implications for programme would be in dealing with emerging Government policy were provided to members.
- Much of the technical evidence has already been undertaken, a grey belt study might be required and possibly a further call for sites exercise could be held, but this would not need to take anything like 2 – 3 years and otherwise a review and updated of submitted material might be needed to address to substantiate increased allocations.
- Given the extent of wider flaws in the assumptions and evidence base underpinning the draft plan (as set out in sections 3.0. – 10.0 of these submissions), it is evident that substantial revisions to the draft Plan and its evidence base are already required prior to submission if indeed it is capable of being made sound.
- There is no information about the potential cost to the tax payer of having to do an immediate review and a whole new plan (which is an as opposed to reworking current plan.

2.39 These concerns are **further** supplemented by discussions at the Planning Policy & Climate Committee (PPC) on the 12th and 23rd September 2024.

Planning Policy & Climate Committee - Thursday, 12th September, 2024 9

2.40 In summary, the meeting considered the:

- Draft NPPF & Government Announcements.
- Local Plan evidence base.
- Heritage Impact.
- Transport Impact Assessment.
-

2.41 Officers indicated that the implications for the spatial strategy for dealing with the additional homes required by the draft NPPF (2024) would (if the same spatial strategy be applied) result in the following requirements:

- 6,000 more homes in St Albans Green Belt.
- 3,000 more homes in Harpenden Green Belt.
- 2,000 more homes London Colney, Redbourn and Wheathmapstead green belt.

2.42 Papers for the PPC Committee identify that StADC in not within the top 20 of 'most affected' local Authorities in the Country and emphasised that the transitional arrangements applied as at the date of publication plus one month of the new NPPF (2024).

2.43 The NPPF transitional arrangements were summarised for members and three options were presented to members as being the way forward available:

- "*Option 1 – continue with the current plan and expedite the delivery and submission timetable in advance of the NPPF publication (plus one month)*
- *Option 2 – continue with the current plan and add capacity to 200 homes fewer than new standard method (1,344 dw/yr) 'purely theoretical' for StADC, as a 'no reasonable way to introduce 460/yr dwellings without a long period of time needed to progress the technical and infrastructure work' to get to Regulation 19 stage before the cut-off date of NPPF adoption plus one month.*
- *Option 3 – recommence plan at evidence gathering stage plan to go back 2 – 3 years to launch plan on basis of delivery 1,544 dwellings. "*

2.44 No evidence or explanation was provided to members as to why the Local Plan would be delayed by 2 – 3 years if Option 3 was taken forward. These timescales were simply presented as a statement of fact. No risk analysis or assessment was offered to members or available for public scrutiny to enable them to fully consider the implications of selecting Option 1, 2 or 3. This cannot be a robust or positively prepared way to undertake plan making.

2.45 StADC's approach seems to be that 'a plan is better than no plan', however this is counter to Government policy and demonstrates a clear intention to circumvent the system which at its heart is an unsound basis on which to progress a Local Plan. The lack of consistency with the clear direction of travel for Government policy coupled with a lack of justification or effectiveness in the process is of great concern. The failure to engage with authorities within the JSP area and more widely and to demonstrate how the implications of

9 https://stalbans.moderngov.co.uk/ieListDocuments.aspx?CId=615&MId=10957

emerging Government policy can be addressed is clearly lack and is a self-evident failure in compliance with the DtC.

2.46 Officers highlighted to members that in Matthew Pennycook MP's letter to the CEO of the Planning Inspectorate (PINS)[10] on the 31st July 2024, the Government had made clear that long local plan examinations in an attempt to make an unsound plan sound during the examination process should not continue. It was highlighted that one-year long local plan examinations should be the new norm. Officers indicated that PINS have said they will do this, and the bar will be raised and indicated that this will result in more plans being rejected at examination stage.

2.47 Several risks to the Local Plan process were identified by officers during this PPC meeting (but identified as risks '*well worth*' taking) namely the:

- Impact of the revised standard method figure (increase of 75%) from 885 dwellings to 1,544 dwellings
- Dacorum do not progress with their Local Plan at the same rate as StADC which may cause problems for Hemel Garden Community (HCG) delivery.
- Joint sessions had been anticipated on HGC, it is not impossible, but less likely now.
- Dacorum indicated they will support the StADC Plan and HGC as far as possible.
- Regulation 19 accelerated by one month which has a minimal risk profile
- The proposed submission of the local plan coming forwards from the end of March 2025 to 2nd Dec 2024 will result in:
- Fewer agreed and signed Statements of Common Ground ('SCG') when submitted (including neighbouring authorities and statutory bodies) *(goes to DtC)*
- Content is well progressed and agreed. Internal processes however must be gone through and unlikely to be in the accelerated timescale.
- Fewer and less extensive topic papers to assist Inspectors. Less comprehensive rigorous. *(Goes to soundness)*
- Less time to review and consider representations made at the Reg 19 stage. '*Officers will read the reps'*, but their ability to summarise the key issues that Inspectors might consider might need to be examined will be restricted. *(Goes to Soundness and DtC)*
- Lack of regard to public consultation – a tracked change version only, no reference to changes. *(Goes to soundness and DtC)*
- The 100-page document in December 23 to which officers refer as 'really detailed'[11] on representations received at Regulation 18 stages for North East Redbourn site was curtly responded to as "*Site was not recommended for further consideration in the Arup GBR*." We assert that officers are misleading members in saying their review of representations was 'very detailed'. These concerns regarding the level of regard to representations received at Regulation 18 stage, were even reiterated by members at Full Council on the 16th October 2024[12]

2.48 In summary, for the reasons set out above, at the PPC Committee on the 12th September 2024, members were:

- Mislead in relation to timescales for the delay to the Local Plan.
- Provided with limited or no evidence to substantiate the delay of 2-3 years in plan making.
- Given no financial evidence to inform the costs implications to StADC of pursuing Option 1, 2 or 3.
- Advised of specific flaws in the plan making process that result from proceeding with the expedited Plan which go to the heart of compliance with the DtC and soundness generally.

2.49 The proposed means by which to mitigate the identified risks were cited to include:

- Working exclusively on Local Plan.
- Reduced annual monitoring (on shopping).
- Article 4 directions.
- Less responsive to some emails.
- Call to arms for assistance which will be secured by wider Council officers.

2.50 Members highlighted concerns during the meeting on a couple of additional key matters. These concerns:

- highlighted the need for StADC to be clear on communications as StADC will be open to criticisms for '*pushing things through'*.

10 https://assets.publishing.service.gov.uk/media/66aa157b0808eaf43b50dad5/minister-pennycook-to-chief-executive-of-planning-inspectorate.pdf

11 Public reports pack 12122023 1900 Planning Policy Climate Committee p30 - p205

12 https://stalbans.public-i.tv/core/portal/webcast_interactive/876899/start_time/751000

- Questioned StADC's relationship to London – asking if the Authority's position can be robustly defended? Officers advised that there was no direct dialogue/mechanism for London need to be addressed outside London but as addressed below this is relevant to assessments of unmet need.

2.51 During the PPC Committee meeting on the 12th September 2024, the PPC Chair (Cllr De Kort) referred to his DtC in his letter to Baroness Taylor [13] indicating that he had highlighted that:

- '*NPPF changes could jeopardise the delivery of HGC'*– although the Chair's letter does not specify how or why this might happen.
- '*Three local planning authorities and cross boundary working'*– although the Chair's letter is unclear about how or why this would be affected?
- *'Impact on Crown Estates'*– again Chair's letter provides no details as to what or why this would be.
- '*Dealing with proposed changes would take 2 years with a green belt study taking 18 months'*– the Chair's letter provides no reference on how the existing work could be revising and how the timescale had been derived.
- '*Substantially delay the Local Plan which is contrary to the Government's stated* objectives' - Again, this assertion is not substantiated in evidence or fact in the Chair's letter.

2.52 We consider that the PPC Committee Chair is not being clear or transparent in his advice to Baroness Taylor[13] or members as he does not specify how or why:

- HGC or cross boundary working would be impacted or jeopardised.
- The Crown Estate would be impacted upon.
- Dealing with the proposed changes would take 2- 3 years.
- A potential delay to the Local Plan would be contrary to the Government objectives.

2.53 We note that the advantage identified by Cllr De Kort, is that StADC will secure protection Local Plan from speculative applications. This is only true if a draft Plan can be found sound and has fully addressed the DtC (which is highly questionable in its current iteration) and also fails to reflect the fact that even if the draft Plan could possibly be made sound that once adopted it would be out of date immediately for the purposes of decision making applying paragraphs 224 and 225 of the NPPF as it would be inconsistent with the new NPPF. Under the local plan making system, an immediate review of the local plan would also be triggered. Pressing ahead regardless on accelerated timescales is, therefore, a highly misconceived strategy for StADC to be adopting.

2.54 Cllr Mitchell asked specifically as to whether StADC should not pursue further Option 3 as it could be' quicker and cheaper' and indicated that if Dacorum select an 'Option 2 or 3' approach, resulting in a big drift which would impact upon the HGC project.

2.55 Officers indicated that the process '*couldn't be quicker but might be cheaper'*– possibly. Again, we highlight that this is the subjective view of officers, that there is no robust objective basis offered to members on which to assess the implications of the available options in progressing or not with the Regulation 19 Plan. No tangible evidential basis substantiates the response and has the potential to misrepresent the position to members.

2.56 Officers advised members that '*a day after the current plan is adopted StADC start on preparing new plan meeting 1,544 dwellings per annum'*, stating that Government officials have indicated that they want StADC to get on with plan preparation. We return to this assertion by officers when we look at matters of housing supply and whether this suggestion is demonstrated in the approach to the Housing Trajectory (2024) and housing allocations aspects of the draft Plan in both Part A and B as well as it's associated and evidence base.

2.57 It is acknowledged that StADC has been without a plan for far too long, having not had a plan in place since 1994 – some 30 years. The Authority has also been 'designated'[14] for poor performance in development management (March 2024), however in seeking to move forwards more positively as an authority, this should not be at the expense of proper plan making.

2.58 As detailed above, the Council has twice previously had to withdraw its Local Plan due to spurious decision making – some might argue motivated by a determination to avoid taking more challenging planning decisions – which meant that serious flaws in compliance with the DtC and the soundness of the plan

13 Public reports pack 12092024 1900 Planning Policy Climate Committee.pdf p50-51 paragraph 3

14 https://www.gov.uk/government/publications/st-albans-city-and-district-council-notice-of-designation

approach transpired. StADC seem to be falling into the same trap again which we address further in Section 3.0.

2.59 Indeed, the Authorities track record should provide an enhanced note of caution to decision taking, 'a plan may not be better than no plan' if the draft Plan is unsound and has been informed by flawed procedural processes.

Planning Policy & Climate Committee (PPC) - 23rd September, 2024[15]

2.60 At the PPC Committee on the 23rd September, members were being asked to:

- approve for publication the Regulation 19 version of the Local Plan; and
- to recommend to Full Council the approval for the purpose of Submission.

2.61 The Local Authorities (Committee System) (England) Regulations 2012 requires StADC to approve the content of the draft Local Plan for the purpose of Submission to the Secretary of State.

2.62 The supporting PPC Committee Report highlights that on the 28th November 2024 StADC will decide whether to submit the draft Plan or not following consultation on the Regulation 19 Plan has concluded on the 8th November 2024. This only provides StADC with 20 days to consider and have regard to the Regulation 19 representations and adjust the draft local plan accordingly which seriously calls into question how StADC can possibly have time to conscientiously consider the Regulation 19 responses.

2.63 It was noted that Full Council was due to meet on the 16th October 2024 - during the consultation period - to approve the Submission of the Local Plan, as such pre-determining an outcome prior to the conclusion of the Regulation 19 consultation process. StADC indicate that following PPC on the 28th November, if no 'showstoppers' have been identified through consultation the Regulation 19 Plan that it will be submitted to the Inspectorate, if major changes are required then the Local Plan would need to be reconsidered by Full Council prior to Submission.

2.64 What is evident clearly by the above approach is that StADC are trying to cut as many corners as possible to avoid dealing with the increased standard method (2024) and are even compromising on Full Council consideration of both the proposed Submission version of the Plan and Regulation 19 representations. This super accelerated timetable call into question whether the Regulation 19 Plan can possibly be considered to have been the subject of any meaningful dialogue and reviewed based upon stakeholder representations prior to Submission. The expedited process suggests an element of pre-determination on behalf of the Council.

2.65 With the approach that the Council has set out, the Regulation 19 Plan will not be (materially) amended following consultation. This undermined the Council's own Statement of Community Involvement (SCI) 16 published in February 20203 which states:

"3.5 The Council are committed to involving communities and other stakeholders in the planning process. The Council will: .....Consult in a timely, and appropriate way with stakeholders; ensuring people are invited to participate in the development of planning policy and comment on major planning applications before major decisions have been made....; "

Underline Urbanissta emphasis

2.66 It is difficult to see how the Council can realistically determine at Full Council on the 16th October 2024, that the Regulation 19 Plan should be Submitted when they do not have the benefit of details of representations made on the draft Plan as consultation does not conclude on this until the 8th November 2024.

2.67 This is a fundamental procedural error which not only undermines the Council's stated objectives in its SCI to consult meaningfully but fails to comply with the Council's legal and procedural responsibilities under the DtC. It also breaches the 4th Gunning principle[17] for a fair consultation process which requires public authorities to give conscientious consideration to consultation responses before a decision is made.

2.68 StADC's eagerness to Submit the Plan in advance of the NPPF (2024) changes taking effect, suggest that it is compromising its integrity in pursuing a process that fails to undertake any meaningful consultation and are overly trying to circumvent due process.

15 https://stalbans.moderngov.co.uk/ieListDocuments.aspx?CId=615&MId=10958&Ver=4. Draft Local Plan for Regulation 19 Public Consultation published for committee 23rd September 2024

[1 6] https://www.stalbans.gov.uk/sites/default/files/attachments/Statement%20of%20Community%20Involvement%20Adopted%20Februar y%202023.pdf

17 Laid down by Stephen Sedley QC in the case of R v London Borough of Brent ex parte Gunning

2.69 Surely, this cannot be the intention of existing or emerging Government policy or a sound way in which to undertake plan making.

2.70 StADC hang much stock on the need to get on with plan making, and it is worth noting that on at least two occasions (2017 and 2020), StADC has failed to produce a local plan due to inherent failings in process – principally on these occasions the DtC, and associated errors in judgement in trying to progress spatial strategies which failed to fully address the areas' housing requirements and needs. As such, we question whether the Council is falling into the same trap again and trying to '*plough on regardless'*resulting in humiliation, delay and additional costs to the Authority which could be avoided by pausing and taking stock of the situation that presents itself.

2.71 In terms of identified risks of the Council approach, we note that the Committee reports [9/15] and associated Committee discussions note: 18

- 1 - There will realistically be fewer agreed and signed Statements of Common Ground to assist the Inspectors.
- 2 – There will realistically be fewer and less extensive Topic Papers to assist the Inspectors.
- 3 – There will realistically be less time preparing responses to Objections or concerns raised at Regulation 19 stage to assist the Inspector(s).

2.72 We address these risk items above as they duplicate the risks noted on the 12th September 2024 PPC meeting.

2.73 Again, however the PPC Committee were not provided with any evidence of any cooperation by StADC with surrounding Local Authorities within the JSP area – or otherwise, to consider and assess the implications of the Government's intended housing requirement increases which impact upon StADC 75% increase under the revised standard method but other authorities significantly also. This surely is a failure in the DtC.

2.74 As evidenced in detail in Section 4.0 below, in its haste to progress to Submission, a draft Plan StADC has already shown that errors in process are taking place as for example, the Housing Evidence Paper housing supply and Trajectory (at Table 3.2 of the Part A of the Plan and/or Appendix A to the Topic Paper) sources do not correspond with the provisions as set out in Part B of the draft Plan. Numerous mathematical errors have occurred and substantive changes in approach remain completely unevidenced. Surely, with such basic errors, the draft Plan's assumptions and approach calls into question the soundness of the Plan and the Authorities approach. If officers are working at such breakneck speed, they are unable to check key Local Plan documents correspond with each other, this cannot be an indication of soundness in Plan making.

2.75 If StADC are failing to even consider and reflect with neighbouring authorities on the implications of emerging Government policy and its impact upon on their respective plan strategies and approaches and are unable to even demonstrate such matters have been reviewed in a SCG or otherwise, this is a failure in the DtC.

2.76 Similarly, if StADC does not have sufficient time to fully review representations by stakeholders in advance of the Submission of the Regulation 19 Plan and advise members effectively of the responses received this also strikes at the heart of soundness too.

2.77 Officers indicated in the 23rd September 2024 PPC meeting[15] that they would '*read all representations'*. What is the purpose of consultation if representations made by third parties are not read, reviewed, reflected upon and changes made to the Regulation 19 Plan to reflect on any comments made. How can a Council determine to submit a Plan when they have not had sight of representations as the consultation has not concluded let alone conscientiously considered them?

2.78 StADC are demonstrating clearly that they are prejudging the content and nature of any representations by 'ploughing on regardless' to Submission unless any 'showstoppers' come to light. The intention however is clear that, if possible, the Council will submit the draft Plan to avoid taking difficult decisions and undertaking Plan making in a justified and effective manner. It is plain, that this is an abuse of the proposed transitional provisions in the new draft NPPF.

2.79 As StADC makes clear at paragraph 3.31 of their Report [15] that:

18 https://stalbans.public-i.tv/core/portal/webcast_interactive/873339

"*...following correspondence between Matthew Pennycook, Minister for Housing and Planning and the Chief Executive of the Planning Inspectorate. In simple terms, Inspectors will be more likely to reject Plans at Examination outright rather than try to 'pragmatically' resolve issues through the Examination process. "*

2.80 In its eagerness to bypass the WMS[1] and draft NPPF (2024) (except for the transitional arrangements), StADC is not pursuing a sound approach to plan making and risks the Inspectorate rejecting the Local Plan due to the failings in approach. There is a substantial risk of 'loosing time and money' which as we detail above, is yet unevidenced in time, resources, or associated costs. If such work had been undertaken, it might contradict officers' assertions to members on the 12th and 23r1 September 2024.

2.81 As StADC makes clear at paragraph 3.35 of their Report 15

"In the overall circumstances of SADC, all of the feedback supports the SADC draft Local Plan approach, and the associated timetable outlined in this report "

2.82 Nowhere in the Report[15] does StADC advise members of the potential implications of the proposed 'trial and error' approach to plan making.

2.83 The East of England LGA Planning Policy Review 2021 highlights the role of Councillors at 4.4 in their report (underlining added):

"In this context, local democratic decision making is highly bounded. <u>It is remarkable that two successive Local Plans have failed in part due to administrations of the day making decisions on matters that risked full compliance with Local Plan making rules</u> against advice of their officers and legal opinion. With the benefit of hindsight, <u>the lesson to be learned by the next generations of administrations is to recognise their community leadership role in Local Plan making is to oversee full compliance with the Government's rules. To do otherwise is reckless, a failure of local community leadership with loss of opportunity to protect and promote the community's social, economic, and environmental wellbeing</u>. "

<u>Underline</u> Urbanissta emphasis

2.84 We suggest the StADC officers and members review whether in their current eagerness to push on with the current plan, they run the risk of repeating old mistakes.

2.85 Neither for the 12th or 23r1 September committee meeting is the '2 – 3 years delay' to the Local Plan's preparation explained to members or justified. No critical analysis of the implications on programme have been provided for undertaking a review of the Regulation 19 Plan in line with the draft NPPF (2024) are publicly available or have been discussed with members. Officers have simply advised members that this is the anticipated delay and that the current route is the preferred route.

<u>Full Council 16th October 2024 19</u>

2.86 Councillor de Kort (Chair, man of PPC Committee) opened the debating, indicating that dealing with the Government's proposed changes to the NPPF (2024) is "*too bleak to contemplate"18*

2.87 Several concerns were expressed by members in relation to the plan, including (we summarise): <u>Councillor Cowley</u>

- Can't support as rushing plan through. No thought on what the Labour Government might do next.

- All knew change in administration would mean increase in housing.
- Should work to the new Labour targets

Councillor Mitchell (Redbourn)

- Many unanswered questions.
- Only discussed sites at PPC on 23rd Sept far too late to make revisions as the draft Plan was scheduled to go to consultation.
- HGC concerns – 11,000 new dwellings. Size of Harpenden. Impacts upon Redbourn.
- No evidence of viability and deliverability of the programme.
- More work is needed in relation to site allocations.
- Can't vote on draft Plan to be sent to examination as it is intrinsically flawed.

Councillor Emma Turnbull (London Colney)

- London Colney scheme is subject of an appeal.

19 https://stalbans.public-i.tv/core/portal/webcast_interactive/876899/start_time/751000

- Don't agree with Local Plan choices and Labour group will not support.

Council Heritage

- Will not be supporting the Plan as that there has been enough information provide to members on feedback from the Regulation 18 consultation or what officers responses to the submissions were.
- Not heard all the answers or reviewed if the right sites have been included.

2.88 Full Council voted to approve the Local Plan for submission with 43no. councillors voting in favour 5no. voting against and 3 no. abstentions.

2.89 StADC's rushed approach is leading to significant oversights in process by officers, which undermine the soundness of the Plan and provides little or no material for third parties to review and reflect upon or for the Inspectorate to be reassured that the Council has robustly challenged itself in determining to progress with submitting its draft Plan having been positively prepared, justified, effective and is consistent with Government policy.

2.90 Members and indeed stakeholders are being advised that to submit the draft Plan in early December 2024, is the preferred route, however inadequate justification or evidence has been made available to either PPC Committee or even, Full Council. The Council has seemingly pre-determined that the Plan is to be submitted, a questionable approach which does not meet the tests of paragraph 35 of the NPPF (2023) (or 36 of the draft NPPF 2024).

2.91 Again, this would suggest that a single-minded approach to the direction of travel has been (pre)determined and the extent and way the Regulation 19 Plan has been progressed has been developed in a way to substantiate this.

- Other Relevant Planning Policy

New South West Herts Joint Strategic Plan (2050)

2.92 The South West Hertfordshire Joint Strategic Plan (JSP) will cover the five council areas of Dacorum Borough Council, StADC City and District Council, Three Rivers District Council, Hertsmere Borough Council and Watford Borough Council.

2.93 It is not clear to what degree StADC has had regard to the need and aspriations of its partners within the joint area and conisdered the implications of the straegic framework that might emerge within the Joint Strategic Plan area.

2.94 Figure 3 shows the current timeline for the JSP which will consult upon the options for the scale and pattern of future growth in the area, which will no doubt be proogressed in a manner consistent with the new NPPF (once published). StADC therefore seem to be pushing on regardless and will therefore run the risk of falling foul of the issues that faced them in 2017/2020, regarding the failure to co-operate with surrouding local authorties effectively or adequately.

Figure 3 – JSP Timeline

Source: https://www.swhertsplan.com/our-programme

2.95 Dacorum acknowledge that in their Local Plan preparation the need to ensure consistency with progress of the JSP. StADC at 1.10 and 1.11 of the Part A Regulation 19 Plan, state what the JSP's role is and state that they have worked with Dacorum in relation to the HGC. There is no other reference to the relevance of significance of the JSP except in the Glossary (at page 142)

2.96 The Regulation 19 Plan is almost entirely inward looking and clearly does not meet the requirements of paragraph 26 and 27 of the NPPF (2023) or 26, 27 and 28 draft NPPF (2024) as to maintaining effective cooperation. This clearly shows failings in the compliance with the DtC on behalf of StADC.

Dacorum Local Plan (2041)

2.97 StADC have made great play of their 'exemplar' cooperation that has been undertaken with Dacorum, and this may be the case, however as noted by members at committee on the 23rd September[15] there are specific timing and cost implications of pursuing Option 1 over Options 2 and 3 (as detailed above). There has however been no evidence, justification or transparency associated with this decision making.

2.98 Members have also highlighted that delays to Dacorum's Plan could cause delay to the delivery of the Hemel Garden Community (HGC) site. No risk assessment has been undertaken by StADC to examine the possible implications of such on their Regulation 19 Plan assumptions.

2.99 Dacorum, acknowledge that they are seeking to move forward with their draft Plan under the existing NPPF (2023).

2.100 In a report for the Dacorum Strategic Planning and Environment Overview and Scrutiny Committee held on the 9th October 2024[20], details of the Pre-Submission version of the New Dacorum Local Plan to 2041 – Regulation 19 have been published.

2.101 Dacorum indicate that:

"*The Dacorum Local Plan would qualify under transitional arrangement (b), if submitted to the Secretary of State for examination within one month of the new NPPF being published*."

2.102 The Dacorum LDS[21] which is published in amended form alongside the Pre-Submission Local Plan (Appendix B) indicates the current timetable:

- November 2024 Formal Publication of Regulation 19 version of Plan.
- March 2025 – Submission of Plan.
- May 2025 – Examination.

2.103 It is unclear whether Dacorum can comply with element b) of the transitional arrangements if the NPPF is published before the end of 2024 (plus one month). What is clear is that Dacorum is behind StADC in terms of progress with their draft Local Plan but did vote in favour of launching a Regulation 19 consultation on their draft Plan on the 15th October 2024. The process will commence on the 4th November 2024 and concludes on the 17th December 2024.

2.104 This lack of parity will inevitably have a bearing upon the delivery of HGC which to date has not been risk assessed or evidenced by StADC.

3.0 Legal Compliance

- Legal Compliance

3.1 Section 20 (2) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) confirms that at examination

the Inspector will be required to consider whether, with respect to the draft Plan:

- The relevant legal and procedural requirements in the PCPA 2004 and Local Plan Regulations 2012 ('2012 Regulations) have been complied with.
- The plan is sound.
- The duty to cooperate has been complied with.

3.2 The legal requirements are those in section 17 (plan content) and section 19 (preparation) in accordance with

the LDS, regard to policies, compliance with the Statement of Community Involvement (SCI) sustainability appraisal) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and the 2012 Regulations.

3.3 Some Authorities prepare a Local Plan Self-Assessment of their legal Compliance. We see no evidence that

StADC has undertaken or anticipates undertaking such an assessment.

- Duty to Co-operate (DtC)

3.4 The DtC is set out in section 33A of the PCPA 2004 and requires StADC as the plan making authority to co-

operate with other plan making authorities and bodies on any strategic matters arising in relation to the draft Plan.

3.5 In addition to the relevant provisions of the PCPA 2004 and 2012 Regulations, the NPPF and Planning Practice

Guidance (PPG) are also pertinent, not least in relation to the Maintaining Effective Cooperation and Evidence Base sections of the PPG.

3.6 In reviewing whether StADC have met it's DtC, we set out several key aspects of the guidance below.

3.7 Paragraph 26 of the NPPF (2023), requires that an authority must have:

"Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy'

3.8 The DtC requires authorities to engage constructively, actively and on an on-going basis in relation to the

preparation of the draft Plan in relation to strategic matters.

3.9 Paragraph 1.9 and 1.10 of the Regulation 19 Plan refer to the DtC. Paragraph 1.9 sets out the obligations and

paragraph 1.10 deals with JSP related matters.

3.10 Paragraph 1.11 of the draft Plan states that StADC is working with Dacorum in relation to HGC matters. This

is the extent of information provided by StADC in respect of the DtC.

3.11 StADC are seeking to demonstrate, on this occasion, with this draft Plan that they are complying with the

DtC in Section 33A of the Planning and Compulsory Purchase Act 2004. We note that the Regulation 18 Plan indicated that '*a meeting was held with all neighbouring planning authorities and Hertfordshire County Council in September 2021 (Para 1.12 of the Local Plan) and following this 'workshop'certain authorities were asked if they could help St Albans meets its need for housing and a Strategic Rail Freight Interchange (SFRI*)'. This has been removed and no updated or additional material has been provided in the Regulation 19 Plan.

3.12 It is also noted that StADC is part of the proposed joint South West Hertfordshire Joint Strategic Plan (JSP)

area with Dacorum Borough Council, Hertsmere Borough Council, Three Rivers District Council and Watford Borough Council. The JSP seeks to provide a vision of the sub region to 2050.

Statement of Common Ground (Overarching) September 2024

3.13 Government Guidance on Statements of Common Ground (SCG) [22] indicates that:

"*Statements of common/uncommon ground are essential to ensure that the evidence considered focuses on the material differences between the appellant and the local planning authority. They provide a commonly understood context to inform the subsequent production of proofs of evidence*."

22 https://www.gov.uk/government/publications/statement-of-common-ground/statements-of-commonuncommon-ground-for-inquiries

3.14 To summarise, the overarching SCG fails to address several key matters:

- There is no mention of discussions or cooperation with Watford Borough Council in relation to the Local Plan spatial approach, infrastructure provision, employment, or housing provision in the Regulation 19 Plan. There is mention of work undertaken with Watford BC in 2018 on flooding, no details as to how this has been progressed or further considered.
- There is no mention of discussions or cooperation with Three Rivers Council in relation to the Local Plan spatial approach, infrastructure provision, employment, or housing provision in the Regulation 19 Plan. There is mention of work undertaken with Three Rivers in 2018 on flooding, no details as to how this has been progressed or further considered.
- There is no mention of discussions or cooperation with Three Rivers Council in relation to the Local Plan spatial approach, infrastructure provision, employment, or housing provision in the Regulation 19 Plan.
- There is no mention as to how spatial issues of the JSP have been or will be addressed in the StADC Local Plan (Regulation 19).

3.15 The PPG states that a SCG is expected to contain several items as listed in column 1 of Table 1. In column 2 we identify whether this has been addressed within the SCG published alongside the Regulation 19 Plan.

Table 1

PPG Expectations	**StADC SCG**
a. a short-written description and map showing the location and administrative areas covered by the statement, and a brief justification for these area(s);	Provided
b. the key strategic matters being addressed by the statement, for example meeting the housing need for the area, air quality etc.;	Provided
c.the plan-making authorities responsible for joint working detailed in the statement, and list of any additional signatories (including cross-referencing the matters to which each is a signatory);	Provided

d. governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date;	Very limited information
e. if applicable, the housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement;	Not Included
f. distribution of needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;	Not Included
g. a record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and	Not Included
h. any additional strategic matters to be addressed by the statement which have not already been addressed, including a brief description how the statement relates to any other statement of common ground covering all or part of the same area.	Not Included

3.16 The PPG at paragraph 11 requires that:

"*The level of cooperation detailed in the statement is expected to be proportionate to the matters being addressed. The statement is expected to be concise and is not intended to document every occasion that strategic policy-making authorities meet, consult with each other, or for example, contact prescribed bodies under the duty to cooperate. The statement is a means of detailing key information, providing clear signposting or links to available evidence on authorities' websites*."

3.17 The SCG does not provide any signposting or links to evidence. The current SCG is lacking in several key areas. No evidence from the SCG substantiates the activities that may – or may not - have been undertaken. This is a specific failure in demonstrating the DtC.

3.18 The PPG at paragraph 12 sets out the information that is required within a SCG including:

"....*b) the extent of any unmet need within the strategic policy-making authority area(s); and*

1. d) *agreements (or disagreements) between strategic policy-making authorities about the extent to which these unmet needs are capable of being redistributed within the wider area covered by the statement.... "*

- 30 -

3.19 The SCG refers to the Planning Advisory Service (PAS) guidance[23] to Local Planning Authorities in 2019, to guide the scope and content of SCG and provide guidance on the material that should be prepared by Local Authorities, the key aspects are set out in Table 2 which assesses the level and nature to which the SCG has regard to the identified aspects:

Table 2

Key Element of SCG	
A list of the planning authorities and any additional	

organisations that are signatories to the SCG.

· A list of individual signatories; names and roles of planning authority's political leaders and the relevant representatives of other strategic organisations.

· A list of the key strategic matters being covered,

.

A short description and map showing the geography that the SCG covers and brief justification of the area.

· A description of the governance arrangements for cooperation and how the SCG will be kept up-to-date.

· A list of the housing requirements in any adopted and emerging plans, if applicable to the key strategic matters.

.

An agreement of how housing need will be distributed across the area, including unmet need, or the process for agreeing the distribution across the area.

.

A list of agreements that have or have not been reached on the key strategic matters and the activities undertaken to reach agreement. If no agreement has bee reached, the proposed process and date for reaching agreement, or how this has affected the relevar strategic issues and the content of the plan.

.

Any additional strategic matters that are deemed as required in the SCG, such as a brief description how the SCG relates to any other SCG covering all or part of th same area.

3.20 In their overarching SCG, StADC have not fully addressed several key requirements, including:

- Not providing a plan of the SCG area.
- Failing to provide a description of governance arrangements.
- Omitting details on how agreement has been reached on housing need will be distributed across the area, including unmet need, or the process for agreeing the distribution across the area, not least acknowledging between the parties on the implications of dealing (in the future if not now) with the revised NPPF (2024) for the area (JSP area in particular).
- Lack of a list of agreements that have or have not been reached on the key strategic matters.
- Omission of detail of additional strategic matters that require a SCG.
- No details have been provided in relation to where Memorandums of Understanding (MoU) will be prepared.

3.21 No details on timescales, activities, or ongoing collaboration are provided. No details as to the extent of

activity that has taken place is provided in the form of meeting minutes, memorandums of understanding or more detailed SCG with individual authorities or bodies.

3.22 StADC's SCG indicates that:

"*No matters of disagreement between SADC and the Duty to Co-operate partners on the strategic geography or what comprises the strategic cross-boundary matters. "*

3.23 It is unclear whether there are any areas still in discussion, or where MoU's may be required, not least given

the recent draft NPPF (2024) which raises challenges on matters associated with:

- Unmet housing need.
- Draft NPPF (2024) standard method and implications for cross boundary working.
- Timescales and programme for plan making, review and coordination either within the JSP area or otherwise.

[2] [3] https://www.local.gov.uk/sites/default/files/documents/PAS`X20Statement`X20of`X20Common`X20Ground`X20Advice`X20and`X20Temp late.pdf

- 31 -

3.24 The SCG provides limited evidence as to how matters have been discussed or agreed and does not indicate

the matters that are (or have been) in dispute between the parties. There is no evidence to show that from any the discussions that have occurred, what work was needed to resolve any areas of conflict.

3.25 Turning to matters as set out in the 2012 Regulations in relation to the publication of a local plan:

"*19. Before submitting a local plan to the Secretary of State under section 20 of the Act, the local planning authority must—*

*(a)make a copy of each of the proposed submission documents and a statement of the representations procedure available in accordance with regulation*35, *and*

*(b)ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation*18(1)."[24]

3.26 Regulation 19 of the 2012 Regulations[25] goes on to state (so far as is material for these purposes) as set out

in Table 3:

Table 3 – Compliance with 2012 Regulations

2012 Regulations	**Urbanissta Review of StADC Position**
"Submission of documents and information to the Secretary of State: 22.[26]—	
(1) The documents prescribed for the purposes of section 20(3) of the Act are—	
(a)the sustainability appraisal report;	Provided at Reg 19,
(b)a submission policies map if the adoption of the local plan would result in changes to the adopted policies map;	Provided at Reg 19,
(c)a statement setting out—	

(i)which bodies and persons the local planning authority invited to make representations under regulation 18,	No Statement provided for Full Council 16th October 2024.
(ii)how those bodies and persons were invited to make representations under regulation 18,	No Statement provided for Full Council 16th October 2024.
(iii)a summary of the main issues raised by the representations made pursuant to regulation 18,	No Statement provided for Full Council 16th October 2024.
(iv)how any representations made pursuant to regulation 18 have been taken into account;	No Statement/evidence provided for Full Council 16th October 2024.
(v)if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and	Required in response to consultation at Regulation 19 stage. It is unclear how this can adequately be done in current timeframes.
(vi)if no representations were made in regulation 20, that no such representations were made;	/
(d)copies of any representations made in accordance with regulation 20; and	/
(e)such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan.	These should also be published alongside the Regulation 19 Plan.

3.27 Given that StADC determined at Full Council on the 16th October 2024[18] to submit their Regulation 19 Plan

for examination during the Reg.19 consultation period, it is unclear how due consideration can possibly have been taken to representations on the draft Plan when the consultation period has not concluded. This procedural error should be rectified prior to submission of the Plan. In summary, StADC needs to pause, reflect, review, and assess representations and fully advise members of the implications of such at the requisite Committees, before proceeding to Submission, thus ensuring that the Authority's legal obligations are met, and it can fulfil its requirements under the DtC.

3.28 Given the undue haste that StADC are working to, there appears to be no comprehensive details of certain

key aspects required for submission including:

- Omitting certain key aspects of the SCG as detailed above.

24 https://www.legislation.gov.uk/uksi/2012/767/regulation/19/made

25 https://www.legislation.gov.uk/uksi/2012/767/regulation/22/made

- Failure to take key documents to Full Council in advance of the intended Submission of the Plan on 2nd December 2024.
- Failure to provide an adequate DtC Statement.

3.29 The overarching SCG is not sufficiently evidenced and substantiated and fails in demonstrating that the DtC

has been effectively complied with. No details on actual cooperating and collaboration with surrounding LPA's on unmet housing needs for example, or other strategic issues highlighted.

3.30 Failings in the DtC cannot be rectified following Submission.

Other Consideration's: Local Development Scheme

3.31 The Regulation 19 Plan was being prepared in line with the updated Local Development Scheme (Sept 2024)[27]
(LDS) which has been amended to reflect the Councils current timetable for expediting Plan delivery following the publication of the draft NPPF (2024).

3.32 Officers have advised members that dealing with the draft NPPF (2024) implications will cause at least a 2 –

3 year's year delay to the draft Plan however we have no evidence as to any reasonable basis for justification of these proposed timescales, either in the LDS, the committee reports, or the draft Plan's evidence base.

3.33 StADC have been overt in their justification for expediting the plan making process and bringing forward the

Plan Submission by 4-5 months being motivated solely by a desire to unduly take advantage of the proposed transitional arrangements and to avoid and defer dealing with the implications of the new draft NPPF (2024).

3.34 As we detail above, StADC has identified a series of risks associated with expediting the draft Plan which

include potential risks associated with the DtC and, which also further bring into question the Plan's soundness.

Publication and Engagement

3.35 As detailed in Section 1.0 above, StADC published an SCI and undertook consultation to Regulation 18 and
now Regulation 19 stages of the Local Plan. It is of great concern that the Full Council resolved on the 16th October 2024, to Submit their Local Plan before the cessation of the Regulation 19 process and without any due regard to any representations made by third parties through consultation, ongoing until the 8th November 2024.

3.36 This cannot be meaningful l engagement or consultation as anticipated by the SCI and is also contrary to the

Gunning Principles for a fair consultation which requires, in summary, conscientious consideration of representations made before a decision Is made. We contend that the approach being undertaken is motivated by a desire to avoid difficult decisions and is in effect, pre-determining the outcome of proper consultation and engagement which is otherwise simply a tick-box exercise for StADC.

Sustainability Appraisal (SA) September 2024

3.37 We address fundamental concerns in respect of the DtC in relation to the SA in Section 7.0 below.

- Soundness

3.38 The requirements of paragraph 35 of NPPF (December 2023) are to ensure that a Local Plan is positively
prepared, justified effective and consistent with national policy as detailed above.

3.39 We set out in Sections 4.0 to 10.0 of these representations. matters of soundness in relation to the Regulation

19 Plan and its associated evidence base.

- Evidence Base

3.40 At 10.00am on the 26th September 20204 when the consultation launched, not all of the Council's evidence
was publicly available. When this error was noticed and advised to the Council, the following response was received:

"*Thank you for your email. I can confirm that all the evidence base supporting the Local Plan Regulation 19 Publication was uploaded on 26 September 2024. You are right that whilst most of it was uploaded by 10.00 am on the 26, because of the volume of material and our IT system capacity, it did take until the afternoon for some documents to arrive on the public facing page. "*

27 https://www.stalbans.gov.uk/sites/default/files/attachments/SADC%20Local%20Development%20Scheme%20-%20Sep%202024%20-%20Final.pdf

- 33 -

3.41 At Regulation 18 stage we highlighted significant concerns about the quality and nature of the evidence base

to support the draft Plan. These concerns were reiterated by TTown Legal LLP in their letter to StADC on the 18th June 2024 on behalf of LIH.

Town Legal Letter & St Albans Response

1.1 Table 4 below extracts the key aspects of the Town Legal letter to St Albans District Council dated 18th June

2024 (column 1), StADC perfunctory response (13th September 20204) (Column 2) and a brief synopsis of the position as at the Regulation 19 Plan (column 3).

Table 4

Town Legal Letter 18th June 2024	**St Albans response 13th September 2024**	**LIH Position October 2024**
1.8b) fundamentally unsound and contrary to Paragraph 35 of the NPPF Does not seek to achieve sustainable development Is not positively prepared or effective Fails to adequately account for acute unmet housing need Not justified as reasonable alternative sites have been discounted incorrectly, unfairly and unjustifiably	Assertion not evidenced	We address in Regulation 19 Reps evidence
C - Exceptional circumstances	1 & 2 Site has some benefits not enough for allocation iii) LIH evidence is not credible	Allocations & omission sites have not been accurately or consistently appraised.
3 – Duty to Co-operate	Statement of Compliance will be Submitted	No Statement of Compliance is available at Regulation 19.

4 – Current Evidence Base	d) Local Housing Needs published at Regulation 19 stage	Local Housing Needs has been published with the Regulation 19 plan.
	e) Site Selection Methodology - Reg 19	Viability Assessment provided. LVIA has only been undertaken of the draft allocated sites. No testing of alternatives has been evidenced.
	g) Viability Assessment - Reg 19	
	h) Landscape Assessment - Reg 19	
4.9 Interim SA fails to fully address reasonable alternatives	Disagree	SA reviewed at Regulation 19 – flawed.
4.10 – Flaws in ISA	Disagree	SA reviewed at Regulation 19
4.11 – Housing Needs Assessment	Local Housing Needs published at Regulation 19 stage	Reviewed at Regulation 19 -lack of regard to unmet need in spatial strategy
4.12 - Site Selection Methodology	Site Selection Methodology - Reg 19	Reviewed at Regulation 19 - flawed.
4.19 - Exceptional Circumstances	Green Belt Evidence Paper at Regulation 19 stage	Reviewed at Regulation 19
5 - Housing Supply	No need to exceed Standard method	WMS and draft NPPF (2024) not addressed.
	Windfalls at Regulation 19	Reviewed Regulation 19 Housing Evidence Paper - flawed.
	Evidence Paper on HLS at Regulation 19	Reviewed at Regulation 19 - flawed.
6 - IDP	Updated IDP at Regulation 19	IDP reviewed at Regulation 19 Position in CIL unclear.
7 - Site Vision and Exceptional Circumstances	Green Belt Review, Spatial Strategy in the Plan and the Sustainability Appraisal, the evidence does not support the allocation of the site.	All decisions predicated upon the GB review
8 - Conclusion	As above	Additional site allocations
	Polices to Support Rothamsted/LAT	included without consultation with LAT.

3.42 It is evident from the Table 4 that there are still substantial and comprehensive concerns about the legal robustness of the evidence base supporting the draft Plan at Regulation 18 stage and we turn to examine below the position in relation to the Regulation 19 Plan.

3.46 In addition to the elements that have been omitted we explore in Sections 4.0 to 10.0 the qualitative aspects

of the evidence base evidence base as it pertains to soundness.

Procedure Guide for Local Plan Examinations (9th Edition) 29

3.47 The Procedure Guide for Local Plan Examinations (9th Edition) (Procedure Guide) was updated in updated
28th August 2024. We set out the basis of the Government's guidance on Local Plan examinations drawing particular emphasis on certain key aspects we consider pertinent to the Regulation 19 Plan in moving towards submission and highlight key considerations which appear to have been overlooked or ignored which in our opinion undermine the soundness of the Plan.

3.48 Section 1: Before submission the guidance outlines that:

"*paragraph 1.2 - Having considered the Regulation 19 consultation responses, the LPA should only submit a plan if they consider it to be sound and there will not be delays of over 6 months during the examination because significant changes or further evidence work are required. It must not be assumed that examinations can always rectify significant soundness or legal compliance problems, which would require more than limited additional work to address. Before submission, the LPA must do all it can to resolve any substantive concerns about the soundness or legal compliance of the plan, including any raised by statutory undertakers and government agencies. Particular attention should be given to the DtC. Statements of Common Ground can be very helpful in this regard."*

Underline Urbanissta emphasis

3.49 Several key issues here include:

- Comprehensively reviewing Regulation 19 representations –*as detailed above officers suggest they will have 'read' representations but perhaps done little more at Submission*.
- We identify a range of significant areas where further work or evidence are required.
- The LPA need to seek to resolve substantive concerns, which StADC should be able to demonstrate at the time of Submission.

3.50 Adequacy of the evidence base is addressed at paragraph 1.10:

"1.10. The purpose of the evidence base is to support and justify what is in the plan. Before preparing or commissioning evidence, therefore, the LPA should be very clear about what they need it for, how they are going to use it and how much detail they need to go into. They must explain what conclusions they have come to from the evidence and how the choices they have made are based on it. It is often useful to prepare topic papers for this purpose. The plan should avoid assertions of fact that are not supported by evidence. Nor should evidence be collected retrospectively in an attempt to justify pre-conceived conclusions."

Underline Urbanissta emphasis

3.51 Several key issues here include (in summary):

- StADC have not set out the conclusions that have been arrived at for evidence clearly and the choices they have made upon, in fact they appear to have used their evidence base to justify a particular outcome to substantiate their position. We highlight concerns in this regard in relation to the Sustainability Appraisal (SA) and Infrastructure Development Plan (IDP).
- The SA and IDP (2023 & 2024) seems to justify preconceived conclusions, and limited evidence has been prepared to demonstrate otherwise.
- Part A, Part B and the Housing Evidence Paper (2024) to the Local Plan do not correlate numerically.

- Significant changes have been made to the draft Plan's Trajectory (2024) assumptions and rationale without proper explanation.
- The Green Belt Review (2023), SA and IDP (2024) we identify are technically flawed and have been prepared with a pre-determined objective in mind.

3.52 Paragraph 1.11 states:

"1.11. ..... Plans which allocate sites for development will need to be supported by evidence demonstrating that the LPA has followed a logical and consistent method to identify and select the allocated sites, and to reject alternatives. "

Underline Urbanissta emphasis

3.53 As set out in the Green Belt Review (Section 6.0) and Appendix 3 to these representations, this shows that the

approach to the Regulation 19 Plan's preparation assessment of constraints – or opportunities arising from development - have not been applied consistently.

29 https://www.gov.uk/government/publications/examining-local-plans-procedural-practice/procedure-guide-for-local-plan-examinations#section-1-before-submission

3.54 In addition, the speed and blinkered approach to the progression of the draft Plan has led to errors in

evidence, as well as misleading members on the implications and risks associated with the prevailing changes in national policy.

3.55 Paragraph 1.15 of the Procedure Guide states:

"*1.15.... statement of compliance with the duty... The statement of compliance should identify any relevant strategic matters and how they have been resolved – or if they have not, why not. It should detail who the LPA has co-operated with and on which strategic matter(s), the nature and timing of the co-operation (e.g. by including meeting notes), and the outcomes of the co-operation, including how it has influenced the plan. As part of this process, NPPF paragraph 27 advises that the LPA should prepare one or more statements of common ground with relevant bodies. The PPG on Plan-making contains guidance on preparing such statements. "*

Underline Urbanissta emphasis

3.56 StADC have not prepared or published a statement of compliance and the current overarching SCG is

inadequate for the following reasons which are, in summary:

- It fails to provide sufficient detail on the nature and extent of engagement with partners
- Offers no details on the timing of such cooperation.
- Provides no detail as to how the draft Plan has been influenced by such engagement

3.57 Paragraph 1.16 continues...:

"1.16. The Inspector will need to be satisfied that the LPA has met the duty to co-operate by engaging with neighbouring authorities and other bodies constructively, actively and on an ongoing basis, in order to maximise the effectiveness of the plan preparation process (See PCPA, section 33A and Regulation 4 which define the duty to co-operate and the bodies with which the LPA is required to co-operate). "

3.58 StADC have not evidenced that the interactions that have taken place have been constructive, active, and

ongoing in either the overarching SCG or other draft Plan evidence base material.

3.59 Prescribed documents are addressed at paragraph 1.18 of the Procedure Guide 9th Edition:

"*1.18. It is well worth the LPA investing time in producing a focussed and comprehensive statement of the main issues raised in the representations made in response to consultation at Regulation 19 stage. This will help the Inspector gain an early understanding of issues that are likely to need addressing in the examination. While not a legal requirement, it will also be very helpful to the Inspector if the LPA provides brief responses to the main issues, it has identified and to any substantial concerns about soundness or legal compliance raised in the representations. The Planning Advisory Service provide a helpful advice note and template on their website. "*

Underline Urbanissta emphasis

3.60 Given the proposed draft Plan acclerated submission timescales, it is hard to see how StADC will be able to

*produce "a focussed and comprehensive statement of the main issues raised in the representations made in response to consultation at Regulation 19 stage."*Indeed, officers have already indicated to members that this will be lacking given the timescales associated around the Plan as detailed in Section 2.0 above.

3.61 Finally, Paragraph 1.24 of the Procedure Guide 9th Edition states:

"1.24. Before submission, the LPA may find it helpful to carry out a self-assessment of the soundness and legal compliance of the plan, although this is not compulsory. The Planning Advisory Service's website provides comprehensive advice to help ensure the plan is robust. This includes their Local Plan Route Mapper and Toolkit. The Planning Inspectorate also provides 'advisory visits' which LPAs are encouraged to request during plan preparation. These are informal discussions chaired by an experienced Inspector on a without prejudice basis. Their aim is to assist LPAs to prepare effectively for the examination process. In the interests of impartiality, Inspectors who conduct advisory visits on a plan would not be subsequently appointed to examine it. "

Underline Urbanissta emphasis

3.62 Given StADC's significant issues of compliance to date with two failed local plans behind it focussed upon

the DtC and lack of soundness, it is considered that such a self-assessment should be undertaken prior to submission. No such assessment has been undertaken to date.

3.63 Section 2: Submission

"2.2. It is of paramount importance that the Programme Officer [POI is in post by the time the plan is submitted."

"2.4. It is also vital that an examination website has been set up by the time of submission. "

3.64 There is no evidence to suggest that StADC has a programme officer in post, or an examination website set

up.

3.65 Officers have indicated [9/15] that their efforts to cooperate with neighbouring authorities (Dacorum) have been

exemplar. It is unclear to what degree any collaboration has taken place with other surrounding local authorities such as those part of to the 2017 high court challenge which StADC lost in 2017[6] and/or with neighbouring authorities within the JSP.

3.66 StADC has provided limited or no details as to the way cooperation within the JSP area has taken place,

including, Hertsmere, Three Rivers, Watford, or more widely, with Welwyn Hatfield, Hertfordshire County Council, Central Bedfordshire, and North Hertfordshire. No evidence to indicate what if anything has been undertaken with surrounding authorities has been provided.

3.67 It is therefore wholly misleading and unsubstantiated for officers to suggest to members that StADC approach

is exemplar. On the contrary, the SCG and evidence base are lacking in many respects. It is hard to see how the requirements of paragraph 26 and 27 of the NPPF (2023) or 26, 27 and 28 draft NPPF (2024) can or have been complied with.

3.68 Once again, StADC is simply progressing with its own flawed agenda with limited If any regard to the

prevailing wider national or local planning environment.

3.69 In Sections 4.0 to 10.0 we now look at matters of soundness in relation of aspects of the evidence base.

- Section 4.0 – Housing Supply & Allocations
- Section 5.0 – Affordability & Unmet Need
- Section 6.0 – Green Belt
- Section 7.0 – Sustainability Appraisal
- Section 8.0 – Transport/Settlement Hierarchy
- Section 9.0 – Infrastructure Delivery Plan
- Section 10.0 - Exceptional Circumstances

3.70 We examine in turn if the various matters have been positively prepared; are justified, effective and are consistent with national policy and as such determine whether the Regulation 19 Plan can possibly be considered sound.

8.0 Spatial Strategy & Settlement Hierarchy

- Spatial Strategy

8.1 We set out below the latest available population data regarding the Tiers of settlement as defined in

Table 1.3, Figure 1.2, and Policy SP 1 of Part A of the Draft Plan.

8.2 Populations

Tier 1 – City/Large Town

- **Hemel Hempstead** - 95,961 Population Census 2021-03-21
  Population Density [2021] 0.89%
- **St Albans** - 75,537 Population Census 2021-03-21
  Population Density [2021] 0.63%

Tier 2 - Town

- **Harpenden** - 30,966 Population Census 2021-03-21
  Population Density [2021] 0.37%

Tier 3 - Small Town

- **London Colney** - 7,932 Population Census 2021-03-21
  Population Density [2021] 0.29%

Tier 4 - Medium Sized Village

- **Redbourn** - 5,453 Population Census 2021-03-21
  Population Density [2021] 0.20%
- **Wheathampstead** - 4,527 Population Census 2021-03-21
  Population Density [2021] 0.46%

8.3 We note that in looking at the way land use allocations have been made and the way the land at NE

Redbourn has been assessed that Tier 3 – Small Towns – London Colney.

8.4 It should be noted that an inconsistent application of constraints has been applied to Redbourn as,

London Colney does not:

- have a secondary school.
- have a train station, with St Albans Station being some 3.1 miles away.

8.5 With regards to Tier 4 settlements, Redbourn is acknowledged to have a functional relationship with

Harpenden (and station) which is located some 3.3 miles to Harpenden Station.

8.6 Table 6.1 Centre Hierarchy (Part A Local Plan sets out the following hierarchy:

- City centre - St Albans City Centre
- Town centre - Harpenden Town Centre
- District centres (Small towns, villages and large suburban) - London Colney, Fleetville (St Albans), The Quadrant, Marshalswick (St Albans), Verulam Estate (St Albans), Southdown (Harpenden), Redbourn, Wheathampstead.
- Local centres within Broad Locations
- Local centres

8.7 It is pertinent to note that Redbourn and London Colney are in the settlement hierarchy here, which is

inconsistent with the hierarchy set out in Table 1.3 of Part A of the Plan.

- Transport

8.8 We have assessed whether the draft Plan's approach on movement and infrastructure are justified,

effective, consistent with national policy and positively prepared and, as such, firstly review the framework provided by Hertfordshire's Local Transport Plan 4 (2018-2031), specifically Policies 1 and 2 which state that:

Policy 1: Transport User Hierarchy

"To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- *Opportunities to reduce travel demand and the need to travel.*
- *Vulnerable road user needs (such as pedestrians and cyclists).*
- *Passenger transport user needs.*
- *Powered two-wheeler (mopeds and motorbikes) user needs.*
- *Other motor vehicle user needs. "*

Policy 2: Influencing land use planning

“The county council will encourage the location of new development in areas served by, or with the potential to be served by, high quality passenger transport facilities so they can form a real alternative to the car, and where key services can be accessed by walking and cycling. ”

8.9 In assessing the Council’s site selection methodology and approach to site allocation the several

inconsistencies in approach and evidence have been identified which undermine the draft Plans’ justification and effectiveness.

8.10 A demonstration of the inconsistencies in approach to allocation and omission site selection and the

Council’s methodology, culminating in the site allocations as defined in draft Policies SP1, SP3 and Table3. 1 and 3.2 of the draft Plan Part A as well as Part B Local Plan Table A1.1 and Site allocations, is addressed below.

West Redbourn (Site B3)

8.11 The closest bus stops to this site are located “7 minutes walk”, equating to circa 560m at 80 metres per
minute. Based on a review of the area, we assume that the stops in question are the Church End stops on Hemel Hempstead Road. This would put the stops at circa 550m from the closest corner of the site and therefore the walking distance for future residents would be greater.

8.12 Hertfordshire County Council’s Place and Movement Design Guidance states that “*A minimum service*

provision level of 4 buses per hour peak / 2 buses per hour off peak (06:30 to 22:00) is considered as appropriate for most development with the walking distance to bus stops being no longer than 400m”.

8.13 In this context, the entire site is beyond the acceptable walking distance as set out in HCC’s latest

guidance. It is unclear whether the proposed allocation would divert or provide a new service, in the context of the scale and of the proposed allocation (circa 600 dwellings) and the routing of existing services/the local highway network, it is unlikely that a diversion could be agreed with a local bus operator. In particular, a bus services onto Lybury Lane or Flamsteadburry Lane would likely be inappropriate for buses considering the width is limited.

8.14 Should a standalone service come forward as part of the proposals, the frequency is likely to be low due

to the journey length likely required to make the route attractive (i.e. a service to Hemel Hempstead or Harpenden Town Centres) and the associated cost per bus per annum. Assuming a new route is provided to Hemel Hempstead, the journey time to the town centre would be circa 20-30 minutes (subject to the quantum of stops provided), which would result in an hourly service. We do not consider this to be adequate to make public transport an attractive modal choice.

8.15 It is noted that bus stops are provided along the North East Redbourn site’s southern and western

boundaries, which results in a considerable area of the site being within 400m walking distance of a bus stop without the need for new or diverted services. This is particularly important when bus is cited as having potential for longer journeys.

8.16 The site B3 is located 17 minutes (1,360m) from Redbourn District Centre and 12 minutes from the

closest primary school (960m) where the majority of services and amenities are located for the village. In this context it is unclear how the site encourages the use of active modes of travel instead of the car (noting LTP4 policy 1 above).

8.17 The Appendix 1 Transport evidence on Redbourn[42] states that the roads in the area are "*relatively wide*"

with many "*high quality footways*" which we disagree with, particularly when looking at the pedestrian routes towards with village centre. North Common has narrow unlit footways with limited tactile paving. It is unclear if a scheme in relation to site B3 has been proposed to mitigate against this. Similarly, it is stated that an LTP compliant access for all moves is deliverable, but this seems to ignore some of the existing constraints.

42 Appendix 1 2024 REDBOURN MERGED

8.18 It is welcome that the Comet model (the County Council's strategic model) has found no showstoppers

given that this would impact upon the deliverability of the North East Redbourn site as well.

South of Harpenden Lane (M6)

8.19 Overall, site M6 appears to be better located than the site B3. Most services and amenities are closer,
except for the primary school which is 14 minutes (1.1km) away.

8.20 The text in relation to site M6 also appears to be very similar to West Redbourn which doesn't seem

appropriate given the differences between the two locations for pedestrian/ cycle access. Perhaps this is an error in the assessment.

8.21 The NE Redbourn site is well located to support Redbourn's existing services and amenities (including

local bus stops within circa 400m of each dwelling as per the latest HCC guidance) and can deliver an access that accords with both LTP4 and HCC's Place and Movement Design Guidance.

8.22 The aspects of the NE Redbourn site's credentials have been overlooked in both the site selection methodology, SA (2024) and IDP (2024) and the inconsistent application to site selection is evident. The draft Plan's evidence base is clearly not fully justified or effectively evidenced and should be review ed in advance of the Plan being submitted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.105 The required changes to the draft Plan are procedural in nature and include:

- Due process should be following prior to submission of the Regulation 19 Plan.
- Accurate and comprehensive evidence should be provided to members of both PPC and Full Council on the options, costs, and timescale implications available to them of pursuing different courses of action regarding the Regulation 19 Plan, following the draft NPPF consultation in 2024.

- Ensure the PPC and Full Council have not been misled on key matters pertaining to the draft Plan. Full Council consideration of Regulation 19 which should be informed by comprehensive review of representations, after the consultation period has concluded.
- The Council constitution should be appropriately followed, and Full Council consider the draft Plan and associated representations in full prior to submission of the Plan.

20 https://democracy.dacorum.gov.uk/documents/s44436/2024_10_01%20Scrutiny%20Report_Local%20Plan%20Reg19.pdf

21 https://democracy.dacorum.gov.uk/documents/s44438/Appendix%20B_LDS%20Update%20-%20October2024_Approvals.pdf

- Transitional Arrangements of the draft NPPF (2024) are material considerations – however so are the wider aspects of the Autumn Budget 2024, WMS[1] and draft NPPF (2024). The Regulation 19 Plan should be reviewed more comprehensively considering these matters.
- The Governments' objective of 'turbocharging' housing delivery should be central to the:
- Spatial strategy (Draft Policy SP1, Table 1.3 and Figure 1.2) and, as such, additional allocations including the Site are required.
- The housing aspects of the Plan Table 3.1 and 3.2 of Part A of the draft Local Plan should be updated and amended to reflect these themes.
- Part B of the draft Local Plan Table A1.1 and Sites H 1 – H4; B1 – B8; M2 – M23; P1. – P3; U2 – U4; UC1 – UC57 should be reviewed, amended, and supplemented for the reasons addressed subsequently in these representations in order to achieve sustainable development.
- The Trajectory at Table 3.2 of Part A of the Plan should be substantially revisited to include additional allocations such as the land at NE Redbourn, to address the identified shortfalls in supply.
- With regards to the SCG, further details on the manner, means and processes of engagement with the JSP authorities as well as the representative bodies is essential to determine whether the DtC has been properly complied with.
- Further details as to the 'exemplar' way engagement with Dacorum has taken place.

3.71 Changes to the draft Plan in this regard are procedural and include:

- Evidence surrounding the DtC requires supplementing to show constructive, active, and ongoing co-operation.
- Statement of compliance to be prepared prior to Submission.
- Procedural concerns regarding Full Council consideration of Regulation 19 should be informed by comprehensive review of representations to draft Plan (and not pre-determined).
- Part A, Part B and evidence base to draft Plan should be brought in line and errors and inconsistencies amended.
- Self-Assessment of their legal compliance, given the Council's previous track record of failures in soundness and DtC.
- The overarching SCG is lacking and requires supplementing as detailed in these representations.
- SCG should detail on timescales, activities, constructive, active, and ongoing collaboration is demonstrated.
- Additional MOUs should be included as part of the submission material to substantiate StADC's position.
- Undertake due process with Full Council being able to consider all representations received (adequately) at Regulation 19 stage.
- Evidence base should be supplemented as detailed in these representations.
- Errors in decision making should be regularised.

8.23 Changes required to make the spatial strategy of the draft Plan sound, include (in summary):

- The spatial strategy should be amended to reflect the housing land supply and unmet need failing that have been identified. Additional allocations (Part A and Part B of the draft Plan) should be made to address the deficiencies in supply that arise.
- Table 1.3, Figure 1.2 and Policy SP 1 should be reviewed and revised based upon the procedural and housing supply anomalies identified within these representations, to make good the shortfalls anticipated.
- Consistent application of transportation assessment across omission and draft site allocations should be addressed and the Plan and associated allocations in Part a and Part B of the draft Plan amended accordingly.
- The transportation constraints and opportunities of site identified in Part A and Part B of the draft Plan (B3 and M6) have not been undertaken on a consistent or policy compliant manner.
- Sites B3 and M6 should be removed from the draft Plan as allocations due to their respective constraints and land at NE Redbourn site allocated given is availability, deliverability and sustainability credentials which would be of benefit to both Redbourn and Rothamsted Research.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Regulation 18 to 19 Sites Position_[R].pdf
2. Appendix 2 - Trajectory Comparison_[R].pdf
3. Appendix 3 - 2941-4-1-TD-0001-S5-P3 NE Redbourn GB Appraisa_[R].pdf
4. Appendix 3 - 2941-4-4-4-LV-0001-S5-P3 Redbourn Landscape Analysis_[R].pdf
5. St Albans Technical Submission - Final Draft - 7th November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To address the matters detailed in the attached Submission Document

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Policy

Number:

SP3, Table 3.1 & 3.2, LG 1 - 6, paragraphs 3.7-3.11, Proposals Map

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

4.0 Housing Supply & Allocations

- Part A Table 3.1 and 3.2 & Part B Local Plan Housing Sites

4.1 At Regulation 18 (September 2023) LIH submitted detailed representations in relation to the suitability,

deliverability, and availability of several of the proposed site allocations in the Local Plan. We asserted that the Council's approach was unsound as it had not been suitably justified, effective or positively prepared and as such was not consistent with national policy. These concerns remain and have not been addressed adequately by the Council in the Regulation 19 Plan.

4.2 We rely in part in these representations on the Identified Sites Deliverability Assessment – FINAL - 25th

Sept 23 submission made at Regulation 18 stages, as it pertains to the sites retained as allocations in the Regulation 19 Plan and as applicable to additional identified sites, where these are pertinent.

4.3 We have set out in Sections 2.0 and 3.0 the prevailing national policy agenda and lack of regard to which

StADC have placed upon this, which we consider means that the draft Plan cannot be sound as it is not consistent with national policy. We now turn to the specifics of the Plan and its supporting evidence base.

4.4 Limited information has been provided in relation to the Council's updated position on site allocations

and housing supply, however we do note that a Housing Evidence Paper with Trajectory (2024) has been published which we address below. The same Trajectory is also provided at Table 3.2 of Part A of the Regulation Plan.

4.5 The focus of our representations relates to:

- Draft Policies SP1 and SP3 Key diagram 1.3, paragraph 3.7 – 3.11, Policy.
- Table 3.1 and 3.2 of Part A of the draft Local Plan.
- Draft Policies LG1, LG2, LG3, LG4, LG5 and LG6.
- Part B of the draft Local Plan Table A1.1.
- Part B - Sites H 1 – H4; B1 – B8 ; M2 – M23; P1. – P3; U2 – U4; UC1 – UC57.
- Green Belt Review (2023).
- Sustainablity Appraisal (2024).
- Infrastructure Delivery Plan (2023 & 2024).
- Lack of due regard to the South West Hertfordshire - Local Housing Needs Assessment Report.

4.6 Substantial revisions are required to the draft Plan and for additional housing allocations to be included

on land such as the land at NE Redbourn which has the potential to provide a sustainable and timely contribution to the housing supply position within the first 5 years of the plan period (following adoption).

4.7 In terms of context, Table 6 identifies housing requirement as detailed in the Regulation 18 Plan and

sets this against the position as now set out in Part B Local Plan Sites (Part B). The final column in Table 6 indicates the change in position (based upon the Part B Local Plan Sites figures).

Table 6 – Regulation 18 and Regulation 19 Housing Supply

	Regulation 18 Identified Supply	**Regulation 19 Identified Supply**	**Difference**
1 - Hemel Garden Community	4,750	4,300	-450
2 - Broad Locations	4,431	4,227	-204
3 - Large Sites	284	385	+101
4 - Medium and Small Sites	1,302	856	-446
5 – PDL Green Belt	144	137	-7
6 - HELAA Sites	93	43	-50
7 - Urban Capacity Sites	775	860	+85
8 - Other	0	0	/
Total	**11,779**	**10,808**	**-971***

4.8 It is evident that the identified supply of housing has been substantially reduced in the Regulation 19 Plan.

- Housing Land Supply & Allocated Sites

4.9 Several mathematical errors were identified in the supply position at Regulation 18 stage which appear

to have been duplicated at Regulation 19 stage, perhaps due to the undue speed in which the Plan has been prepared.

4.10 Table 7 highlights the inconsistencies identified at Regulation 18 stage and now again at Regulation 19

stage. We highlight inconsistencies and errors that have occurred in red in Table 7 which relate to:

- Part A Broad Locations as set out in Table 3.1.
- Trajectory as at Table 3.2 of Part A of the Draft Plan (and Appendix A to the Housing Land Supply Windfall & Capacity Evidence Paper[30] (Housing Evidence Paper)
- Part B Local Plan Sites Table A1.1 when compared Trajectory in the Housing Evidence Paper (Trajectory 2024).

4.11 Table 7 – Table 3.2/Appendix A Trajectory Supply

	Regulation 18 Trajectory Supply	**Regulation 19 Trajectory Supply**	**Difference**
1 - Hemel Garden Community	4,750	4,300	-450
2 - Broad Locations	4,281	4,077	-204
3 - Large Sites		385	
	1,581*	851	-345
4 – Medium and Small Sites			
5 – PDL Green Belt	144	137	-7
6 – HELAA Sites	78	43	-35
7 – Urban Capacity Sites	847	860	+13
8 - Other	0	0	/
Harpenden Neighbourhood Plan		57 **	
Total	**11,681**	**10,653**	**-1,028***
Identified Shortfall	**4,606**	**3,690**	

**Assumes that 3 and 4 are added together 1,581 in Trajectory mathematically it = 1,586 ** Harpenden NP dwellings excluded from Allocation figure*

4.12 The mathematical errors show a difference of 160 dwellings between the Part B Table A1.1 and the

Table 3.2 Part A or Housing Evidence Paper/Appendix A Trajectory. This is confusing and suggests a lack of time has been allowed to fully review the material pursuant to the Regulation 19 Plan consultation. It also undermines the soundness of approach if such errors are taking place in a process that the Council themselves indicate is swift.

4.13 In addition to the mathematical errors that we note above, Table 3.1 in Part A of the Local Plan, sets out

the follow different housing requirements for the Broad Locations from the assumptions set out in Part B of the Local Plan:

- North St Albans – 1,146 dwellings (Part B states 1,097)
- North East Harpenden – 762 dwellings (Part B states 738)
- West Redbourn – 593 dwellings (Part B states 545)
- East St Albans – 522 dwellings (Part B states 472)

- Glinwell, St Albans – 436 dwellings (Part B states 484)
- West of London Colney – 405 dwellings (Part B states 324)
- North West Harpenden - 293 dwellings (Part B the same)
- Harper Lane, near Radlett 274 dwellings *(Part B the same)*

4.14 The supply position on sites in Part's A and B of the Regulation 19 Local Plan and its evidence base, is

inconsistent and confusing. StADC should take the time required to ensure that the Regulation 19 Plan and its associated evidence base is accurate, consistent, and consequently sound in basis and fact.

4.15 Given the numerical anomalies and as there is more detail on the sites in the Trajectory (2024), our

representations continue to be based upon a comparison against the Trajectory (2024) for consistency purposes.

30 Appendix A to the SADC Housing Land Supply Windfall & Capacity Evidence Paper - Sep 2024 V5.

4.16 The Housing Evidence Paper is scant in detail in explaining the Council's position in moving from

Regulation 18 to Regulation 19, not least given the concerns raised in representations at Regulation 18

stage and given the substantial deficit that was identified, which appear to have been ignored.

4.17 We summarise below the apparent changes in the Council's Position on housing land supply as set out

in the Trajectory (2024). The change in overall supply elements is set out in Table 8 below:

Table 8

Regulation 18 to 19 Position Change	**Change**
· **Completions**	
o Regulation 18 – 1,267dw 2019/20 to 2021/22.	
o Regulation 19 –1,080dw for 2021/22 to 2023/24.	
o Reduction 187 dwellings.	-187
· **Future Completions**	
o Regulation 18 –2,273 dw. Starting in 2022/23, ending 2030/31.	
o Regulation 19 – 2,365 dw. Starting in 2024/25, ending 2035/36.	
o Increase 92 dwellings.	+92
· **Losses**	
o Regulation 18 –155 losses	
o Regulation 19 -157 losses	
o Increase 2 losses	-2
o Both ending in 2030/31	
· **Windfalls**	
o Regulation 18 – 180dw/year for 16 years (2,880dw)	
o Regulation 19 – 145/year/ 14 years + 73 in yr 1 (2,103dw)	
o 73 in yr 1 2026/2027	

- 1 year deferral in delivery
- Reduction of 777 dwellings. -777

· **Harpenden NP**

- Regulation 18 – 0 dwellings
- Regulation 19 – 57 dwellings
- Increase 57 dwellings +57

· **Site Allocations Overall**

- Regulation 18 – 11,681, Delivering from 28/29
- Regulation 19 – 10,563 delivering from 29/30
- Reduction of 1,113 dwellings -1,113

· **Annual Requirement**

- Regulation 18 – 888 dw/yr (15,096)
- Regulation 19 – 885 dw/yr (14,603)
- Only $^{1}/_{2}$ year assumed for 2024/2025 (482dw)
- Reduction 493 dw. -493

· **Stepped Trajectory**

- Regulation 18 – 15,096, Delivering from 24/25
- Regulation 19 – 14,603 delivering from 24/25
- Reduction 493 dw -493
- 2024/25 – 25/26 – Same 389/yr
- 2026/27 – 2030/31 – 225 dw/yr reduction (710 to 485dw)
- 2031/32 – 2035/36 – 55dw/yr increase (1,200 – 1,255dw)
- 2026/37 – 2040/41 – 75dw increase (950 to 1,025dw)

· **Total Supply:**

- Regulation 18 – 15,938, Delivering from 22/23
- Regulation 19 – 14,989 delivering from 21/22
- Reduction of 949 dwellings -949
- 107 dwellings different from Stepped Trajectory.

· **Overall, Buffer**

- Regulation 18 – 5%
- Regulation 19 – 2.6%
- Reduction of 2.4% (on lower figure)

4.18 Except for the Harpenden Neighbourhood Plan sites (57 dwellings) and increase in future completions

(92 dwellings) the overall supply position has reduced significantly in all regards:

- Completions – reduced.
- Windfalls - reduced.
- Site allocations – reduced.
- Annual requirement – reduced.
- Stepped Trajectory reduced by 42% for years 1 – 5 following Plan adoption.

- Total supply – reduced.
- Overall buffer – reduced.

4.19 These changes have been taken with the knowledge of the wider national political picture on housing

supply. It is questionable as to whether the approach is a positive approach to plan making and is plainly inconsistent with adopted and emerging national policy.

Site Allocations Assessment

4.20 At Appendix 1 to these representations, we assess the Regulation 19 position on site allocations as
compared to the draft Regulation 18 position.

4.21 At columns 1 to 4 of Appendix 1 we identify:

- Site name and category additional sites at Regulation 19 are in red
- Appendix A housing requirement Regulation 18 Plan.
- Part B of Local Plan housing requirement Regulation 19 Plan.
- The difference between the two assumptions.

4.22 Appendix 1 to these representations shows that:

- HCG allocations – dwelling provision has been reduced (-450 dwellings).
- Broad Locations - dwelling provision has been reduced (-204 dwellings).
- Large Sites – minor amendment (+3 dwellings).
- Medium & Small Sites – dwelling provision has been reduced (-338 dwellings).
- Green Belt PDL - minor amendment (-7 dwellings).
- HELAA Sites - dwelling provision has been reduced (-50 dwellings).
- Urban Capacity Sites – dwelling provision has been increased (+76 dwellings).
- Other sites - N/A.

4.23 Neither in Part B Table A1.1 of the Local Plan or in the Housing Evidence Paper (or Trajectory at Appendix

1. A) do StADC explain the justification for the current assumptions or provide reasoning as to the basis for the substantial reductions in supply that have been made.

4.24 We identify that for Broad Locations, Part B Table A1.1 does not mirror the actual capacity of the sites

when their individual capacity figures are reviewed, and this does not match the broad location capacity indications in Table 3.1 in Part A of the Local Plan and in other instances does not mirror the Trajectory (2024).

4.25 This is confusing, poorly prepared and demonstrated a lack of proper review in respect of the housing

supply position which is perhaps resultant from the rush to publish the draft Plan. The consistency in errors however undermine the justification of the Council's supply position. Part A, Part B and the supporting evidence base should be reviewed by StADC and brought into line to demonstrate the consistency of approach and a robustness in evidential basis to be effective.

4.26 At columns 5 to 6 of Appendix 1 to these representations we identify that:

- The housing figure as set out in the Trajectory at Appendix A of the Housing Evidence Paper
- Detail the differential between this figure and that in Part B Table A1.1

4.27 In undertaking this assessment, we show that the Part B Table A1.1 and the Trajectory assumptions at

Appendix A of the Housing Evidence Paper do not match up, resulting in a difference of 160 dwelling (shortfall).

4.28 At columns 7 and 8, we identify:

- The LIH Regulation 18 representations, identified shortfall in housing provision.
- The sum differential between the LIH assumptions on deliverability and the Regulation 18 draft Plan.

4.29 At columns 9 and 10, we identify:

- The LIH identified shortfall in housing provision at Regulation 19 (based upon Regulation 18 assessments)
- The differential between the LIH assumptions on deliverability and the Regulation 19 draft Plan.

4.30 Appendix 1 to these representations shows that the Council's assumptions at Regulation 19 Plan

overestimates capacity by almost 3,700 dwellings and that only 7,180 dwellings are likely to be delivered within the plan period to 2041 from the identified supply sites and sources. Clearly there is a need for additional sites such as NE Redbourn to be included as allocations to ensure that the draft Plan can at least meet its housing targets within the first 5 years - and beyond, following adoption.

4.31 We caveat some of this due to the anomalies in the Council's housing figures across documents, it does

make assessing the accuracy of the baseline confusing, but broadly even if these mathematical anomalies were overlooked the shortfall in supply is still in the region of 3,500-3,700 dwellings.

4.32 We now turn to other supply side aspects as substantiated by Policies SP1, SP3 and Table 3.2 of Reg 19

Local Plan Part A and Part B Local Plan Table A1.1, Housing Evidence Paper and Trajectory (2024) specifically.

Housing Trajectory Within the Local Plan Document

4.33 Sets out new assumptions. No explanation for why any changes have taken place from Regulation 18
assumptions. Appendix 2 – Trajectory Comparison shows that the Plan has dropped two years from the Trajectory 19/20 and 20/21 from Regulation 18 Plan to Regulation 19 Plan.

Period Covered by the Housing Trajectory

4.34 The revised plan period has been adjusted to 1st October 2024 to 31st March 2041. 15 years from the
estimated point of adoption of the Plan in March 2026.

4.35 No explanation or justification for altering the base date or how previous under delivery in previous

years has been addressed has been provided.

Non-implementation rate / Lapse assumption

4.36 We note that the Housing Evidence Paper refers to the Litchfield's Report [31] as justification for its
approach.

Windfall Rate

4.37 Reduction in rates has been identified justified by revised trend data:

- 180dw/yr based upon completions 2010/11 – 2019/20
- 145dw/yr based upon completions 2013/14 – 2022/23

4.38 The justification of the reduction also indicated to relate to a decrease office conversion, but no

evidence is provided to substantiate this. The AMR 2024 has not been prepared (or published).

Build Out Rates

4.39 Reference to Litchfield's Report [32] and indicates that a '*conservative approach to build out has been*
applied given housing market is attractive' however, no details as to the assumptions or rationale for each site's anticipated delivery, which underpins the assumptions has been provided.

4.40 With regards to HGC , we note that an alternative approach has been taken due to the site's scale, but

this is not fully explained based upon the sites deliverability trajectory and associated logical considerations associated with the site 'coming on stream'.

4.41 We note that with regards to infrastructure delivery mix of housing it is stated that "*the development*

can meet the complete range of different housing needs simultaneously." Again, this might be

31 Feeding the Pipeline, Lichfields (November 2021) https://lichfields.uk/content/insights/feeding-the-pipeline

*32 Start to Finish (third edition), Lichfield's (March 2024)*https://lichfields.uk/content/insights/start-to-finish-3)

achievable, but no information is provided as to the rationale and approach to such across a site as large as HGC which straddles Local Authority boundaries and has significant infrastructure requirements with associated substantial lead times.

Housing Capacity

4.42 This appears from the Housing Evidence Paper to have been based upon HELAA and UCS assumptions
however as Appendix 1 to this submission shows many of the capacity assumptions have been amended without explanation. Our representations at Regulation 18 stage indicated significant concerns over the assumptions in this regard.

4.43 We note that the Housing Evidence Paper indicates that the assumptions on Green Belt sites – based

upon work done in 2014 from the Councils Residential Density Report 2014 [33]. This is historic data and would benefit from further consideration and review to substantiate the site capacity assumptions – perhaps having more regard to specific site context and capacity.

4.44 We have noted above that the draft Plan and associated evidence base are lacking in relation to matter

of Hertfordshire and London's unmet need and assessing the role that StADC is able to play a role in meeting either its own, or wider unmet housing needs.

4.45 We note the gross to net assumptions as detailed below:

Area (hectares)	**Gross to net ratio**
Sites up to 0.4ha	100%
Sites between 0.4 to 2ha	85%

Sites greater than 2ha 60%

4.46 No explanation has been provided in relation to wider supply changes of aspects of the Trajectory

(2024) which is at Table 3.2 of Part A of the draft Plan and Appendix A to the Housing Evidence Paper, which we address below.

Trajectory

4.47 At paragraph 74 of the NPPF (2023) it states:

"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum o f five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

1. *5% to ensure choice and competition in the market for land; or*
2. *10% where the local planning authority wishes to demonstrate a five-year supply o f deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
3. *20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply. "*

4.48 We have already addressed above several aspects of the Trajectory Table 3.1 in Part A of the Local Plan

and Appendix A of the Housing Evidence Paper (2024) on matters such as pipeline, windfalls, large and medium site assumptions. We deal with some more detailed aspects associated with the Trajectory below.

4.49 At this stage, it is not clear whether assumptions in the Trajectory (2024) are deliverable or not due to

the lack of supporting evidence being provided. We provide a comparison on the Trajectory's from the Regulation 18 and 19 Plans for comparison at Appendix 2 - Trajectory Comparison to these representations.

4.50 We note the Council's most recent AMR (2023) (published since the Regulation 18 consultation in later

2023, whist not in the evidence base for the Plan, is on the Council's website and this shows a completely different 4/5-year HLS approach, assumptions, and rationale, that is not addressed with the

33 para 7.4 Housing Land Supply Windfall & Capacity Evidence Paper

Housing Evidence Paper (2024) or elsewhere within the draft Plan. No 2024 AMR has been published to support the Regulation 19 Plan assumptions.

4.51 No details have been provided as to the changes in the Trajectory assumptions from Regulation 18 to

19 these include:

- Delay of the HGC dwelling commencement

- Reduction of the stepped trajectory from 710 dwellings per annum to 485 dwellings in the first 5 years.
- Reduction in the first 5 years period (25/26 – 2030/31) of completions from 4,285 dwelling to 2,941 dwellings.
- Significant alteration in the first 5 years period (25/26 – 2030/31) from PDL land in urban areas.

4.52 It is unclear how StADC has made its decisions in relation to its Trajectory (2024), approach to the use

of a stepped method, and the approach to the revised delivery rates from its identified sites. What is evident is that the approach for the next 7 years appeals to be to defer housing delivery as far as possible.

Allocations Overview

4.53 We consider that the following polices, and aspects of the draft Plan are unsound, the reasons for which
we address below:

- Draft Policy SP1, SP3 and Table 3.1 of Reg 19 Local Plan Part A
- Part B Local Plan Table A1.1 and Sites H 1 – H4, Sites B1 – B8; M2 – M23; P1. – P3; U2 – U4; UC1 – UC57
- Part A Policies LG1 – LG4

4.54 Appendix 2 – Trajectory Comparison to these representations, explores the changes undertaken in

housing supply between Regulation 18 and 19 stages of the Plan. No substantiation has been provided to the changes that we identified in Table 9 below.

4.55 Table 9 summarises the changes in housing supply from Regulation 18 to 19 identified in Appendix A in

respect of site allocation assumptions in the Trajectory (2024). No explanation or justification is provided for the following amendments, which leads to uncertainty around the basis and reasoning for decision making in the draft Plan on site delivery and allocation requirements.

Table 9 – Changes in Site Allocation Assumptions in Trajectory (2023) and Trajectory (2024)

Supply Element	**Regulation 19 Position**
Hemel Garden Communities	-450
· Regulation 18 to 19 – deferred 1 year from delivery.	
· Annual delivery profile remains the same.	
· 1 year delay causes 450 dwellings to fall off beyond plan period.	
· Reduction 450 dw (4,750 to 4,300dw)	
Broad Locations	-204
· Regulation 18 to 19 – deferred 1 year from delivery.	
· Changes to delivery profile over most years.	
· Reduction of 204 dwelling in period (4,281 – 4,077dw)	
Large Sites	/
Regulation 18 to 19:	
· Was within ‘Other GB Locations’ at Reg 18	

· Total 385 dwellings to supply

· 150 dwellings first delivered in 32/33, 7 years after adoption.

Medium & Small Sites /

Regulation 18 to 19:

· Was within 'Other GB Locations' at Reg 18

· 851 dwellings to supply

· 152 completions starting in 29/30, 4 years after adoption

Combined Large & Medium/Small Sites -345

· Other GB Locations Regulation 18 = 1,581 dwellings

· Combines L&M Sites Regulation 19 – 1,236 dwellings

· Reduction of 345 dwellings

Previously Developed Green Belt -7

· Regulation 18 to 19 – 144 dw to 137.

· Starting in same year 29/30.

· Small changes to delivery profile.

· Reduction of 7 dwellings

PDL in Urban Area (HELAA) -35

· Regulation 18 to 19 – 78 to 43 dw.

· 1 year delay in delivery, starting in 29/30.

· Small changes to delivery profile.

· Reduction of 35 dwellings.

Other in Urban Area (UCS) +13

· Regulation 18 to 19 – 847dw to 860dw.

· Starting 1 year later and significant reduction in delivery rates spread out more by an additional year (over the deferral year (so two years).

· Increase of 13.

Previously Developed Land within Urban Areas

4.56 At Regulation 18, in 2028/2029 is a strange entry which suggests that 547 dwellings were identified as
being delivered in that one year. There was no detail on lead times provided in relation to the delivery rates and no site details provided to suggest what sites might be delivering this significant one off, contribution, which formed part of the stepped trajectory for the five-year period after the plan's adoption (2026/2027 – 2030/2031).

4.57 This has been amended at Regulation 19 stage but with no explanation as to the change that have been

made. Sites have been repositioned between the large, medium, and small sites categories and some small sites have been removed but it is unclear as to the basis for the change in approach and rationale.

4.58 Again, no delivery is anticipated from this source until 2029/2030. No justification for the rationale has

been provided.

Delivery Rates

4.59 At Regulation 18 stage, delivery in the past 3 years was averaging 422 dwellings per annum. In the
Regulation 19 Plan, this is reduced to 360 dwellings[34]. This is just **40%** of the required annual supply going forwards (885 dwellings (2023 standard method) and **23%** of the (1,544 dwellings 2024 standard method).

4.60 Delivery from future completions average in the period from now until 2030/31 (5 years after anticipated

plan adoption) totals some 1,944 dwellings (or 1,787 including lapse rates) – an average of 297-324 dwellings (based upon 6 years average) or 255 - 277 dwellings based upon 7 years. At best this represents about **36%** of the required annual supply (885 dwellings (2023 standard method) and **22%** of the (1,544 dwellings 2024 standard method).

4.61 No draft allocated sites are identified in the Trajectory (2024) to be delivering any dwellings until

2029/2030 which represents year 4 after the Draft Plan is adopted, 5.5 years from now. Based upon the current assumptions the housing supply position will be significant below the standard method (2023), further increasing issues of unmet need and affordability within the district. We question on this basis whether 'no plan is better than a plan'.

4.62 An additional buffer of sites is required to ensure that a suitable range and breadth of sites are identified

to ensure that the StADC is able (should delays on large sites arise) to meet in target housing projections.

4.63 The significant reduction in housing delivery is not assessed within the context of identified housing

need in the district of some 802 dwellings per annum and/or the draft NPPF (2024) requirement for 1,544 dwellings per annum.

4.64 In effect, for the next 5 years, StADC is relying upon the delivery from sites with existing planning

permissions, and 363 dwellings being delivered from windfall sites. This does not appear to be a plan lead system and is not the way in which either a stepped or incremental Trajectory should work.

34 Appendix 2 – Trajectory Comparison years 2021/22 – 2023/24

Stepped Trajectory

4.65 The Trajectory (2024) of the Draft Plan indicates delivery targets:

- 2024 – 2026– an average of 398 dwellings/year.
- 2026/2031 (5 years after the plan adoption) - 710 dwellings per annum at Regulation 18, now 485 dwellings per annum.
- 2031 – 2036 (6 – 10 years post adoption)– 1,200 dwellings per annum at Regulation 18, now 1,255 dwellings per annum.
- 2036 – 2041 - 950 dwellings per annum at Regulation 18, now 1,025 dwellings per annum.

4.66 We note that from 2030/31 StADC anticipated the stepped trajectory increasing from 485 dwellings per

annum (which is only exceeds the standard method housing requirement in year 5 from adopted (2030/31) to 1,255 dwellings per annum in 2031/32. No explanation has been given for the reduction of the stepped trajectory from 710 dwellings per annum to 485 dwellings in the first 5 years from adoption or the increased provision in the final 5-year period from 950 to 1,025 dwellings per annum.

4.67 There is no explanation given in the Housing Evidence Paper for these changes, not least the 42%

reduction in the stepped Trajectory and it's rational as set against the SM (2023) requirement of 885 dwellings.

4.68 What is wholly apparent is that in almost all areas of housing supply, provision is being reduced,

deferred, and delayed, an approach which is completely counter to the NPPF (2023) WMS and draft NPPF (2024).

Buffer

4.69 With a 20% buffer applied to years 1 – 5 and the 5% buffer at Regulation 18 has been reduced to 2.6%
overall as detailed above (as required by the NPPF), several anomalies result including:

- Delivery only exceeds the standard method (2023) in 20930/31 the final year of the plan period. In all years prior to that performance substantially falls below the requirement.
- 2031 – 2036 (6 – 10 years post adoption)- in this period it appears in the assumption is that more than 500 dwellings/ year will be delivered from Broad Locations to year 9 of 10.
- HGC delivery assumptions appear overly ambitious and highly unrealistic as summarised above and detailed in the Identified Sites Deliverability Assessment (2023).

4.70 Moreover, no regard has been had for infrastructure capacity or delivery and how this relates to the

assumed delivery rates from identified sites.

Unmet Need

4.71 As already set out, StADC in an area of very high market demand, low affordability and is close to
London. It is an area which has not has properly planned for growth for circa 30 years. Such is the acute level of unmet need within the district. We set out in Section 5.0 the significant gaps in the evidence base regarding housing need and market evidence and, as such, greater evidence is required in this regard to support the draft plan's policies around matters such as quantum and spatial decision making for example.

4.72 In addition to StADC's acute unmet housing need for market and affordable housing, the district's

relationship to London and the extent of unmet housing need in the capital, should be acknowledged or addressed within the draft Regulation 19 evidence base.

4.73 For the reasons noted above it is evident that a significant amount of further work is needed to ensure

that the draft Plan's land supply targets and assumptions can actually be achieved and that sufficient sites have been identified which are capable of delivering within the plan period.

4.74 Accordingly, we consider that the current housing land supply assumptions in the Regulation 19 Plan

are significantly lacking in evidential support, and it clear that the land at NE Redbourn (being available, deliverable and suitable in NPPF terms) should be allocated in the draft Plan to help address some of the major deficiencies that have been identified in the land supply position.

Mathematical Anomalies

4.75 We have detailed above the mathematical anomalies between the Trajectory (2024) details of site
delivery and Part B Local Plan Sites Table A1.1.

- Alternative Supply Position

Hemel Garden Community & Broad Locations

4.76 HGC straddles both Dacorum and St Albans administrative districts and, as such, there will be certain
aspects of the HGC's delivery which will not be within the control of the StADC. Dacorum's plan is currently lagging. StADC will, on some level, be constrained by the progress made – or not made - in Dacorum. This could be a major factor in restricting delivery, not least in relation to securing outline planning permission (resolutions) and entering the necessary s106 agreements; but also matters of infrastructure delivery, SANG's and other shared aspects of the HGC concept plan.

4.77 To achieve the delivery of 100 dwellings per year occupations by 2028/2029 the following aspects all

need to take place within a 3-year period from plan adoption which, from our experience, seems highly unrealistic:

- Securing outline planning approval and completion of (complex) s106 agreement.
- Sale of land parcel, submission and approval of reserved matters details and discharge of relevant pre commencement conditions.
-
- Construction of enabling works.
- Development of land parcels to deliver units.

4.78 As such, assuming the Local Plan is adopted as proposed in March 2026 (LDS Sept 2024)[35] for a large

strategic scheme of this nature, we would anticipate (at best) the following time considerations for these requirements, namely:

- Preparation of masterplan – 18 months (mid-late 2027)
- Planning application & s106 execution - 2 years for complex site (mid - end 2029)
- Pre commencement condition submission and discharge – 12 months (mid - end 2030)
- Commencement of early enabling Infrastructure works – 12 months (mid - end 2031)

4.79 Indeed, the Crown Estate own (best case) work programme suggests that it is unlikely that 100 dwellings

can be delivered by 2028.

4.80 StADC provide no details on:

- Condition discharge
- Land sales and procurement
- Reserved matters submissions

4.81 The allocation of HGC is accepted as per Policy SP1, SP3 and Table 3.1 of Part Local Plan and Part B Local

Plan Table A1.1 and Sites H 1 – H4, however concerns relate to the level of assumed delivery within the draft Plan period and the lack of evidence to substantiate the proposed delivery rates set out in the Trajectory (2024) and timeline. The lack of justification around the delivery timeframes for HGC, given the cross-boundary nature draws into question the soundness of the plan's spatial strategy. These concerns also link to draft policies LG1, LG2 and lG3 which fail to demonstrate the deliverability framework of the site.

4.82 Appendix 1 to these representations indicates that the capacity of these sites is likely to result **in a**

reduction of supply of circa 935 dwellings.

Other Broad Locations

4.83 Broad locations are not delivering houses until 2031/32, HGC is anticipated to deliver 275 dwellings by
2030/31. No allocated sites are identified to deliver any houses in the period from 2024/25 to 2028/29 – 5 years.

4.84 For the next 5 years, St Albans anticipate delivering some 1,863 dwellings, an average of 372 dwellings

per annum, or within 3 years from adoption. In the first four years from adoption based upon StADC's own trajectory, only 1,888 dwellings will be delivered which represents just 472 dwellings per annum. If a Local Plan review is to commence in 2026/207 looking to deliver a housing requirement in line with the revised standard method (2024) the assumptions in the stepped trajectory should be orientated to facilitate this, and not be reduced to defer delivery in line with the standard method for (2023) until years 4/5 after adoption.

35 https://www.stalbans.gov.uk/sites/default/files/attachments/SADCX20LocalX20DevelopmentX20SchemeX20-X20SepX202024X20-X20Final.pdf

4.85 The basis for 500 dwellings per annum (from 2031/32) being delivered from Broad Locations is

unevidenced.

4.86 The lack of justification around the delivery timeframes for the Broad Locations set out in Table 3.1 of

Reg 19 Local Plan Part A and in Part B Local Plan Table A1.1 - Sites B1 – B8, given the cross-boundary nature draws into question the soundness of the draft Plan's spatial strategy. No evidence has been provided as to the deliverability of the anticipated supply to provide confidence that the assumptions can or will be achieved.

4.87 Appendix 1 to these representations indicates that the capacity of these sites is likely to result **in a**

reduction of supply of circa 1,487 dwellings.

Large Medium & Small Sites

4.88 The Large Medium & Small sites allocated via Policy LG4 in Part A Plan and Part B Local Plan Table A1.1
- Sites L1 – L3; M2 – M23, in many instances have significant deliverability constraints as detailed in our Regulation 18 representations (Identified Sites Deliverability Assessment - FINAL - 25th Sept 23).

4.89 Appendix 1 to these representations indicates that the capacity of these sites is likely to result **in a**

reduction of supply of circa 374 dwellings.

Greenbelt Previously Developed Land

4.90 We assert that the Part B Local Plan Table A1.1 – Sites P1 – P3 have questionable deliverability that has
not been fully substantiated by the evidence base to the Regulation 19 Plan is likely to result **in a reduction of supply of circa 73 dwellings**.

HEELA Sites

4.91 We assert that the Part B Local Plan Table A1.1 – Sites U2 – U4 have questionable deliverability that has
not been fully substantiated by the evidence base to the Regulation 19 Plan is likely to result **in a reduction of supply of circa 33 dwellings**.

Urban Capacity Sites

4.92 We assert that the Part B Local Plan Table A1.1 – Sites UC1 – UC57 have questionable deliverability that
has not been fully substantiated by the evidence base to the Regulation 19 Plan is likely to result **in a reduction of supply of circa 788 dwellings**.

4.93 Appendix 1 to these Representations shows supply which assessed based upon our Regulation 19

assessment (where applicable) results in the following revised supply position as defined in Table 10:

Table 10 Alternative Supply Position:

	Regulation 19 Identified Supply	**Questionable/Non-Deliverable**	**Deliverable**
Harpenden NP Sites	57	0	57
Hemel Garden Community (Policy LG2, 3,4)	4,300	-935	3,365
Broad Locations (Policy LG1)	4,232	-1,487	2,740
Large Sites (Policy LG4)	385	-110	275
Medium and Small Sites (Policy LG4)	866	-264	602
Greenbelt Previously Developed Land	137	-73	64
HELAA Sites	43	-33	10
Urban Capacity Sites	855	-788	67
Other	0	0	0
Total	**10,875**		**7,180**
Shortfall		**-3,690**	

4.94 The above Table 10 highlights that a 3,690 dwellings shortfall from the target figure of 10.875 (or 10,653

in the Trajectory) and notwithstanding the other mathematical anomalies we identity above.

4.95 The Regulation 19 Plan is therefore unsound for the reasons detailed above which include (in summary):

- Mathematical errors across Part A, B and associated evidence base to the Plan resulting from a lack of time to review the draft Plan material.
- Lack of justification of delivery assumptions.

- Lack of justification for a reliance for the first 4 years of the Plan following adoption on existing commitments, resulting in a substantial under delivery of housing.
- Approach to Green Belt review (2023) has been inconsistent and haphazard.
- Delivery assumptions from HGC have been inflated.
- Delivery assumptions from Broad Locations have been inflated.
- Delivery assumptions for medium and small site lack robust justification.
- Delivery assumptions from Urban Capacity site lack rigour, design input and comprehensive understanding of capacity and availability of sites, to deliver housing in the plan period
- The Trajectory fails to properly plan for housing delivery in the 5 year period after adoption with only 485 dwellings per annum being targeted (when set against a requirement in the NPPF (2024) of 1,544 dwellings per annum, and contrary to officers advice to member at Committee on the 12th and 23rd September that on the day after adoption they will need to be planning for 1,544 dwellings – this is not evidenced in the land us allocation decisions made in the plan.
- Provides circa 3,690 fewer dwellings than is required by the standard method (2023).
- Additional housing allocation such as the land at NE Redbourn, are required to address the imbalance and ensure sustainable development of homes across the district.

4.96 Given the comprehensive failings in the Part B Local Plan Sites, the supporting Housing Evidence Paper,

Trajectory and associated assumptions of the draft Plan, the current basis for which is unsound as it fails to have been positively prepared, lacks justification. It is not effective or consistent with national policy as we demonstrate above. Additional allocations should therefore be made in Part B of the Local Plan.

Monitoring & Review

4.97 Part A of the draft Plan provides little if any guidance on the manner and extent to which the policies of
the Plan (in respect of housing) affordability and otherwise, will be monitored and reviewed. We note Appendix 6 of Part A which sets out some monitoring indicators, as there is no provision for regular monitoring and review of the Plan. This is particularly important given the way StADC is wishes to progress - ignoring the WMS[1] and draft PPF (2041 provisions – but with an intention to review their Local Plan on day one following adoption (See Sections 2.0 and 3.0 above).

4.98 In recent times, due to concerns in relation to housing supply, Bedford Local Plan (2020) through Main

Modification 1 introduced a review mechanism for the Local Plan which resulted in the adopted Local Plan, having the following requirement as Policy 1.

4.99 Bedford Local Plan Adopted Plan (January 2020) has an implementation and review policy which states:

“Policy 1 - Reviewing the Local Plan 2030

The Council will undertake a review of the Local Plan 2030, which will commence no later than one year after the adoption of the plan. An updated or replacement plan will be submitted for examination no later than three years after the date of adoption of the plan. In the event that this submission date is not adhered to, the policies in the Local Plan 2030 which are most important for determining planning applications for new dwellings will be deemed to be ‘out of date’ in accordance with paragraph 11 d) of the National Planning Policy Framework 2019.

The plan review will secure levels of growth that accord with government policy and any growth deals that have been agreed. The planning and delivery of strategic growth will be aligned with the delivery of planned infrastructure schemes including the A421 expressway, Black Cat junction, East West Rail link and potentially the A1 realignment.

The review will also serve to build stronger working relationships with adjoining and nearby authorities and may result in the preparation of a joint strategic plan based on a wider geography. "

4.100 This potential provides a framework should the draft Plan be found sound on which to hold StADC to account in respect of its intentions.

4.101 However, a word of caution should also exist as even with such provisions, opportunities for delay and

prevarication have arisen in Bedford, as highlighted in the 'Effectiveness of Review Mechanisms (Planning Policy Briefing Note) April 2024':

"*Policy 1 of Local Plan 2030 requires the council to submit a review of the plan within three years after the date of adoption. The submission of Local Plan 2040 in January 2023 fulfils this requirement. The draft plan is still at examination and the Inspector has agreed to a pause in*

the examination until at least January 2025. The council anticipates adoption of the plan by December 2025..."

4.102 This shows, firstly, that whilst the Submission of a revised Local Plan was achieved within the target of

3 years, the examination process has then been substantially protracted with the revised Plan not being in place (as at the time of these representations). If similar mechanisms are to be contemplated for StADC, then whilst sanctions are helpful, they need to avoid scope for evasion.

3.72 Currently the Regulation 19 Plan's implementation and monitoring policies and mechanisms are virtually non-existent and so fail to be effective, justified, and consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

3.73 The required changes to draft Plan include:

- Reconcile various mathematical errors and inconsistencies which affect Part A (Table 3.1 and 3.2), Part B Table A1.1 and the Trajectory (2024) also at Table 3.2 Part A/Appendix A to the Housing Evidence Paper.
- Housing Trajectory (Tables 3.1 and 3.2 and Appendix A to Housing Evidence Paper) to be amended to prioritise supply as soon as possible within plan period – not defer provision as far as possible.
- Draft Policy SP1, SP3 and Policies LG 1 – 4 alongside Tables 3.1 and 3.2 of Reg 19 Local Plan Part A should be amended. Part B of the Plan updated accordingly to address.
- Delivery assumptions from HGC has been inflated and should be adjusted.
- Delivery assumptions from Broad Locations have been inflated.
- Delivery assumptions for medium and small site lack robust justification.
- Delivery assumptions from Urban Capacity site lack rigour, design input and

comprehensive understanding of capacity and availability of sites, to deliver housing in the plan period.

- Housing supply is questionable a level of circa 3,690 fewer dwellings than is required by the (current) standard method (2023) and the Plan should be amended, and additional allocations made such as the land at North East Redbourn to address these shortcomings.
- The Trajectory (2024) should be amended to address significant proposed shortfalls in the 5-year period following adoption.
- Revise the assumptions underpinning Draft Policies SP1, SP3 and Table 3.1 and Table 3.2 of Reg 19 Local Plan Part A and Part B Local Plan Table A1.1 and Sites H 1 – H4
- Mitigate the identified shortfall of 3.690 dwellings in supply through the identification and allocation of further Broad Locations at Policy SP1, SP3 and Table 3.1/3.2 of Part Local Plan and Part B Local Plan Table A1.1.
- The Trajectory (2024) fails to properly plan for housing delivery in the 5 year period after adoption with only 485 dwellings per annum being targeted (when set against a requirement in the NPPF (2024) of 1,544 dwellings per annum, and contrary to officers advice to member at Committee on the 12th and 23rd September 2024, that on the day after adoption they will need to be planning for 1,544 dwellings – this is not evidenced in the land us allocation decisions made in the draft Plan.
- Trajectory (2024) revisions and assumptions require evidence and verification, including maters such as dwelling delivery commencement, amendments to the stepped trajectory for the first 5 years of the plan period, significant reduction in assumed dwellings completions for the first 5 year following adoption (25/26 – 2030/31) from 4,285 dwelling to 2,941 dwellings – against a requirement figure of 4,425 dwellings, a shortfall of 1,484 dwellings.
- Revise the assumed delivery rates in the first 5 years of the Plan to address the current position where only about **36%** of the required annual supply (885 dwellings (2023 standard method) and **22%** of the (1,544 dwellings 2024 standard method) will be delivered. This will require additional allocations to achieve sustainable development.
- Reviewing the stepped trajectory assumptions for the first 5 years of the plan to ensure greater supply of housing in the early years of the plan, whilst larger sites come on stream.
- Increased buffer from 2.6%
- Additional allocations are required to address the identified shortfall in supply, sites include those which have the potential to make a tangible contribution within the first 5 years of the Plan as well as offering a range of sustainable development benefits, this plainly includes the land at NE Redbourn.
- Provide additional details as to the basis for the revised windfall assumptions
- Provide greater detail as to the assumptions underpinning assumed build out rates and lead times to provide necessary clarity on the identified supply position.
- 2024 AMR is required to provide additional substantiate to the Regulation 19 supply assumptions.
- Greater regard to levels of housing need in addressing the housing requirements and in determining the way supply is manged over the plan period. The deferral of delivery seeks only to exacerbate matter of housing need and increasing level of unmet need.
- Suitable implementation, monitoring and review policies should be provided to ensure that strict oversight is provide in respect of the Plans delivery aspirations and performance. Detailed review polices as detailed above should be included to ensure sanctions apply if performance is not achieved.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Regulation 18 to 19 Sites Position_[R].pdf
2. Appendix 2 - Trajectory Comparison_[R].pdf
3. Appendix 3 - 2941-4-1-TD-0001-S5-P3 NE Redbourn GB Appraisa_[R].pdf
4. Appendix 3 - 2941-4-4-4-LV-0001-S5-P3 Redbourn Landscape Analysis_[R].pdf
5. St Albans Technical Submission - Final Draft - 7th November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See Attached Submission Document

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 4 - Housing

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

5.0 Affordability & Unmet Need

- South West Hertfordshire - Local Housing Needs Assessment Report (March 2024)

5.1 As part of the works associated with the South West Hertfordshire JSP, a Local Housing Needs

Assessment Report (LHNR was published in March 2024 and now forms part of the Regulation 19 Plan evidence base. This has been used to inform Policy HOU2 – Affordable Housing as well as wider housing polices in the draft Plan.

5.2 In these representations we examine the Plan's approach to deal with housing need and the relationship

this has to the tests of soundness and where applicable met the DtC.

Objectively Assessed Need

5.3 Table 1.1 of the LHNR indicates that the standard method requires the following requirements:

- 887 dwellings per annum based upon the standard method (SM) from 2023.
- 885 dwellings per annum based upon the updated SM from 2024.

5.4 SM (2024) takes account of the latest affordability ratios released in March 2024. We note that

Regulation 19 Plan is based upon the 885 dwellings figure SM (2024). Resulting in a (slight) reduction in housing requirement.

Annualised Affordable Housing Need

5.5 Table 1.2 of the LHNR indicates the following needs for affordable homes:

- Rented Affordable Need - 449 dwellings/year.
- Affordable Home Ownership Need - 353 dwellings/year.
- Total Affordable Need - **802 dwellings/year.**

5.6 The LHNR also indicated that StADC has a higher need for affordable home ownership so might look

towards a 60/40% split.

5.7 Currently Policy H02 Affordable Housing seeks a tenure mix which seems to reflect the

recommendation of the LHNR:

"*A tenure mix of 30% social rented, 30% affordable rented and 40% affordable home ownership, which includes 25% of all affordable housing for any nationally-mandated First*

Homes requirement, with shared ownership preferred for the remainder"

5.8 It should be noted that with regards to First Homes, it is the Government's intention to remove this

tenure as set out in the WMS 30th July 2024[1].

5.9 Paragraph 3.27 looking at New-Build Completions by Size, 2011/12 – 2021/22 states that "*all authorities*

have seen delivery focused on smaller dwellings".

5.10 The Iceni heat map of housing needs (Figure 4 below) clearly shows the areas of greatest ned within

the district. In it is noted that the Harpenden/Redbourn areas see the greatest pressure on house prices.

Figure 4 - Figure 4.2 House Price Heat Map

Source: Iceni analysis of EPC data, South West Hertfordshire - LHNR (March 2024)

5.11 Given the pressures that prevailing in the Harpenden/Redbourn area, the land at NE Redbourn already
has the potential to satisfy specific housing needs which we address in the Exceptional Circumstances Section (10.0) to these representations.

5.12 Housing need and housing requirement are different, and a requirement figure may be informed by

housing needs, in particular unmet need from neighbouring areas.

5.13 This is particularly pertinent given the approach to housing supply within the draft Plan and associated

Trajectory (2024) as we address in Section 4.0 above. The approach to maintaining a substantial under delivery of housing in the period to at least 2029/2030 has little or no regard to the needs-based aspects of housing policy.

5.14 It is unclear how StADC has determined the position or come to an understanding as to how its land

uses decisions have been informed by the unmet need in surrounding areas, given the statement in the LHNR.

5.15 Paragraph 6.70 of the LHNR states on unmet need:

"*There are no specific 'growth strategies' in place which affect the SW Herts local authorities and at the current time we are not aware that any of the 5 authorities have agreed to take on unmet need from adjoining area."*

5.16 StADC's overarching SCG provides little if any information as to how matters of unmet need have been

addressed within the JSP area or elsewhere and/or the degree to which co-operation has taken place to determine adequate housing requirements. Motivated by a keenness to submit a Local Plan that avoids addressing actual housing needs for both market and affordable (as demonstrated by the SM 2024), the DtC to ensure the proper planning to meeting both St Albans and the wider SW Joint Plan unmet housing needs has been overlooked.

5.17 Paragraph 35 of the NPPF (2023) states that for a plan to be legally sound, it must be:

"a*) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs[19(36)]; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development*;"

5.18 Currently the Plan has not been positively prepared as it fails to adequately address matters of unmet

need both within and beyond StADC's administrative boundaries and fails to demonstrate how the DtC has been fulfilled in this regard. The Trajectory (2024) also clearly demonstrates that mitigating and addressing the housing needs is not integral to policy formulation in the draft Plan.

5.19 Table 5.1 of the LHNR shows that:

- The affordability ratio in StADC in 2022 was 90%, the highest in SW Hertfordshire area.
- the uncapped need in St Albans is 1,206 dwellings per annum, the capped need 887 dwellings.
- This was amended in Table 5.2 for 2024, to 85% and 1,169 dwellings respectively[37].

5.20 All the indicators within StADC area suggest that there is an urgent and accurate need for more housing

and currently the plan fails to fully acknowledge or address these needs and as such has not been prepared positively and lacks adequate justification. It is therefore unsound and fails in demonstrating that the DtC has been fulfilled.

Housing Need

5.21 Table 6.20 of the LHNR shows that Comparing Standard Method and Historical Completions, in StADC,
that the:

- 5 years average has been 455 dwellings.
- 10-year average 402 dwellings.
- which compares most unfavourably, to the Minimum Local Housing Need (2023) of 887 dwellings (885 in 2024).

36 19 Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 61 of this Framework

37 ONS on 25th March 2024

5.22 Table 6.20 of the LHNR shows that over the past 10 years, there has been inherent underperformance in terms of housing delivery, exacerbating the seriousness of the affordability within the district. Neither Part A nor Part B of the Local Plan full address the inherent levels of under delivery that have taken place within the district over the past decade – or three - since the last Local Plan was adopted.

5.23 Para 6.75 of the LHNR states that:

- *"The sub-region has seen sustained and consistent house price inflation, which has been strongest in St Albans but affects all local authorities'.*
- *House prices are now very significant, with the average house price now exceeding £0.5 million, presenting substantial barriers to local households from getting on the housing ladder. Prices are now almost 15 times earnings for those working locally; and households need £30,000+ in savings to be able to buy without financial support; ....*
- *The housing supply and affordability constraints which are evident have led to declining home ownership, with the rate of home ownership falling from 69.2% to 65.9% of households across the HMA. Growth has particularly been seen in the Private Rented Sector.*
- *Significant overcrowding is also evident, with 10% of households in rented tenures living in overcrowded homes*
- *When affordable housing provision is overlaid (as considered in the next section), it is clear that there is a very substantial need for affordable housing with the evidence pointing to a need for 2,279 rented affordable homes a year, and over 1,400 affordable home ownership properties. Whilst there is not a direct relationship to overall housing provision, and the affordable need is sensitive to changes in housing costs relative to incomes, there would be clear adverse consequences on affordable delivery from reducing overall housing need below the standard method levels which would not be justified on the evidence*."

Underline Urbanissta emphasis

5.24 To summarise the LHNR shows that:

- House prices exceed earnings by some 15 times.
- Home ownership rates are declining.
- Significant overcrowding.

- Very substantial needs for affordable housing.
- "*adverse consequences on affordable housing delivery from reducing overall need below the standard method*"

5.25 Notwithstanding these above tangible indicators of acute housing needs in both the market and affordable housing sector, the political motivation of StADC demonstrated by the publication of the Regulation 19 Plan in the manner that sees to redress the above indicators. In fact, it demonstrates that there is a direct intention to under provide housing further exacerbating the already significant problems experiences in the district and surrounding areas. This is not a basis on which to positively plan and cannot be considered a sound basis on which to progress.

Overall Need

Figure 5 Overall Need Source: LHNR (2024)

5.26 The identified overall housing need in StADC is 802 dwellings per annum as shown in Figure 5.

5.27 We note the position as set out in paragraph 7.122 of the LHNR which states:

"*Taking St Albans as an example, the affordable housing need identified exceeds the standard method LHN. This occurs because the two figures are derived from fundamentally different modelling approaches. The following factors need to be noted."*

- *"The affordable housing model is looking not just at the overall growth in the housing stock, but issues of tenure imbalance. It is not looking across tenures but looking at affordable housing specifically – part of the need shown is for instance from households in existing homes, who require an alternative tenure or size of home, but by moving would release the existing property for another household.*
- *The need shown is in part a factor of historical investment decisions, funding availability and losses, which have influenced the current stock of affordable housing available to meet needs.*
- *Some households would see their circumstances improve over time. One example would be a newly forming household with an income level that means they spend more than 30% of income on housing, as the household's income rises they would potentially pass the affordability test and therefore not have an affordable need. Additionally, there is the likelihood when looking over the longer-term that a newly-forming household will become an existing household in need and would be counted twice if trying to multiply the figures out for a whole plan period.*
- *In reality, some households 'in need' are accommodated within the Private Rented Sector with support through Local Housing Allowance (LHA). Whilst this is not genuine affordable housing or offer the same security of tenure, the 2011 Localism Act allows Councils to discharge their "homelessness duty" through providing an offer of a suitable property in the PRS. However there can be risks from reliance on this sector to meet need. Whilst housing delivery through the Local Plan can be expected to secure additional affordable housing it needs to be noted that delivery of affordable housing through planning obligations is an important, but not the only means, o f delivering affordable housing; and the Council should also work with housing providers to secure funding to support enhanced affordable housing delivery on some sites and through use of its own land assets.*

The Planning Practice Guidance specifically sets out in Para 67-001 that the needs of specific groups (such as those needing affordable housing in this case) may well exceed, or be proportionally high in relation to the overall housing need figure calculated using the standard method. This is because the needs of particular groups will often be calculated having consideration to the whole population of an area as a baseline as opposed to the projected new households which forms the baseline for the standard method. It sets out that planning authorities will need to consider whether

based on the evidence a higher level of housing provision might be considered, whether in effect there are constraints to additional housing delivery, as well as the anticipated deliverability, having regard to viability."

5.28 Whist on some level it is accepted that the direct correlation between housing need and housing requirement cannot be made in numerical terms, it is noteworthy that StADC housing need and the level of provision anticipated is some 885 dwellings per annum, just 85 dwellings more.

5.29 We therefore question how housing need will be mitigated when the current level of provision proposed for at least the next 5 – 6 years will only deliver an average of some at best about **36%** of the required annual supply (885 dwellings (2023 standard method) or **22%** of the number of dwellings required by the 2024 standard method (1,544 dwellings), not least given that revised standard method (2024) would require provision of some 1,544 dwellings. This is not adequately addressed in Regulation 19 Plan Part A Policies SP1, SP3 and Table3. 1 and 3.2 and Part B Local Plan Table A1.1 and needs to be amended to demonstrate a positive approach to plan making has been pursued (paragraph 35 NPPF 2023).

5.30 The housing land supply for much of the next 5 years relies upon existing consents as we detail above.

5.31 We note that Table 7.54 of the LHNR (Figure 6) states that to meet the affordable housing need in full, StADC would need to deliver 2,005 dwellings per annum to meet housing need in full at 40%.

Figure 6 - Table 7.54. - affordable housing need in full

Source- LHNR

5.32 If the draft Plan were being positively planned, then a more positive approach to making a substantial

'dent' in housing need would be integral to Part A and Part B of the draft Plan (and its associated evidence base).

5.33 The overarching Statement of Common Ground[38] does not clarify how 'planning for housing needs

'within the JSP area has been taken into account. It simply identifies this as a factor that the parties are agreed upon as needed to be addressed jointly – but does not address how this might manifest or assess implications for the plan as whole. There is no evidence or references as to what matters have been addressed between the parties.

5.34 Unclear in the SCG how StADC has addressed via its plan making, the level of housing needs has

informed the decision taking on:

- Housing requirement (standard method from the NPPF (2023) vrs the new draft NPPF (2024).
- Influenced growth assessments for both.
- How has unmet need for surrounding local authorities (or St Albans) proposed to be addressed within the land use and housing provision assumption of the draft Plan.

5.35 Given the issues that StADC has had with meeting the DtC in previous iterations of plan making, caution

is required to ensure that the implications of the JSP cross boundary working are fully accounted of in this plan (albeit that the JSP is due to influence the housing provision of future plans).

5.36 We note aspects of Section 10 - Specialist Market Segments but note that the land at NE Redbourn has the potential to meet a very specific housing need, unique to Rothamsted Research.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

5.37 In the clamour to progress with a local plan that 'avoids' making difficult decisions on matters of housing supply, StADC has failed in the current Regulation 19 Plan to demonstrate how meeting housing needs has resulted in a draft Plan which has been positively prepared, justified, or effective. It is therefore not consistent with national policy (NPPF 2023 paragraph 35). There are also clear failures in compliance with the DtC.

5.38 In summary, the following changes should be made to the draft Plan to ensure it is sound and complies with the DtC:

- Amend provisions of Policy HOU2 in respect of First Homes to reflect the WMS[1]
- Given the greatest pressure on house prices is identified in the LHNR House Price Heat Map to be the Harpenden/Redbourn area, the land at NE Redbourn should be allocated given the role it can play in not only assisting in mitigating district wide housing needs, but also has the potential to satisfy specific housing needs in the local areas and Rothamsted Research as we address in the Exceptional Circumstances Section (10.0) to these representations.
- By demonstrating that the draft Plan and its associated evidence base mitigates housing need has been central driver to the draft Plan's assumptions and policy framework, especially in relation to Table 3.1 and 3.2 of Part A of the draft Local Plan, draft Policies LG1, LG2, LG3 and LG4 and Table A1.1 of Part B of the draft Local Plan. This is evidential link currently overtly lacking.
- Demonstrate in the draft Plan and its associated evidence base that inherent levels of under delivery that have taken place within the district over the past decade (or three) are being considered in policy decisions, to achieve sustainable development (paragraph 8 of the NPPF (2023).

Please upload any supporting documents here. Do not include any signatures or other personal data.

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2. Appendix 2 - Trajectory Comparison_[R].pdf
3. Appendix 3 - 2941-4-1-TD-0001-S5-P3 NE Redbourn GB Appraisa_[R].pdf
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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See Attached Submission Document

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 14 - Implementation

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

9.0 Infrastructure Delivery Plan (IDP)

- Introduction

9.1. Before reviewing the Infrastructure Delivery Plan (IDP) (September 2024) in detail, we make the
following general observations about the importance of planning positively for infrastructure and ensuring that delivery of such is an integral feature of plan making.

9.2. The NPPF (2023) makes it clear that in strategic plan making, strategic polices should look to make

sufficient provision for infrastructure (paragraph 20) and look to a minimum 15-year period from adoption to "*anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure*" (paragraph 21), and the need to determine where infrastructure is needed (paragraph 27) and to positively prepare plans on this basis.

9.3. Paragraph 11 of the NPPF (2023) emphasises the need for growth to be aligned with infrastructure

requirements.

9.4. This is further enhanced through the draft NPPF (2024), with paragraph 24 amendments reading:

"*Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered and key spatial issues, including meeting housing needs, delivering strategic infrastructure, and building economic and climate resilience, are addressed. Local planning authorities and county councils (in two-tier areas) are continue to be under a DtC with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries*..."

9.5. New paragraph 27 states:

"*27. Once the matters which require collaboration have been identified, strategic policy-making authorities should make sure that their plan policies are consistent with those of other bodies where a strategic relationship exists on these matters, and with the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that:*

1. *a consistent approach is taken to planning the delivery of major infrastructure, such as major transport services/projects, utilities, waste, minerals, environmental improvement and resilience, and strategic health, education and social infrastructure (such as hospitals, universities, major schools, major sports facilities and criminal justice accommodation);*
2. *unmet development needs from neighbouring areas are accommodated in accordance with paragraph 11b; and*
3. *any allocation or designation which cuts across the boundary of plan areas, or has significant implications for neighbouring areas, is appropriately managed by all relevant authorities*...."

9.6. Following review, we have several concerns about the IDP (2023) expressed at Regulation 18 stage. We

reiterate some of these aspects in conjunction with providing an assessment of the IDP (2024). The IDP (2024) we assert is misguided as to the issues raised in respect of the IDP (2023) which have not been addressed to regularise the assumptions on which the IDP (2024) is predicated. This leads to flawed conclusions which are not fully effective or justified.

9.7. The IDP (2023) in assessing a spatial distribution that had principally already been decided. It examined

a top-down approach, rather than assessing the need and looking to see how a spatial allocation of growth could support redressing any identified infrastructure requirements (so bottom up). This would appear to be a serious flaw in the approach. Not least given the wider JSP context, as acknowledged in the IDP (2024) at paragraph 2.7.

9.8. Paragraph 73 of the NPPF (2023) states:

"The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their

communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:

1. *a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains; ..... "*

Underline Urbanissta emphasis

9.9. There is no evidence to suggest that paragraph 73 of the NPPF has been addressed adequately or at all

in relation to the draft site allocation decisions that have been taken in Part B of the draft Plan. This will need to be rectified for the Regulation 19 Plan to be found sound. Site identification decisions also need to address this matter clearly and should be robustly evidenced. This is not evident from the Regulation 19 Plan. As asserted in relation to the SA (2024) in Section 8.0 above, the IDP (2024) findings appear to retrofit the infrastructure requirements to a pre-determined spatial strategy. There is no regard to the infrastructure 'opportunity cost' of alternative spatial planning decisions.

9.10. In the first instance we reiterate the concerns expressed at Regulation 18 stages regarding the approach

to scenario testing below.

Infrastructure Delivery Plan (IDP) (July 2023)

9.11. Two growth scenarios were modelled in the IDP (2023), one a need-based assumptions (Scenario 1)
delivering 15,893 dwellings in the period to 2041 (or 935 dwellings per year), the other at a lower projection limiting Green Belt development and providing a lesser number of houses in the plan period around 10,363 dwellings or 610 dwellings per annum.

9.12. In line with paragraph 11 of the NPPF, and the presumption of sustainable development it is unclear if

the infrastructure requirements of the district have been linked to the growth and investment decisions of the draft Plan (at either Regulation 18 or 19 stage):

"Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

1. *a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects; ....."*

Underline Urbanissta emphasis

9.13. The two scenarios tested in the IDP (2023) differed from the assumptions tested through the interim SA

at that time. It was not evident why this was the case as growth and infrastructure requirements and sustainable development opportunities, should be planned alongside each other. Accordingly, there appeared to be no consistent application across the technical assessments used to evidence the spatial strategy decisions taken in the Regulation 18 Plan and to inform the site selection process. Clear evidence should have been provided and made publicly available. This is also not the case at Regulation 19 stage instead the course has just been continued in the same vein, with no retrospection or reflection.

9.14. The approach to infrastructure delivery appears to have been numerically driven, not driven by the

infrastructure requirements of opportunities or strategically spatially assessed to determine what opportunities might arise from taking different land use decisions. The special strategy as informed by the IDP (2024) is therefore unjustified as robust testing of different spatial decision and their infrastructure demands and opportunities, have not been robustly undertaken. This is clearly flawed.

9.15. Indeed, neither the growth options at Regulation 18 stage, fully addressed the infrastructure

opportunities that might result from higher growth scenarios or a markedly different spatial strategy. As such, it is difficult to determine how the IDP (2024) or draft Local Plan's spatial context at Regulation 19 can be considered to have been fully justified or evidenced.

Growth Scenario 1

9.16. *"Growth Scenario 1 presents an approach in which SADC delivers a scale of homes aligned to their*
housing need, as defined through the standard methodology. This includes Hemel Hempstead Garden Community and a wider range of sites within and adjoining the urban settlements of SADC."

Figure 8 – Growth Option 1 IDP (July 2023)

Source – Arup

9.17. Even by looking at the spatial distribution of growth as shown in Option 1 at Figure 8 above, it is clear

to see that the principal focus for development is to locate housing at the far west of the district on the edge of Hemel Hempstead. This may well provide infrastructure opportunities but does little to address the infrastructure issues or challenges or requirements of the rest of the district – of which there are many. The IDP (2023 or 20204) does not look at the disproportionate balance of growth to the west of the district, leaving limited opportunities for enhancements elsewhere. This should have been tested to determine what the preferred spatial strategy was and what the best approach to achieving sustainable development might be.

9.18. Whilst HGC is a substantial aspect of the draft Plan's land supply (identified to deliver some 4,300

dwellings within the plan period to 2041, there is an additional 6,535 dwellings (Trajectory 2024) that would arise from sites outside HGC. It is of concern that these spatial arrangement of such a significant number of dwellings have not been more rigorously scrutinised and different distributions assessed within the IDP (and SA) either in 2023 or now at Regulation 19.

Growth Scenario 2

9.19. "*Growth Scenario 2 presents an approach in which SADC limits development located within*
the Green Belt, with a focus on delivering urban capacity sites and Hemel Hempstead Garden Community."

Figure 9 – Growth Option 2 IDP (July 2023)

Source – Arup

9.20. s No alternative development strategies for meeting Scenarios 1 or 2 (Figure 9) are tested. Scenario 1 has

a significant delay in the target delivery of dwellings, with somewhere close to 885 dwellings per annum only being achieved by 2030/2031, with a significant emphasis on the period 2031/3032 to the end of the plan period delivering more than 1,000 dwellings per annum. This might reflect the very long lead in times that are likely to be achieved in relation to HGC as reflected in the current Trajectory (2024).

9.21. The Trajectory (2024), spatial assumptions and infrastructure delivery assumptions are significantly

backloaded with broad locations and large sites not delivering any dwellings until almost 6/7 years after adoption, years into the future, circa 8/9 years from the current Plan base date.

9.22. In fact, the Stepped Trajectory anticipated on 485 dwellings per annum being delivered only from

existing commitments in the period for 2024/225 until 2030/31, some 5/6 years from now. The infrastructure implications of this approach appear untested and are not have been assessed within the IDP (2024).

9.23. The IDP (2024) in supporting the Regulation 19 plan, has no regard to alternative growth scenarios,

beyond those considered at Regulation 18 and does not look in any way at opportunities for alternative growth scenarios or spatial arrangements which may lesser infrastructure demands to provide substantial benefits that might result in a revised spatial approach.

Bus Services

9.24. Focusing on bus services, Section 7.5 of the IDP (2023) references the previous 2018 IDP stating that "in
rural areas such routes often suffer from "*economic viability issues due to the low population density and therefore are not as frequent as users would like"*. The emerging local plan should be used as an opportunity to build upon the density and support the viability of existing services, instead of including rural sites requiring new services to be provided which, as set out within the IDP, would be unlikely to sustain a viable public transport service in the medium to long term due to the low population density.

9.25. In the context of the above, and HCC's desire to "*promote passenger transport across the County to*

encourage increased use of modes of travel other than by car", we consider that good access to public transport services should be an essential necessity of any proposed site allocation to ensure that the growth can be focussed around enhancing and ensuring the viability of existing services.

Walking and Cycling Provision

9.26. The IDP (2023) states (Section 7.5) that "*Walking and cycling (active travel) can contribute to*

environmental benefits, increase accessible connectivity for all, as well as play a key role in improving physical and mental health". In particular, the IDP continues to note that "One of the key LTP4 aims is to encourage a switch from the private car to sustainable transport (e.g. walking, cycling and passenger transport). Therefore, sustainable travel infrastructure is strongly supported by both HCC and the City and District Council. The LTP4, the strategies that support it, and strategies set by the Council outline various measures to encourage walking and cycling locally".

9.27. The IDP (2023) continues by stating that "*Site-specific active travel schemes would include internal and*

site access provisions for walking and cycling at each site" (page 119), and, in this context, it is considered that the ability to provide suitable pedestrian and cycle access to the draft allocations should be key to determining their viability and impact. In this context, we would consider that details of the anticipated pedestrian and cycle accesses should be provided within the draft allocation document together and that the deliverability of the improvements should be suitably scrutinised to ensure that the appropriate level of access by all modes can be achieved.

IDP Infrastructure Schedule July 2023

9.28. Many items in in the IDP Schedule (2023) were uncosted. It was unclear how land use decisions were
being made without fully identifying the cost of the infrastructure requirements of the distract and by

assessing how such land uses decision could assist in ameliorating any deficits or requirements.

9.29. The scenarios for the IDP (2023) were not the same scenarios as those assumed in the interim SA so it

was unclear how decisions on allocations have been made to address or mitigate infrastructure requirements, or the timescale associated with addressing the infrastructure deficits whilst ensuring sustainable development, Additional work was advised to enable a demonstrate of the link the between the infrastructure requirements (and provision) to the site allocation decisions and associated delivery timescales. This work has clearly not been undertaken in the period to the publication of the Regulation 19 Plan.

9.30. Similarly, an assessment of how existing settlements can be enhanced or reinforced to ensure their

longevity through sustainable, well-planned development also appears lacking in the IDP (2024).

<u>UCS Sites</u>

9.31. The proliferation of small sites (775 dwellings) proposed. It is not clear how do these USC sites assist in
addressing the infrastructure requirements of the plan or how the IDP (2024) has sought to address balance infrastructure demands from these sites.

9.32. There is no regard to this category of sites in the current IDP which will need to be addressed as the

smaller sites have much more limited ability to mitigate infrastructure impacts.

9.33. The Trajectory (2024) identifies that 145 dwellings per year will accrue from windfalls (2,175 dwellings

in the plan period to 2041). If this supply plus 855 dwellings from Urban Capacity Sites; 43 dwellings from HEELA sites and 137 dwellings from PDL sites are combined, this means a total of 3,210 dwellings (2175+855+43+137dwellings) being provided from these sources which will be constrained in size and nature and unlikely to meet their infrastructure requirements onsite. They will have significant infrastructure demands and limited ability to resolve them given the nature of the sites. These represent some 30% of the planned land supply (10,653 dwellings). No assessment is apparent as to how the infrastructure demands of these land supply sources will be addressed or whether alternative spatial decision might result in a ‘better’ delivery of social infrastructure.

<u>Community Infrastructure Levy (CIL)</u>

9.34. Furthermore, no details are provided on the proposed approach towards CIL and addressing
infrastructure demands from all sites, but particularly smaller sites.

- IDP (2024)

9.35. Paragraph 2.7 of the IDP (2024) examines the DtC and Cross-boundary issues, stating:

“*St Albans borders six local authorities within Hertfordshire (North Hertfordshire, Welwyn Hatfield, Hertsmere, Watford, Three Rivers and Dacorum) as well as Central Bedfordshire Unitary Authority. St Albans is also part of the ‘South West Hertfordshire’ strategic partnership of local authorities, which includes Dacorum, Hertsmere, St Albans, Three Rivers and Watford”.*

9.36. It continues to state that:

“There are therefore a total of eight local authorities with potential cross-boundary infrastructure linkages with St Albans

The intricate arrangement of local authority boundaries in Hertfordshire makes cross-boundary engagement particularly crucial – there are a number of areas of contiguous urban development which are split across administrative boundaries. As St Albans is located in the London commuter belt, radial transport corridors out from London also have a key role to play in infrastructure patterns. ”

9.37. We note that there are a number of factual errors in the IDP (2024) which again might result from

StADC’s eagerness and undue haste In racing ahead to publish a Regulation 19 Plan, but which undermine the approach and rational to plan making and draws into question as to whether StADC’s approach has been positively prepared, justified and effective.

9.38. Figure 2 shows the Green Belt as amended in St Michaels and Redbourn Parish reflecting the HGC

scheme, not reflecting the current spatial arrangement. This also appears true around Redbourn. This seems to be erroneous as the proposals have not yet been adopted.

9.39. Table 2 at paragraph 3.3, preferred growth strategy includes the following errors:

- Total Dwellings - IDP says 11,681 dwellings. The sum of the total number of dwellings (even including dwellings outside the plan period) it is 9,727 dwellings which is not the same as the Part B Table A1.1 or the Trajectory (2024).
- The total housing requirement for the Plan as defined in the Regulation 18 Plan (Trajectory) was 11,681 dwellings but for the Regulation 19 Plan, the figure is identified in the Council’s Trajectory) at 10,653 and Part B of the Local Plan as 10,808 dwellings. This does not seem to correlate through to the IDP (2024) position.

9.40. No comprehensive assessment of alternative growth options is explored in the SA (Sept 2024) or any

assessment of the infrastructure requirements/contributions or benefits of any substantially different alternative growth scenarios. Again, the approach seems to be to simply progress with the preferred growth strategy without robustly testing alternatives, which demonstrated the lack of justification in the draft Plan’s formulation which draws into question its overall soundness.

9.41. The IDP (2024) findings appear to have been retrofitted to suit a specific objective rather than to assess

how identified – or omission sites - might address infrastructure requirements across the district and resolve any exposition infrastructure constraints through development and resulting in sustainable development.

9.42. The IDP (2023 and 2024) take a blinkered approach to justify a pre-determined preferred spatial

approach rather than robustly testing different of potential growth and infrastructure requirements prior to the determination of the preferred growth strategy be that in addition to or alongside the HGC allocation. This is not effective or justifiable as an approach to Plan making.

9.43. The preferred growth strategy does not appear to have been reflected upon in any way, consequent to

representations on the Regulation 18 draft plan, except for the addition of some further urban capacity sites (totalling some 140 dwellings) and the removal of 8 small sites. This is further demonstrated by the approach taken in the IDP (2024).

9.44. We have shown that in the StADC's eagerness to progress with a Local Plan to avoid the implications

of the draft NPPF (2024), they have failed to robustly and diligently check the correlation of the interplay between the SA alternatives, IDP infrastructure requirements and the scope of alternative spatial growth strategies might achieve sustainable development.

9.45. The speed with which the Plan has been collated has clearly resulted in errors in assumptions. This coupled with a lack of justification for testing alternative sustainable growth options undermines the robustness of the Plan's evidence base and spatial decision making. This goes to the lack of justification and soundness of the Plan and its spatial decision making.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

9.46. Changes to the IDP (2024) in this regard to ensure soundness include:

- The IDP (2024) should be reviewed to address the flawed premise that the growth options used to underpin the IDP (2023) were correct and sound.
- Evidence is required to demonstrate how compliance with paragraph 73 of the NPPF (2023) has informed the site allocation decisions that have been taken in Part B of the draft Plan.
- Amending the IDP (2024) to assess how infrastructure requirements (and benefits) resultant from the circa 6,535 dwellings (Trajectory 2024) that would arise from sites outside HGC will result in sustainable development and that the spatial decisions underpinning the Regulation 19 Plan.
- Demonstrating in the IDP (2024) that the spatial arrangements of the draft Plan have been rigorously scrutinised and different distributions assessed and how this relates to the SA outputs (2024).
- Amending identified errors at Table 2 at paragraph 3.3 and Figure 2.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Regulation 18 to 19 Sites Position_[R].pdf
2. Appendix 2 - Trajectory Comparison_[R].pdf
3. Appendix 3 - 2941-4-1-TD-0001-S5-P3 NE Redbourn GB Appraisa_[R].pdf
4. Appendix 3 - 2941-4-4-4-LV-0001-S5-P3 Redbourn Landscape Analysis_[R].pdf
5. St Albans Technical Submission - Final Draft - 7th November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See Attached Submission Document

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

6.0 Green Belt

- NPPF (2024)

6.1. Paragraph 155 of the consultation draft NPPF states:

6.2. *"Where major development takes place on land which has been released from the Green Belt through plan preparation or review, or on sites in the Green Belt permitted through development management, the following contributions should be made:*

1. *In the case of schemes involving the provision of housing, at least 50% affordable housing [with an appropriate proportion being Social Rent], subject to viability;*
2. *Necessary improvements to local or national infrastructure; and*
3. *The provision of new, or improvements to existing, green spaces that are accessible to the public. Where residential development is involved, the objective should be for new residents to be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces."*

6.3. When plan making (Chapter 7 paragraph 7 of the consultation [39] commentary) it is important to note

that the draft changes to the NPPF (2024) suggest that:

"*However, those with a more significant gap of over 200 dwellings per annum between the local planning authority's revised LHN figure and the emerging housing requirement will need to revise its plan in line with the revised NPPF before submitting the plan for examination no more than 18 months after the publication of the revised NPPF. "*

6.4. This as shown in Sections 2.0 and 3.0 has not been adequately addressed by StADC either in advising

members or in its draft Plan evidence base.

Chapter 5 paragraph 4 of the consultation commentary[35] states:

6.5. *"The Green Belt serves a specific planning purpose, in terms of preserving openness and*
preventing sprawl, but is not an environmental designation or a marker of any environmental importance. Much of it is inaccessible to the public and of poor ecological status. We want our proposal to not simply offset the loss of Green Belt land, but to bring about positive improvements for the quality and enjoyment of the environment. We propose a two-stage process for doing this. First, land that is safeguarded by existing environmental designations, for example National Parks, National Landscapes and Sites of Special Scientific Interest, will maintain its current protections. Second, any development on land released from the Green Belt must bring benefits, via not only mandatory Biodiversity Net Gain, but also through new rules that will secure improved access to good quality greenspace."

6.6. Chapter 5 paragraph 4[35] continues

"We are interested in whether further support is needed to assist authorities in judging whether land makes a limited contribution to the Green Belt purposes. We propose incorporating the following into the glossary appended to the NPPF but welcome views on the most effective way of providing this guidance:

Land which makes a limited contribution to the Green Belt purposes will:

1. *Not strongly perform against any Green Belt purpose; and*
2. *Have at least one of the following features:*
3. *Land containing substantial built development or which is fully enclosed by built form.*
4. *Land which makes no or very little contribution to preventing neighbouring towns from merging into one another .*
5. *Land which is dominated by urban land uses, including physical developments.*
6. *Land which contributes little to preserving the setting and special character of historic towns."*

6.7. Considering point a) above, StADC contend in Its assessment that the Site performs strongly performs

against Green Belt purpose 3. For the reasons set out below, this conclusion s disputed. At most the site “meets the criterion” of purpose 3. We agree with StADC that the site offers limited or no contribution to the other purposes.

3 9 https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system#chapter-12-the-future-of-planning-policy-and-plan-making

- NPPF (2023)

6.8. Section 13 of the NPPF addresses the protection of the Green Belt. As to plan making, the following extracts from the NPPF are noteworthy.

6.9. Paragraph 140 of the NPPF (2023) states:

“Once *established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through nonstrategic policies, including neighbourhood plans. “*

6.10. It is accepted that there are exceptional circumstances in StADC that warrant the review of Green Belt boundaries. These include, among other things, the

- Lack of proper spatial planning for some 30 years.
- Level of unmet needs.
- Acute housing need and suppressed housing formation.
- Strategic locational significance in relation to its proximity to London and the Midlands.
- Highly sustainable nature of the location, among other things, with good access to road, rail, and air links.

6.11. Paragraph 141 of the NPPF states:

“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

1. *makes as much use as possible of suitable brownfield sites and underutilised land;*
2. *optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
3. *hasbeeninformedbydiscussionswithneighbouringauthoritiesaboutwhether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground. “*

6.12. Paragraph 143 of the NPPF (2023) states:

“When defining Green Belt boundaries, plans should:

1. *ensure consistency with the development plan’s strategy for meeting identified requirements for sustainable development;*
2. *not include land which it is unnecessary to keep permanently open;*
3. *where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*

4. *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update which plan which proposes the development;*
5. *be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and*
6. *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent. "*

- Green Belt Review (2023)

6.13. With regards to proposals that affect the Green Belt, we examine below the 2013, 2014, and 2023 Green Belt reviews to:

- Identify and address the methodology used between the previous Green Belt reviews and the current document.
- Address the assessment of Sub Areas SA-6 and 7 which are the Sites' current Green Belt Review references.

In summary, and for the reasons set out below, we conclude that:

- The 2013 report conclusion and the 2023 report conclusion are inconsistent and contradictory.
- The Site is adversely and detrimentally assessed given the erroneous inclusion of it within much wider land parcels which have a more strategic function than the Site and no or no adequate reasoning has been provided for being 'combined'.

6.14. Paragraph 138 of the NPPF (2023) identifies five criteria or "Purposes" against which sites/proposals in

the Green Belt are assessed:

1. *to check the unrestricted sprawl of large built-up areas;*
2. *to prevent neighbouring towns merging into one another;*
3. *to assist in safeguarding the countryside from encroachment;*
4. *to preserve the setting and special character of historic towns; and*
5. *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

6.15. There is no Government defined methodology for carrying out a Stage 2 Green Belt assessment. Green

Belt Reviews take varying approaches in how these Green Belt purposes are assessed. Clarity of methodology and consistency of application is crucial to the robustness or otherwise of the reviews.

6.16. Appendix 3 - Green Belt Comparison of Allocated Sites to these representations further examines the

evidence base and Green Belt Review (2023) to assess the inconsistencies in interpretation of national policy that have occurred.

2013 Part 1 SKM GB Study Purposes Assessment

6.17. The assessment of the five Green Belt purposes for each parcel is not aggregated, and defaults to the
highest score in any purpose to give an indication of performance. This is a familiar approach in Green Belt Reviews.

6.18. For the purposes of the Review, the Redbourn Site is classed as a Large Village.

6.19. The Green Belt Review considers the representation of landscape characteristics as being those defined

by the National Character Assessments (NCA). It considers that the Hertfordshire Landscape Character Assessment is too small to be studied independently. Whilst this approach is understandable if the Green Belt review were to only review large-scale strategic parcels, the fact that it considers smaller sub-parcels to take forward these parcels for allocation, means that the NCAs are subsequently overly broad-brush and less meaningful.

6.20. Against Green Belt purpose 3, relating to encroachment on the countryside, footnote 14 of the Green

Belt Review considers that the functional use of land e.g. agriculture and woodland, qualified by landscape character measures, provides the working definition for the review.

6.21. Therefore, land assessed as being in active agricultural management, surrounded or adjoining

managed agricultural land, should by reasoning, score better than land that isn't adjoining managed agricultural land or isn't functional in terms of being managed for agricultural purposes. However, the Green Belt Review does not recognise this.

6.22. The Green Belt Review identifies 66 strategic parcels (para 6.1.2), of which the Site lies in Land Parcel

20. 20.

6.23. The contribution of GB20 against NPPF (2023) Purpose 3 is 'Partial' as the Parcel "*displays a wide mix*

of urban fringe and rural and countryside characteristics".

6.24. The 2013 Green Belt Review takes forward land within the parcels that contribute least to Green Belt

purposes, identifying these as 'strategic' or 'small scale' sub-areas. It does not however provide evidence of how other parts of the land parcels had a stronger performance. Given that the tests are made against the entire land parcel, there is no evidence base to justify how a specific sub-area was identified.

6.25. The extent of Parcel GB20 is significant. As such, any conclusions drawn from the assessment can only

be at a high level and no allowance in made for identifying smaller areas within the parcels that may be suitable for release. There appears to be no threshold of scale of land parcel that triggers a subdivision, resulting arbitrarily in some very large parcels, and some much smaller ones. This leads to an inconsistent approach.

6.26. This lack of further sub-division or examination of the strategic land parcel overlooks the smaller, more

enclosed sites such as, for example, the Land North East of Redbourn.

2013 Part 2 SKM GB Study (dated 2014).

6.27. This report was prepared as a further sieve of the strategic sites identified in the 2013 stage 1 review.

6.28. However, the Local Plan Inspector, amongst others, criticised this document for its lack of detail and it

has effectively been superseded.

6.29. In summary, it did not provide analysis of all 66 sub-areas, only the 8 strategic sub-areas contributing

least to the GB purposes.

6.30. There appears to be no record on the St Albans evidence base list of the Part 2 SKM GB document being

used to inform earlier site allocations.

St Albans Green Belt Final Report 2023 (Arup).

6.31. This report supersedes the 2013 Part 2 SKM report.

6.32. The methodology comprises multiple criteria and is supported by a review of previous methodologies

used elsewhere, it is stated as being informed by, and supports the methodology of, 2013 part 1 SKM GB review.

6.33. The assessment of the five Green Belt Purposes for each parcel is not aggregated, and defaults to the

highest score in any purpose to give an indication of performance. This is not an uncommon approach in Green Belt Reviews.

6.34. For the purposes of the Review, Redbourn is classed as a Large Village.

6.35. In the 2023 review the study area was reduced to the edge of existing settlements (para. 4.2.1) using a

buffer for sustainable development, where it "*would assist in encouraging sustainable pattern o f development accessible to existing settlements and maintain the integrity of the Green Belt*." The methodology also states that the buffer is not an indication that land within it is the most sustainable, suitable, or deliverable location.

6.36. Within this buffer, the 8 strategic and small-scale sub-areas identified in the SKM Stage 1 review were

considered, where they fell entirely or partially within the buffer. However, the Review also considered sites that are "*immediately adjacent to another area / site entirely or partially within the buffer*". The interpretation of this is that any land parcel that does not lie within the settlement buffer could still be considered if it fulfils that criterion. This approach is flawed, because it means that the Review can cherry-pick additional land to extend any one of the original 8 sub-areas that might otherwise be considered too small to achieve the LPA's housing targets.

6.37. As a consequence of using the buffer, the 2023 Green Belt Review did not need to sub-divide all of the

66 land parcels identified in the preceding 2013 report. Instead, it focussed on sub-division only of parts of the parcels that lie within the buffer or adjoining. This process was used to identify 172 sub-parcels.

6.38. It is noted that "*in combination*" effects are discussed for each parcel. This is not typical of other Green

Belt Reviews. It cannot be acceptable to allow harm to one part of the Green Belt, because removal of a high-performing parcel lies within the LPA's preferred development site.

6.39. The definition of the parcels does [not] reflect the sites as promoted through the Council's site selection

work, despite this being a consideration at paragraph 4.2.2. For example, the Site is split into two parts, when it was promoted as one.

6.40. The assessment of the sites to the west of Redbourn, RA-1-3, whilst achieving the same score, are

recommended to be taken forward for further review. This is inconsistent with the assessment of the land to the North East of Redbourn.

6.41. The parcels are considered in combination with others. This is misleading.

Parcels SA-6 and SA-7.

6.42. The site lies within Parcels SA-6 and SA-7 (Figure 7). It is clearly defined by Dunstable Road, Harpenden
Lane and the B5183 bypass.

Figure 7 – Site References

Source: p42 Green Belt Review ARUP 2023

6.43. Most of the Site falls within the 250m buffer around Redbourn identified in the Stage 1 Review.

6.44. Parcel SA-6 is free of any major policy constraints. Parcel SA-7 is partly affected by Flood Zone 3b.

6.45. The definition of the boundaries of the parcels concerned is appropriate to the methodology, being

defined by A and B roads and rivers.

6.46. Both parcels are assessed as making no contribution to Green Belt Purpose 1 to check the unrestricted

sprawl of large built-up areas. This is agreed.

6.47. Both parcels are assessed as making a weak or very weak contribution to Green Belt Purpose 2 to

prevent neighbouring towns merging into one another. This is agreed.

6.48. Both parcels are assessed as making a strong contribution to Green Belt Purpose 3 to assist in

safeguarding the countryside from encroachment. This is not agreed. The parcels, whilst largely undeveloped, have a suburban feel to the majority of the area, affected by the roads and development along the boundaries. While it could be argued that some of the more isolated areas of the Site have a strongly rural character, the remainder and the bulk of the Site should be properly classified as largely rural. This would reduce the score from making a strong contribution, to meeting the criterion of the Purposes.

6.49. Both parcels are assessed as making no contribution to Green Belt Purpose 4 to preserve the setting

and special character of historic towns. This is agreed.

6.50. The reassessment of Green Belt Purpose 3 would alter the potential ranking of SA-6.

6.51. The comments in the Annex to the Review with regards to combining sites is unhelpful, particularly

with regards sites to the west of Redbourn. In particular, it is not agreed that in combination with SA-4, SA-5 and SA-7, the removal of the sub-area is likely to represent the irregular spread of Redbourn. On the contrary, the development of SA-6 and SA-7 within the confines of the bypass represents a logical extension and “rounding off” of the settlement.

6.52. The outer boundary of SA-6 is assessed as readily recognisable and permanent, whereas the same

boundary for SA-7 is assessed as readily recognisable and not necessarily permanent. This must be inaccurate as the bypass forms the outer boundary to both parcels.

6.53. The contribution that SA-6 makes toward the wider Strategic Parcel GB20 is also overstated. GB20

covers some 1,150ha, SA-6 is 39.81ha, less than 3.5%. It cannot be tenably stated, as the Council purports in the Review that the "*sub-area plays an important role with respect to the strategic land parcel*". Indeed, this point of coalesce between the West Redbourn and HGC, linking Redbourn and Hemel Hempstead, is a matter of concern to local councillors, such as Cllr Mitchell, which would not result if the NE Redbourn were allocated.

6.54. These material discrepancies and inconsistencies, and the flawed assessment of Green Belt Purpose 3

undermines the robustness and credibility of the conclusions of the Review and should be redressed by the Council.

6.55. In short, for the reasons set out above, it is plain the Green Belt Review does not represent an adequate

and proportionate evidential basis for determining the existence or otherwise of the exceptional circumstances necessary to alter the Green Belt boundaries in specific locations and, as such, its findings require urgent review.

- DJA Green Belt Review (2024)

6.56. Given the concerns we have previously expressed in relation to the Green Belt Review (2023) which
have been largely ignored by StADC at Regulation 18 stage, we have undertaken a revised Green Belt Review of the Broad Locations. Full details of the review undertaken by DJA is provided in Appendix 3 - Green Belt Comparison of Allocated Sites to these representations and a summary of the findings provided in Table 11 below.

6.57. Table 11 below presents the findings undertaken by DJA for how Regulation 19 allocated sites perform

against the purposes of the Green Belt. This has been determined by testing each of the sites against the LPA's evidence base, being the Green Belt Review Stage 2 (2023).

6.58. It is evidence that when assessed objectively, the NE Redbourn site is only potential outperformed in

Green Belt terms by two of the Broad Local allocations.

Table 11 – Green Belt Comparison of Allocated Sites

Site Name	Purpose 1		Purpose 2	Purpose 3	Purpose 4	**Overall score**
	1(a)	1(b)				
NE Redbourn Site	**No**	**0**	**1**	**3**	**0**	**4**
H1 - North Hemel Hempstead AL3 7AU	Yes	5	5	5	0	**15**
H2 - East Hemel Hempstead - North - HP2 7HT	Yes	5	5	4	0	**14**
H3 – East Hemel Hempstead (Central), HP2 7LF	Yes	3	1	3	0	**4**
H4 - East Hemel Hempstead (South), HP2 4PA	Yes	3	3	5	0	**11**
B1 - North St Albans, AL3 6DD	Yes	5	1	5	0	**11**
B2 - North East Harpenden, AL5 5EG	Yes	5	1	3	1	**10**

B3 - West Redbourn, Redbourn, AL3 7HZ	No	0	1	5	0	**6**
B4 - East St Albans, AL4 9JJ	Yes	1	1	5	0	**7**
B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE[40]	Yes	0	3	0	0	**3**
B6 - West of London Colney, AL2 1LN	No	0	3	5	0	**8**
B7 - North West Harpenden, AL5 3NP	Yes	5	0	5	0	**10**
B8 - Harper Lane, north of Radlett, WD7 7HU	No	0	5	2	0	**7**

40 B5 – Glinwell is now almost wholly covered by development and is acknowledged in the Green Belt Review Stage 2 2023 as an anomaly.

M6 – South of Harpenden Lane, Redbourn, AL3 7RQ No 0 1 2 0 **3**

6.59. DJA's assessment (Appendix 3 to these Representations) clearly demonstrates that:

- The H1 allocations risk coalescence of Redbourn and Hemel Hempstead, especially with the proposed B3 allocation at West Redbourn.
- The Green Belt Review (2023) fails to adequately look at context, in relation to settlement edge
- It also underplays the qualitative character of sits and their surroundings.

6.60. DJA's detailed analysis using the same methodology and criteria, has found that the Site:

- Performs less strongly against two of the purposes of the Green Belt, compared to the allocated land area B3 –'West Redbourn'.
- Is not comparable to all other undeveloped allocations.
- Will not significantly erode or close the gap between Redbourn and Harpenden.
- Will not significantly harm openness.
- Upon release from the Green Belt, the wider Green Belt still be able to serve a role in preserving the gap and preventing sprawl.

6.61. DJA's assessment shows that further refinement and consideration of the findings of the Green Belt

Review (2023) as part of the draft Plans' evidence base is required, to be fully justified and effective.

Site Selection Methodology Committee Paper 23rd Sept

6.62. At paragraph 3.8 to the PPC Report (23rd September) it is stated that:

"These recommendations for further consideration are important in site selection and are key elements that inform the Proformas. The GBR Level 2, however, is not the only consideration for site selection and other criteria for suitability for the selection of sites in the Green Belt are part of the process that is set out in the Methodology agreed by LPAG and the Proformas. "

6.63. We show in relation to the Sustainability Appraisal (Section 7.0) that StADC have pursued a contradictory approach to the application of the outcomes of the Green Belt Review versus other site considerations. The inconsistency with which the Green Belt Review (2023) findings have been applied is of concern in relation to the site selection methodology and housing section of the Plan as we have set out in these representations.

10.0 Exceptional Circumstances (& VSC's)

- Exceptional Circumstances

10.1. Draft Strategic Policy SP 3 (Land within the Green Belt) sets out that there is a requirement based upon the standard method (2023) for 885 dwellings in the plan period 1st October 2024 to 31st March 2041. This results in a requirement of 14,603 dwellings.

10.2. Notwithstanding the errors Table 3.1 in Part A of the Local Plan regarding the Broad Location housing contributions, we agree that as detailed at paragraph 3.5 of the Local Plan (Part A) that exceptional circumstances to review green belt boundaries exist and that insufficient brownfield sites are available to meet the standard method (2023) (or draft SM 2024).

10.3. Having concluded that exceptional circumstances exists, our objections is in relation to the manner and means by which the Green Belt Review (2023) has been undertaken and the flaws in the process through the SA (2024) and IDP (2023 & 2024) evidence work which have resulted in insufficient, in undeliverable and unrealistic land use allocation decisions as set out in table 3.1 and 3.2 of the Part A Plan and Part B Table A1.1 and the associated site allocations.

10.4. The NPPF is clear that in making changes to green belt boundaries, it is necessary to demonstrate "*exceptional circumstances*" by the plan making authority.

10.5. As to what "exceptional circumstances" comprise, paragraph 141 of the NPPF (2023) states that:

"Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully al l other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

1. *makes as much use as possible of suitable brownfield sites and underutilised land;*
2. *optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
3. *has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground "*

10.6. In relation to decision taking, in determining Green Belt planning applications or making assessments on a site-specific basis, "very special circumstances" must be demonstrated. In this regard, paragraph 148 of the NPPF states:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations"

10.7. It is generally agreed that the tests for 'very special circumstances' exceed the threshold for exceptional circumstances and, as such, is a higher bar to reach.

10.8. We have set out in Sections 1.0 to 9.0 of these representations the failures of the both the content and process surrounding the preparation of the Regulation 19 Plan which result in an inability of StADC to meet its legal and procedural duties under the DtC and highlighted a range of aspects which make the Plan unsound.

10.9. At the very least we have identified a significant shortfall in housing supply of some 3,690 dwellings as well as identified significant failings in the Council's identified supply in the first 5-years immediately following adoption of the draft Plan. This is irrespective of any land use implications in relation to the Government policy and the draft NPPF (2024).

10.10. Additional site allocations should be made in to enable the StADC to transition effectively towards meeting the SM requirement (2023) (and subsequently the SM requirement 2024 effectively, and to ensure that that a sufficient and sustainable supply of housing will be delivered during the plan period to help meet StADC's considerable unmet housing needs (paragraph 35 NPPF 2023).

- 86 -

10.11. In Section 1.0 to these representations, we referred to a pre-application submission that was made to StADC in September 2024. In this, a robust very special circumstances case was set out for the release of the Site from the Green Belt.

10.12. In this submission LIH/LAT set out a considerable number of very substantial planning benefits would arise from the residential led development of the Site which collectively would clearly and demonstrably comprise very special circumstances (VSC's) justifying the release from the Green Belt for residential development and its allocation in the draft Plan.

10.13. We elaborate on these matters in more detail below, however these very substantial planning and public

benefits comprising VSC (or exceptional circumstance in Local Plan making terms), in summary include:

- Site deliverability & availability.
- Opportunities for improved connections.
- Transport & sustainability advantages.
- Access and enhancements by shared modes.
- Affordable housing & meeting specific housing needs.
- Education & community - primary school.
- SANGS - provision exceeds requirements.
- Biodiversity Net Gain (BNG).
- Socio Economic Benefits.
- Provision of up to 900 homes.
- New 2FE Primary School.
- Care home.
- Community and retail facilities, with potential for employment uses.

10.14. Consideration has been given to the extent of the package of planning benefits the Site might comprise, which would generally include the following:

- Market Housing
- Affordable Housing
- Socio-Economic Benefits
- Schools and Education
- Recreational and Sporting Benefits
- Community Facilities
- Sustainable Transport Benefits
- Ecology
- High Quality Design
- Sustainability & Energy
- Self-Build Housing

10.15. Fundamental to any VSC/exceptional circumstances case for the Site are the public benefits deriving from the landowner in this instance. Most significantly, and differently to many other potential schemes, the VSC basis for the Site includes specific public benefits that result from LAT's business intentions and purposes In relation to the proposed use of the net proceeds from the proposed development of the NE Redbourn site include matters such as:

- Future funding of Rothamsted Estate and the important scientific research and innovation work undertaken on the site.
- LAT Asset Enhancements.
- Provision of land and buildings on a rent-free basis to Rothamsted Research.
- Subsidised Harpenden accommodation to Rothamsted key workers, students, staff.
- Financial support for scientific costs to Rothamsted Research.
- Developing the Rothamsted Innovation Campus in Harpenden.
- Potential for increased support to Rothamsted Research and the related Innovation Campus.
- Support for scientific research and innovation projects (requiring additional capital).

10.16. Further details on the VSC/exceptional circumstances case associated with the development of the Site specific to LAT position are detailed below, however we first provide some background on LAT and its relationship with Rothamsted Research.

- 87 -

LAT & Rothamsted Research Background

10.17. The Council will be aware of the context to the proposed development and the relationship of the LAT and Rothamsted Research. We set these out in detail in Section 8.0 of the Regulation 18 Technical Submission - Final Submission (September 2023).

10.18. In summary, LAT is a registered charity established in 1889 to promote original investigation and research for the advancement of the science of agriculture. One of the key ways that LAT fulfils its charitable purposes is by supporting Rothamsted Research Limited ("Rothamsted").

10.19. Rothamsted, also a registered charity, undertakes world leading agricultural and scientific research. Rothamsted are engaged in (over period 2017-22) 257 projects with partners from across the UK (namely other research stations, universities, farmers, businesses, etc), and 237 projects with international partners. Also, LAT's current commercial tenants collaborate with and are funded by partners in over 40 countries worldwide, including China, Brazil, Argentina, India, Pakistan, Nigeria, Australia, Myanmar, Kenya, USA, Uganda, Mexico and much of the EU.

10.20. At the heart of Rothamsted's scientific strategy sits the need to feed a growing world population in a more sustainable manner and, in the process, make British and global farming both more sustainable and successful. The work of Rothamsted is of very great significance to UK PLC and the global fight against climate change and global food security. Rothamsted is also one of the largest employers in the area, employing in the region of 370 staff, students, and visiting workers.

10.21. LAT is the freehold owner of a 300-hectare estate known as the Rothamsted Estate. The Estate, which is almost entirely within the metropolitan Green Belt, includes a 7-ha laboratory complex; extensive agricultural land holdings utilised for agricultural research (most of the remaining area); Rothamsted Manor (Grade I); and 37 houses and cottages.

10.22. In addition to Rothamsted itself, the Rothamsted Estate is currently home to 35 third party commercial agri-tech tenant businesses, which collectively employ over 330 people on site. The campus has operated at or near full capacity over the past few years, with newly-released tenanted buildings full within months of opening and a waiting list of tenants – either existing tenants seeking to expand or new tenants wishing to join the campus. Without the creation of further lab and office space on campus, these businesses will be forced to relocate elsewhere – most likely out of the district, e.g. to Cambridge, London, or overseas.

10.23. Certain buildings on the estate have been refurbished over the years with support from grants from UK Research an Innovation (UKRI) Biotechnical and Biological Sciences Research Council (BBSRC); the Hertfordshire Local Economic Partnership (LEP); and Hertfordshire Innovation Quarter (HertsIQ), the Hertfordshire Enterprise Zone, of which the Rothamsted campus is a core

element and partner. However, much of the Estate remains in need of investment and refurbishment, to fulfil its vision to continue as a world-leading centre for scientific research and innovation, and attract the best scientists, entrepreneurs, and businesses to the campus and the district.

10.24. LAT supports Rothamsted through allowing it the use of the Estate (land and buildings), providing accommodation for staff, students and visiting workers, and by providing financial support in the form of an annual research grant to supplement the primary funding which is received from the Biotechnology and Biological Science Research Council (BBSRC – a part of UKRI).

Vision for Rothamsted Research & the Site

10.25. Rothamsted Research is a world-leading, non-profit research centre that focuses on strategic agricultural science to the agricultural industry and society nationally and worldwide. It exists to Enrich Lives & Grow Economies through pioneering agricultural scientific innovation, research, and development.

10.26. The work undertaken by Rothamsted Research makes a significant contribution to the better understanding of the agricultural industry, producing research that seeks to improve the industry in response to climate change and modern farming techniques. The contribution of the work undertaken is heavily valued by both public and private bodies both nationally and internationally.

10.27. The Harpenden research centre extends to approximately 240 ha, consisting of a mix of science and supporting buildings and arable land which is farmed and used for scientific research, and the main 8 ha science and conferencing centre.

10.28. Within the Rothamsted estate there are two National Bioscience Research Infrastructure ("NBRI") sites, including seven of the longest continuous agricultural field experiments in the world, as well as a long-term national insect survey. It also includes a Grade 1 listed Manor building that requires substantial investment and renewal to keep it in a viable use for the future.

10.29. The core charitable purpose of Rothamsted Research and the Trust as set out in their Articles of Association is to "*advance the science of agriculture for the public benefit through original; investigation and research, which may embrace all or any subject(s) connected to or bearing upon agriculture, including animal or vegetable physiology, meteorology, botany and chemistry*" (43)

10.30. This is achieved by bringing together global science, fresh thinking, and innovation for lasting benefits worldwide. This is achieved through the many different, yet connected, strands of scientific and technological research and development undertake on Site, including:

- Raising the productivity of crop and livestock systems, tackling weed, disease and insect resistance to agrochemicals, improved soil health, enhanced natural capital, reducing agriculture's carbon footprint, and add novel nutritional and bio-economical value to crops and other products.
- Designing sustainable strategies to protect crops and animals from disease.
- Improving crop yields and the efficient use of resources, increased stress tolerance, and increasing the nutritional and economic value in crops.
- Improving environmental health in modern agriculture.
- Designing the next generation of sustainable arable and grassland livestock systems through an improved understanding of the sustainability and resilience of livestock and arable farming systems both in the UK and internationally.
- Developing data science and decision-making tools to forearm the farming sector and additional stakeholders.
- Introducing more effective and efficient ways of working and minimising energy use and waste to achieve net zero objectives for the Campus that the industry can adopt.

Rothamsted Campus Long Term Vision

10.31. Whilst Rothamsted Research and the Rothamsted campus has been at the forefront of agricultural research and development for 180 years, some of the facilities on site are soon to be coming to the end of their operational life and require investment and renewal. The operational and scientific needs of the research institution are also at a point of change, and there is the need to improve the working environment to deliver a world leading research campus that can attract and retain staff.

10.32. LAT are looking to secure funding to enable investment in the future of the Site to continue to deliver state-of-the-art resources and facilities for agricultural scientific research and innovation. This will ensure that the campus is able to continue to produce and facilitate breakthrough studies that have the power and potential to change the world.

10.33. There is also the need to support small businesses that partner with or grow from the research undertaken on the research site. The Rothamsted campus plays a key role in linking research with innovation, providing a collaborative centre of excellence in agricultural science. The future vision is for a campus environment to develop and deliver ground-breaking ideas that can be tested, flourish and grow, developing in connection with a network of investors and entrepreneurs.

The Existing Rothamsted Campus:

10.34. The Campus and buildings on the LAT Harpenden Estate are not performing well in terms efficiency of building types, site layout, and longevity of infrastructure.

10.35. Due to the age of some of the buildings, maintenance and running costs are very high and the ability for the LAT to be flexible and meet the changing needs of their tenants is limited.

10.36. Buildings used by Rothamsted Research are no longer fit for purpose and are of a size and proportion which makes adaption inappropriate.

10.37. The Conference Centre contains facilities which are underutilised or would be better located elsewhere on the Estate. The reception and restaurant spaces could also be used more efficiently. The 300-seat auditorium is of a size which is difficult to fill and is effectively duplicated by the more flexible 200-seat Fowden Hall.

*43*Governing document, LAWES AGRICULTURAL TRUST - 1156150, Register of Charities - The Charity Commission

- 89 -

10.38. Public facing buildings and facilities such as the restaurant and the Little Gym are ineffectively located, separate from each other and the Manor House, which is of heritage interest to the public.

The Proposed Rothamsted Campus Vision

10.39. The emerging Rothamsted Campus Vision seeks to create a framework within which planned improvements can be implemented to the buildings, infrastructure, and Estate to provide world class research facilities. These new and improved facilities will enable the delivery of impactful science and innovation in agricultural research.

10.40. The combination of a high-quality architectural design, a sympathetic understanding of the Green Belt, and the scientific heritage of LAT will create a sustainable, collaborate science environment.

10.41. The Campus Vision provides a green square at the centre of the site, the removal of the poor-quality buildings and construction of new science buildings together with the rerouting of traffic from the heart of the campus.

10.42. Co-locating the above public facing facilities (namely the public restaurant/café and the Little Gym, as well as public heritage and educational facilities) in and around the Manor House which could create a destination which will help to highlight and strengthen the scientific heritage of Rothamsted.

10.43. The emerging strategy for the Estate to support science over the next 30+ years is looking to deliver the following aspects:

- A secure campus environment that promotes scientific research and collaboration in an improved built environment;
- New, fit for purpose laboratory space that provides flexible technical research facilities with associated write-up space;
- Centralised research facilities such as a library, archive and cold storage;
- New more energy efficient buildings that promote more sustainable ways of working;
- Greenhouses and climate-controlled environments to support research facilities;
- Incubator space for the growth of small businesses involved in or emerging from research.
- Fit for purpose research farm buildings;
- New, energy efficient agricultural housing; and
- Supporting campus buildings and ancillary functions, including subsidised staff accommodation.

10.44. Achieving these aims for Rothamsted and to deliver the emerging vision, long-term income will be needed to secure the future of science activities at Rothamsted, which is in part, linked to the vision for the Site and Redbourn itself, which is now outlined below.

Future Funding of Rothamsted Estate

10.45. A limb of the VSC/exceptional circumstances case for the proposals include the need and ambitions of LAT in supporting Rothamsted Research and the Rothamsted Campus as a whole, proactively driving it to continue to be a world-leading and growing centre for scientific innovation and research.

10.46. LAT as a landowner has deemed the land to be surplus to operational requirements for scientific purposes, given its more remote location and physical separation from the wider estate.

10.47. There is a different demand for agricultural field trials at the Estate because of the changing nature of Rothamsted's science. This includes a shift towards enclosed laboratory work and experimentation and the need to undertake tests within different environmental conditions and with varied soil types. Further, where field trials remain operational within the Estate, Rothamsted are reviewing their approach to enable better management, particularly in terms of biosecurity and to encourage expanded application of research through Rothamsted's network of UK farmers.

10.48. Increased complexities in funding for Rothamsted's work mean BBSRC has historically provided Rothamsted with revenue grant funding. This funding is coming under increased competition as the result of Government policy changes meaning the funding has been steadily declining. In addition, grant funding is also often allocated and paid after the research is undertaken and therefore presents Rothamsted with considerable cash flow challenges. While it is hoped that these pressures will not reduce the funding available to Rothamsted in the future, it is a significant risk. Therefore, it is imperative on Rothamsted and LAT to investigate alternative forms of funding. This includes taking equity stakes in research, resulting patents and start-ups but this is unlikely to see any meaningful financial return in the next twenty years.

10.49. Given this challenging climate for LAT and Rothamsted Research, the redevelopment of the Site would provide the opportunity to deliver some considerable and specific VSC's to be demonstrated, which include:

- Site Specific VSC's

Enable specific new purpose-built building(s) on site for science R&D and innovation

10.50. A proportion of net receipts from the redevelopment of the Site would be used for:

- New purpose-built science research and innovation building to include a new purpose-built replacement insectary and shared scientific services for use by researchers and innovators alike.
- This building would be a modern sustainable design.

New residential accommodation for staff and students

10.51. A proportion of net receipts would be utilised for the provision of new:

- Residential accommodation on a preferential / flexible basis being to support Rothamsted Research's researchers and innovators to retain UK talent locally and nationally, including accommodation for visiting researchers on short term contracts to attract global talent.
- Farm workers' accommodation.
- The proposed accommodation which the Trust would be constructing as a part of the Redbourn development would include circa 50 x 1 – 4 bed properties, in addition to the overall affordable housing provision delivered on Site.

Creation of an endowment fund to provide research grants in line with our charitable purposes

10.52. A proportion of net receipts would be utilised to provide:

- A fund specifically designed to fund new projects for researchers or start-up businesses which exploit basic research.

Enable enhancements to Rothamsted Manor

10.53. A proportion of net receipts would be utilised:

- to restore, refurbish and enhance this Grade 1 listed building together with the grounds and other structures based on suitable and appropriate future uses for the property, which might include creating new office space and other employment space, whilst protecting this important national asset.

10.54. In addition to these site specific VSC's, a considerable number of further planning/public benefits would arise from the Site's proposed development which together would comprise VSC's. We detail these below.

<u>Deliverability & Availability</u>

10.55. There are no overriding constraints to development of the Site in terms of land ownership, restrictive covenants, or collaboration requirements.

10.56. The Site is deliverable, achievable, and viable in NPPF terms. It has the potential to deliver completions from FY 2027/28 of the Trajectory.

10.57. The land is 100% owned by LAT Redbourn Limited, a wholly owned subsidiary of LAT, free of any restrictive covenants or other legal impediments.

10.58. The land is currently held and valued as agricultural land and is surplus to requirements. Therefore, any income generated over, and above agricultural values would be considered reinvested into LAT for the benefit of Rothamsted Research as part of the Trust's charitable aims and objectives and would be utilised to assist in the delivery of the 4 unique benefits for Rothamsted Research as listed above.

<u>Improved Connections</u>

10.59. The Site has the potential to enhance existing connections and provide new routes into the countryside and beyond. This includes:

- Improved safe walking and cycling route along Harpenden Lane within the green frontage of the site.
- Signalised crossings at Harpenden Lane roundabout to provide safe crossing routes for users of the Nickey Line.
- Improvements to the Porridge Pot PROW to make it an all-year route.
- A new boardwalk at the underpass to create a safe crossing link of the A5183 avoiding the existing route across the road itself.

10.60. Many of these proposed connections improvement have resulted from significant consultation with residents and stakeholders such as Friends of the Nicky Line.

- 91 -

Affordable Housing & Meeting Specific Housing Needs

10.61. A range of housing would be developed responding to local housing needs. Opportunities at both ends of the market for elderly care in the form of a 50+ bed care home as well as first time buyer opportunities would be provided for. Policy compliant affordable housing would also be provided, but most importantly, would also provide affordable accommodation to key workers at Rothamsted Research facility within a sustainable commuting distance from the campus. LAT would seek to take ownership and management of a proportion of the affordable properties aiming them at skilled scientists and professionals on a lower income as well as visiting academics as detailed above.

10.62. Policy compliant self/custom build housing would also be provided on Site complete with a design code to ensure design quality is in keeping with the rest of the Site.

10.63. Up to 900 homes at an average density of 40dph StADC policy compliant level (DES 3 efficient use of land) as well as a substantial proportion of affordable homes coupled with meeting a specific housing need for Rothamsted Research staff and students.

Education & Community

10.64. A new 2-form entry primary school will be delivered on site providing significant new educational facilities for existing as well as new children within Redbourn. A co-located community space will be provided for use by local groups but will also enable a programme of outreach between Rothamsted Research and the local community. This will encourage scientific learning on issues that are pertinent to Rothamsted that can be translated into everyday use such as biodiversity within our landscapes and gardens to accessible climate change initiatives.

10.65. Through the Site, there will be opportunities for residents and the local community to play and explore through the variety of open spaces and in the purpose-built multi-use games equipment to be provided. Public open spaces will also be set throughout the scheme drawing on the links with Rothamsted and the art of nature.

10.66. LAT's charitable purposes are "*to advance the science of agriculture for the public benefit through original investigation and research, which may embrace all or any subjects) connected to or bearing upon agriculture, including animal or vegetable physiology, meteorology, botany and chemistry*"[(44)]. These purposes are mirrored by Rothamsted, and as a part of their work, LAT and Rothamsted contribute to education of the next generation of actual or potential scientists, whether that is through supporting PhD students, hosting local schools and providing educational tours, and support for initiatives and enterprises such as Farm School. Both charities are actively exploring how education and scientific and environmental awareness can be embedded within the scheme, for the benefit of all.

10.67. Several additional community sports pitches would also form part of the development as shown in the Vision document and Figure 2 above.

Environment

10.68. The scheme will offer significant environmental enhancements well over and above the existing use as agricultural fields. This will include improvements to the River Ver such as a new water meadow providing enhanced flood and flow management to the River Ver. LIH and LAT will work in conjunction with Rothamsted Research to design the landscape scheme ensuring the proposals deliver biodiverse rich landscapes open spaces.

10.69. The SANG, perfectly positioned on adjoining land, will provide additional recreational space for Redbourn village connecting in the wider footpaths across the Rothamsted Estate into Harpenden.

SANG

10.70. Due to the location of the new homes being located within 12.6km of the Ashridge Commons and Woods unit of the Chiltern Beechwoods Special Area of Conservation (SAC), a new Suitable Area of Natural Greenspace (SANG) would be created to the immediate east of the proposed development.

10.71. The proposed SANG has been developed in consultation with Natural England and comprises approximately 23ha of land which would be available to residents of the new development and the wider public alike for informal recreational activities such as dog walking, jogging, and picnicking.

"https://register-of-charities.charitycommission.gov.uk/charity-search/-/charity-details/5045880/governing-document

- 92 -

10.72. The SANG has been designed in accordance with Natural England's 2021 SANG creation guidelines and would include a 2.3-2.5km circular walk through an attractive landscape comprising existing mature woodlands in addition to newly created grassland habitats. The River Ver flows through the SANG adding additional interest for visitors and the SANG is well connected to wider recreational opportunities including the local footpath network and the Nicky Line recreational route (also forming part of the Chiltern Way) which crosses the central area of the SANG.

10.73. At a size of 22.92ha, the SANG will have capacity to mitigate potential effects of development on the Chiltern Beechwoods SAC beyond that required for the proposed development. This would enable development of other suitable sites which may not otherwise be possible due to lack of SANG capacity comprising a wider public benefit of the scheme, including an overprovision of SANG of approximately 4.5ha.

Biodiversity Net Gain (BNG)

10.74. Biodiversity Net gain of at least 10% will be delivered with the aspiration being, In accordance with the mitigation hierarchy, that this is achieved onsite.

Socio Economic Benefits

10.75. The socio-economic benefits of the proposed development would be very significant (Individually and collectively), and Include:

- Provision of up to 900 homes.
- New 2FE Primary School.
- Care home.
- Community and retail facilities, with potential for employment uses.

10.76. Significant job creation both during and following construction will also be provided from the proposed development.

10.77. Neither in the SA (2024) nor the IDP (2024) Is there any or any adequate regard paid to the significant infrastructure, or sustainability credentials of the site and its potential to form part of the spatial strategy for the Local Plan. This becomes even more pertinent given the erroneous and inconsistent assumptions that we have demonstrated in relation to the Green Belt Review.

9.1. The lack of justification and accuracy in approach to the spatial strategy of the draft Plan (2024) and its land use allocations has been clearly demonstrated through

9.2. Consequent of the failing identified, we consider that the Regulation 19 Plan is not legally compliant due to the failure in the DtC and is also unsound given the profound errors identified. The Regulation 19 Plan has not been positively prepared and is unjustified in many key areas. It is ineffective in ensuring delivery or cross boundary working and is therefore not consistent with existing - or emerging - national planning policy.

9.3. We assert that the Regulation 19 Plan should be urgently reviewed and revised by StADC to address these significant failings prior to submission including, existing allocations should be reviewed and additional or replacement allocations made to regularise these comprehensive concerns.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

6.64. It is our contention that draft Policies SP1, Key diagram 1.3, paragraph 3.7 – 3.11, Policy SP3, Tables 3.1 and 3.2 of Part A of the Plan require review. Policies LG1 – 4 also require amendment to reflect the inconsistent outputs of an updated Green Belt Review (2023) as we highlight in Table 11. This review would also have implications for Part B, Table A1.1 and the associated Site allocations, which require review and supplementing with additional sites such as the land at NE Redbourn.

6.65. The implications of amendments required in relation to the above policies might also need to be reviewed in relation to Draft Policies LG5 and 6, to ensure that they support the objectives for sustainable development (paragraph 8 of the NPPF) following the more comprehensive review of the Green Belt Review (2023) and the housing sections of the draft Plan (Parts A and B).

9.4. Changes to the Table 3.1 and 3.2 of Part A of the draft Local Plan; Policies LG1, LG2, LG3 and LG4; Part B of the draft Local Plan Table A1.1 and Part B - Sites H 1 – H4; B1 – B8 ; M2 – M23; P1. – P3; U2 – U4; UC1 – UC57 are required to ensure soundness and amendments to the draft Plan are needed in the following areas:

- Green Belt review (2023) requires review to address fundamental flaws.
- Inadequacies of the SA (2024) require redress, and the outputs of the assessment revised to have better regard to the benefits and opportunities that NE Redbourn site presents and then benefits that might accrue.
- Housing land supply shortfall of some 3,690 dwellings should be mitigated through the inclusion of additional allocations.
- Exceptional/very special circumstance plainly exists for the allocation of the land at NE Redbourn for residential development. In summary, development of the Site will:

- Mitigate wider site deliverability constraints in other broad locations
- Provide a tangible contribution to the housing land supply position within the first three years from adoption
- Offer unique and specific benefits to Rothamsted Research a world leading scientific research centre
- Provide wider SANG benefits to meet StADC SANG needs
- Errors and blinkered approach to infrastructure need, provision, and delivery in relation to the IDP (2023 and 2024) need amendment and reassessment.
- Significantly supressed provision of housing in the first 5 years of the plan period (following adoption) should be amended to ensure a better evidenced and aspirational trajectory of delivery.
- Lack of regard to unmet housing need and the way spatial decisions can assist in overcoming such needs.
- Lack of effective engagement demonstrated by StADC" lack of discussion with LAWES Trust in relation to site allocations made on their land at both Regulation 18 and 19 stage.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Regulation 18 to 19 Sites Position_[R].pdf
2. Appendix 2 - Trajectory Comparison_[R].pdf
3. Appendix 3 - 2941-4-1-TD-0001-S5-P3 NE Redbourn GB Appraisa_[R].pdf
4. Appendix 3 - 2941-4-4-4-LV-0001-S5-P3 Redbourn Landscape Analysis_[R].pdf
5. St Albans Technical Submission - Final Draft - 7th November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To address the matters detailed in the attached Submission Document.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

DJA's assessment (Appendix 3 to these Representations) clearly demonstrates that:

- The H1 allocations risk coalescence of Redbourn and Hemel Hempstead, especially with the proposed B3 allocation at West Redbourn.
- The Green Belt Review (2023) fails to adequately look at context, in relation to settlement edge
- It also underplays the qualitative character of sits and their surroundings.

See attached submission document

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Appendix 6 - Monitoring Framework

Comment Number: 1

Type:

* Table

Number:

Appendix 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

4.0 Housing Supply & Allocations

- Part A Table 3.1 and 3.2 & Part B Local Plan Housing Sites

4.1 At Regulation 18 (September 2023) LIH submitted detailed representations in relation to the suitability,

deliverability, and availability of several of the proposed site allocations in the Local Plan. We asserted that the Council's approach was unsound as it had not been suitably justified, effective or positively prepared and as such was not consistent with national policy. These concerns remain and have not been addressed adequately by the Council in the Regulation 19 Plan.

4.2 We rely in part in these representations on the Identified Sites Deliverability Assessment – FINAL - 25th

Sept 23 submission made at Regulation 18 stages, as it pertains to the sites retained as allocations in the Regulation 19 Plan and as applicable to additional identified sites, where these are pertinent.

4.3 We have set out in Sections 2.0 and 3.0 the prevailing national policy agenda and lack of regard to which

StADC have placed upon this, which we consider means that the draft Plan cannot be sound as it is not consistent with national policy. We now turn to the specifics of the Plan and its supporting evidence base.

4.4 Limited information has been provided in relation to the Council's updated position on site allocations

and housing supply, however we do note that a Housing Evidence Paper with Trajectory (2024) has been published which we address below. The same Trajectory is also provided at Table 3.2 of Part A of the Regulation Plan.

4.5 The focus of our representations relates to:

- Draft Policies SP1 and SP3 Key diagram 1.3, paragraph 3.7 – 3.11, Policy.
- Table 3.1 and 3.2 of Part A of the draft Local Plan.
- Draft Policies LG1, LG2, LG3, LG4, LG5 and LG6.
- Part B of the draft Local Plan Table A1.1.
- Part B - Sites H 1 – H4; B1 – B8 ; M2 – M23; P1. – P3; U2 – U4; UC1 – UC57.
- Green Belt Review (2023).
- Sustainablity Appraisal (2024).
- Infrastructure Delivery Plan (2023 & 2024).
- Lack of due regard to the South West Hertfordshire - Local Housing Needs Assessment Report.

4.6 Substantial revisions are required to the draft Plan and for additional housing allocations to be included

on land such as the land at NE Redbourn which has the potential to provide a sustainable and timely contribution to the housing supply position within the first 5 years of the plan period (following adoption).

4.7 In terms of context, Table 6 identifies housing requirement as detailed in the Regulation 18 Plan and

sets this against the position as now set out in Part B Local Plan Sites (Part B). The final column in Table 6 indicates the change in position (based upon the Part B Local Plan Sites figures).

Table 6 – Regulation 18 and Regulation 19 Housing Supply

	Regulation 18 Identified Supply	**Regulation 19 Identified Supply**	**Difference**
1 - Hemel Garden Community	4,750	4,300	-450
2 - Broad Locations	4,431	4,227	-204
3 - Large Sites	284	385	+101

4 - Medium and Small Sites	1,302	856	-446
5 – PDL Green Belt	144	137	-7
6 - HELAA Sites	93	43	-50
7 - Urban Capacity Sites	775	860	+85
8 - Other	0	0	/
Total	**11,779**	**10,808**	**-971***

4.8 It is evident that the identified supply of housing has been substantially reduced in the Regulation 19 Plan.

- Housing Land Supply & Allocated Sites

4.9 Several mathematical errors were identified in the supply position at Regulation 18 stage which appear

to have been duplicated at Regulation 19 stage, perhaps due to the undue speed in which the Plan has been prepared.

4.10 Table 7 highlights the inconsistencies identified at Regulation 18 stage and now again at Regulation 19

stage. We highlight inconsistencies and errors that have occurred in red in Table 7 which relate to:

- Part A Broad Locations as set out in Table 3.1.
- Trajectory as at Table 3.2 of Part A of the Draft Plan (and Appendix A to the Housing Land Supply Windfall & Capacity Evidence Paper[30] (Housing Evidence Paper)
- Part B Local Plan Sites Table A1.1 when compared Trajectory in the Housing Evidence Paper (Trajectory 2024).

4.11 Table 7 – Table 3.2/Appendix A Trajectory Supply

	Regulation 18 Trajectory Supply	**Regulation 19 Trajectory Supply**	**Difference**
1 - Hemel Garden Community	4,750	4,300	-450
2 - Broad Locations	4,431 4,281	4,227 4,077	-204
3 - Large Sites	284	385	+101
4 – Medium and Small Sites	1,302 1,581*	856 851	-446 -345
5 – PDL Green Belt	144	137	-7
6 – HELAA Sites	93 78	43	-50 -35
7 – Urban Capacity Sites	775 847	860	+85 +13
8 - Other	0	0	/
Harpenden Neighbourhood Plan		57 **	
Total	**11,779 11,681**	**10,808 10,653**	**-1,028***
Identified Shortfall	**4,606**	**3,690**	

**Assumes that 3 and 4 are added together 1,581 in Trajectory mathematically it = 1,586 ** Harpenden NP dwellings excluded from Allocation figure*

4.12 The mathematical errors show a difference of 160 dwellings between the Part B Table A1.1 and the

Table 3.2 Part A or Housing Evidence Paper/Appendix A Trajectory. This is confusing and suggests a lack of time has been allowed to fully review the material pursuant to the Regulation 19 Plan consultation. It also undermines the soundness of approach if such errors are taking place in a process that the Council themselves indicate is swift.

4.13 In addition to the mathematical errors that we note above, Table 3.1 in Part A of the Local Plan, sets out

the follow different housing requirements for the Broad Locations from the assumptions set out in Part B of the Local Plan:

- North St Albans – 1,146 dwellings (Part B states 1,097)
- North East Harpenden – 762 dwellings (Part B states 738)
- West Redbourn – 593 dwellings (Part B states 545)
- East St Albans – 522 dwellings (Part B states 472)
- Glinwell, St Albans – 436 dwellings (Part B states 484)
- West of London Colney – 405 dwellings (Part B states 324)
- North West Harpenden - 293 dwellings (Part B the same)
- Harper Lane, near Radlett 274 dwellings *(Part B the same)*

4.14 The supply position on sites in Part's A and B of the Regulation 19 Local Plan and its evidence base, is

inconsistent and confusing. StADC should take the time required to ensure that the Regulation 19 Plan and its associated evidence base is accurate, consistent, and consequently sound in basis and fact.

4.15 Given the numerical anomalies and as there is more detail on the sites in the Trajectory (2024), our

representations continue to be based upon a comparison against the Trajectory (2024) for consistency purposes.

30 Appendix A to the SADC Housing Land Supply Windfall & Capacity Evidence Paper - Sep 2024 V5.

4.16 The Housing Evidence Paper is scant in detail in explaining the Council's position in moving from

Regulation 18 to Regulation 19, not least given the concerns raised in representations at Regulation 18

stage and given the substantial deficit that was identified, which appear to have been ignored.

4.17 We summarise below the apparent changes in the Council's Position on housing land supply as set out

in the Trajectory (2024). The change in overall supply elements is set out in Table 8 below:

Table 8

Regulation 18 to 19 Position Change	**Change**
Completions	
o Regulation 18 – 1,267dw 2019/20 to 2021/22.	
o Regulation 19 –1,080dw for 2021/22 to 2023/24.	
o Reduction 187 dwellings.	-187

- **Future Completions**
  - Regulation 18 –2,273 dw. Starting in 2022/23, ending 2030/31.
  - Regulation 19 – 2,365 dw. Starting in 2024/25, ending 2035/36.
  - Increase 92 dwellings. +92
- **Losses**
  - Regulation 18 –155 losses
  - Regulation 19 -157 losses
  - Increase 2 losses -2
  - Both ending in 2030/31
- **Windfalls**
  - Regulation 18 – 180dw/year for 16 years (2,880dw)
  - Regulation 19 – 145/year/ 14 years + 73 in yr 1 (2,103dw)
  - 73 in yr 1 2026/2027
  - 1 year deferral in delivery
  - Reduction of 777 dwellings. -777
- **Harpenden NP**
  - Regulation 18 – 0 dwellings
  - Regulation 19 – 57 dwellings
  - Increase 57 dwellings +57
- **Site Allocations Overall**
  - Regulation 18 – 11,681, Delivering from 28/29
  - Regulation 19 – 10,563 delivering from 29/30
  - Reduction of 1,113 dwellings -1,113
- **Annual Requirement**
  - Regulation 18 – 888 dw/yr (15,096)
  - Regulation 19 – 885 dw/yr (14,603)
  - Only $^{1}/_{2}$ year assumed for 2024/2025 (482dw)
  - Reduction 493 dw. -493
- **Stepped Trajectory**
  - Regulation 18 – 15,096, Delivering from 24/25
  - Regulation 19 – 14,603 delivering from 24/25
  - Reduction 493 dw -493
  - 2024/25 – 25/26 – Same 389/yr
  - 2026/27 – 2030/31 – 225 dw/yr reduction (710 to 485dw)
  - 2031/32 – 2035/36 – 55dw/yr increase (1,200 – 1,255dw)
  - 2026/37 – 2040/41 – 75dw increase (950 to 1,025dw)
- **Total Supply:**
  - Regulation 18 – 15,938, Delivering from 22/23
  - Regulation 19 – 14,989 delivering from 21/22
  - Reduction of 949 dwellings -949
  - 107 dwellings different from Stepped Trajectory.

· **Overall, Buffer**

o Regulation 18 – 5%

o Regulation 19 – 2.6%

o Reduction of 2.4% (on lower figure)

4.18 Except for the Harpenden Neighbourhood Plan sites (57 dwellings) and increase in future completions

(92 dwellings) the overall supply position has reduced significantly in all regards:

- Completions – reduced.
- Windfalls - reduced.
- Site allocations – reduced.
- Annual requirement – reduced.
- Stepped Trajectory reduced by 42% for years 1 – 5 following Plan adoption.
- Total supply – reduced.
- Overall buffer – reduced.

4.19 These changes have been taken with the knowledge of the wider national political picture on housing

supply. It is questionable as to whether the approach is a positive approach to plan making and is plainly inconsistent with adopted and emerging national policy.

Site Allocations Assessment

4.20 At Appendix 1 to these representations, we assess the Regulation 19 position on site allocations as
compared to the draft Regulation 18 position.

4.21 At columns 1 to 4 of Appendix 1 we identify:

- Site name and category additional sites at Regulation 19 are in red
- Appendix A housing requirement Regulation 18 Plan.
- Part B of Local Plan housing requirement Regulation 19 Plan.
- The difference between the two assumptions.

4.22 Appendix 1 to these representations shows that:

- HCG allocations – dwelling provision has been reduced (-450 dwellings).
- Broad Locations - dwelling provision has been reduced (-204 dwellings).
- Large Sites – minor amendment (+3 dwellings).
- Medium & Small Sites – dwelling provision has been reduced (-338 dwellings).
- Green Belt PDL - minor amendment (-7 dwellings).
- HELAA Sites - dwelling provision has been reduced (-50 dwellings).
- Urban Capacity Sites – dwelling provision has been increased (+76 dwellings).
- Other sites - N/A.

4.23 Neither in Part B Table A1.1 of the Local Plan or in the Housing Evidence Paper (or Trajectory at Appendix

1. A) do StADC explain the justification for the current assumptions or provide reasoning as to the basis for the substantial reductions in supply that have been made.

4.24 We identify that for Broad Locations, Part B Table A1.1 does not mirror the actual capacity of the sites

when their individual capacity figures are reviewed, and this does not match the broad location capacity indications in Table 3.1 in Part A of the Local Plan and in other instances does not mirror the Trajectory (2024).

4.25 This is confusing, poorly prepared and demonstrated a lack of proper review in respect of the housing

supply position which is perhaps resultant from the rush to publish the draft Plan. The consistency in errors however undermine the justification of the Council's supply position. Part A, Part B and the supporting evidence base should be reviewed by StADC and brought into line to demonstrate the consistency of approach and a robustness in evidential basis to be effective.

4.26 At columns 5 to 6 of Appendix 1 to these representations we identify that:

- The housing figure as set out in the Trajectory at Appendix A of the Housing Evidence Paper
- Detail the differential between this figure and that in Part B Table A1.1

4.27 In undertaking this assessment, we show that the Part B Table A1.1 and the Trajectory assumptions at

Appendix A of the Housing Evidence Paper do not match up, resulting in a difference of 160 dwelling (shortfall).

4.28 At columns 7 and 8, we identify:

- The LIH Regulation 18 representations, identified shortfall in housing provision.
- The sum differential between the LIH assumptions on deliverability and the Regulation 18 draft Plan.

4.29 At columns 9 and 10, we identify:

- The LIH identified shortfall in housing provision at Regulation 19 (based upon Regulation 18 assessments)
- The differential between the LIH assumptions on deliverability and the Regulation 19 draft Plan.

4.30 Appendix 1 to these representations shows that the Council's assumptions at Regulation 19 Plan

overestimates capacity by almost 3,700 dwellings and that only 7,180 dwellings are likely to be delivered within the plan period to 2041 from the identified supply sites and sources. Clearly there is a need for additional sites such as NE Redbourn to be included as allocations to ensure that the draft Plan can at least meet its housing targets within the first 5 years - and beyond, following adoption.

4.31 We caveat some of this due to the anomalies in the Council's housing figures across documents, it does

make assessing the accuracy of the baseline confusing, but broadly even if these mathematical anomalies were overlooked the shortfall in supply is still in the region of 3,500-3,700 dwellings.

4.32 We now turn to other supply side aspects as substantiated by Policies SP1, SP3 and Table 3.2 of Reg 19

Local Plan Part A and Part B Local Plan Table A1.1, Housing Evidence Paper and Trajectory (2024) specifically.

Housing Trajectory Within the Local Plan Document

4.33 Sets out new assumptions. No explanation for why any changes have taken place from Regulation 18
assumptions. Appendix 2 – Trajectory Comparison shows that the Plan has dropped two years from the Trajectory 19/20 and 20/21 from Regulation 18 Plan to Regulation 19 Plan.

Period Covered by the Housing Trajectory

4.34 The revised plan period has been adjusted to 1st October 2024 to 31st March 2041. 15 years from the estimated point of adoption of the Plan in March 2026.

4.35 No explanation or justification for altering the base date or how previous under delivery in previous years has been addressed has been provided.

Non-implementation rate / Lapse assumption

4.36 We note that the Housing Evidence Paper refers to the Litchfield's Report [31] as justification for its approach.

Windfall Rate

4.37 Reduction in rates has been identified justified by revised trend data:

- 180dw/yr based upon completions 2010/11 – 2019/20
- 145dw/yr based upon completions 2013/14 – 2022/23

4.38 The justification of the reduction also indicated to relate to a decrease office conversion, but no evidence is provided to substantiate this. The AMR 2024 has not been prepared (or published).

Build Out Rates

4.39 Reference to Litchfield's Report [32] and indicates that a '*conservative approach to build out has been applied given housing market is attractive*' however, no details as to the assumptions or rationale for each site's anticipated delivery, which underpins the assumptions has been provided.

4.40 With regards to HGC , we note that an alternative approach has been taken due to the site's scale, but this is not fully explained based upon the sites deliverability trajectory and associated logical considerations associated with the site 'coming on stream'.

4.41 We note that with regards to infrastructure delivery mix of housing it is stated that "*the development can meet the complete range of different housing needs simultaneously*." Again, this might be achievable, but no information is provided as to the rationale and approach to such across a site as large as HGC which straddles Local Authority boundaries and has significant infrastructure requirements with associated substantial lead times.

31 Feeding the Pipeline, Lichfields (November 2021) https://lichfields.uk/content/insights/feeding-the-pipeline

*32 Start to Finish (third edition), Lichfield's (March 2024)*https://lichfields.uk/content/insights/start-to-finish-3)

Housing Capacity

4.42 This appears from the Housing Evidence Paper to have been based upon HELAA and UCS assumptions however as Appendix 1 to this submission shows many of the capacity assumptions have been amended without explanation. Our representations at Regulation 18 stage indicated significant concerns over the assumptions in this regard.

4.43 We note that the Housing Evidence Paper indicates that the assumptions on Green Belt sites – based

upon work done in 2014 from the Councils Residential Density Report 2014 [33]. This is historic data and would benefit from further consideration and review to substantiate the site capacity assumptions – perhaps having more regard to specific site context and capacity.

4.44 We have noted above that the draft Plan and associated evidence base are lacking in relation to matter

of Hertfordshire and London's unmet need and assessing the role that StADC is able to play a role in meeting either its own, or wider unmet housing needs.

4.45 We note the gross to net assumptions as detailed below:

Area (hectares)	**Gross to net ratio**
Sites up to 0.4ha	100%
Sites between 0.4 to 2ha	85%
Sites greater than 2ha	60%

4.46 No explanation has been provided in relation to wider supply changes of aspects of the Trajectory

(2024) which is at Table 3.2 of Part A of the draft Plan and Appendix A to the Housing Evidence Paper, which we address below.

Trajectory

4.47 At paragraph 74 of the NPPF (2023) it states:

"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum o f five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

1. *5% to ensure choice and competition in the market for land; or*
2. *10% where the local planning authority wishes to demonstrate a five-year supply o f deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
3. *20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply. "*

4.48 We have already addressed above several aspects of the Trajectory Table 3.1 in Part A of the Local Plan

and Appendix A of the Housing Evidence Paper (2024) on matters such as pipeline, windfalls, large and medium site assumptions. We deal with some more detailed aspects associated with the Trajectory below.

4.49 At this stage, it is not clear whether assumptions in the Trajectory (2024) are deliverable or not due to

the lack of supporting evidence being provided. We provide a comparison on the Trajectory's from the Regulation 18 and 19 Plans for comparison at Appendix 2 - Trajectory Comparison to these representations.

4.50 We note the Council's most recent AMR (2023) (published since the Regulation 18 consultation in later

2023, whist not in the evidence base for the Plan, is on the Council's website and this shows a completely different 4/5-year HLS approach, assumptions, and rationale, that is not addressed with the

33 para 7.4 Housing Land Supply Windfall & Capacity Evidence Paper

Housing Evidence Paper (2024) or elsewhere within the draft Plan. No 2024 AMR has been published to support the Regulation 19 Plan assumptions.

4.51 No details have been provided as to the changes in the Trajectory assumptions from Regulation 18 to

19 these include:

- Delay of the HGC dwelling commencement
- Reduction of the stepped trajectory from 710 dwellings per annum to 485 dwellings in the first 5 years.
- Reduction in the first 5 years period (25/26 – 2030/31) of completions from 4,285 dwelling to 2,941 dwellings.
- Significant alteration in the first 5 years period (25/26 – 2030/31) from PDL land in urban areas.

4.52 It is unclear how StADC has made its decisions in relation to its Trajectory (2024), approach to the use

of a stepped method, and the approach to the revised delivery rates from its identified sites. What is evident is that the approach for the next 7 years appeals to be to defer housing delivery as far as possible.

Allocations Overview

4.53 We consider that the following polices, and aspects of the draft Plan are unsound, the reasons for which
we address below:

- Draft Policy SP1, SP3 and Table 3.1 of Reg 19 Local Plan Part A
- Part B Local Plan Table A1.1 and Sites H 1 – H4, Sites B1 – B8; M2 – M23; P1. – P3; U2 – U4; UC1 – UC57
- Part A Policies LG1 – LG4

4.54 Appendix 2 – Trajectory Comparison to these representations, explores the changes undertaken in

housing supply between Regulation 18 and 19 stages of the Plan. No substantiation has been provided to the changes that we identified in Table 9 below.

4.55 Table 9 summarises the changes in housing supply from Regulation 18 to 19 identified in Appendix A in

respect of site allocation assumptions in the Trajectory (2024). No explanation or justification is provided for the following amendments, which leads to uncertainty around the basis and reasoning for decision making in the draft Plan on site delivery and allocation requirements.

Table 9 – Changes in Site Allocation Assumptions in Trajectory (2023) and Trajectory (2024)

Supply Element	**Regulation 19 Position**
Hemel Garden Communities	-450

· Regulation 18 to 19 – deferred 1 year from delivery.

· Annual delivery profile remains the same.

· 1 year delay causes 450 dwellings to fall off beyond plan period.

· Reduction 450 dw (4,750 to 4,300dw)

Broad Locations -204

· Regulation 18 to 19 – deferred 1 year from delivery.

· Changes to delivery profile over most years.

· Reduction of 204 dwelling in period (4,281 – 4,077dw)

Large Sites /

Regulation 18 to 19:

· Was within 'Other GB Locations' at Reg 18

· Total 385 dwellings to supply

· 150 dwellings first delivered in 32/33, 7 years after adoption.

Medium & Small Sites /

Regulation 18 to 19:

· Was within 'Other GB Locations' at Reg 18

· 851 dwellings to supply

· 152 completions starting in 29/30, 4 years after adoption

Combined Large & Medium/Small Sites -345

· Other GB Locations Regulation 18 = 1,581 dwellings

· Combines L&M Sites Regulation 19 – 1,236 dwellings

· Reduction of 345 dwellings

Previously Developed Green Belt -7

· Regulation 18 to 19 – 144 dw to 137.

· Starting in same year 29/30.

· Small changes to delivery profile.

· Reduction of 7 dwellings

PDL in Urban Area (HELAA) -35

· Regulation 18 to 19 – 78 to 43 dw.

· 1 year delay in delivery, starting in 29/30.

· Small changes to delivery profile.

· Reduction of 35 dwellings.

Other in Urban Area (UCS) +13

· Regulation 18 to 19 – 847dw to 860dw.

· Starting 1 year later and significant reduction in delivery rates spread out more by an additional year (over the deferral year (so two years).

· Increase of 13.

Previously Developed Land within Urban Areas

4.56 At Regulation 18, in 2028/2029 is a strange entry which suggests that 547 dwellings were identified as
being delivered in that one year. There was no detail on lead times provided in relation to the delivery rates and no site details provided to suggest what sites might be delivering this significant one off, contribution, which formed part of the stepped trajectory for the five-year period after the plan's adoption (2026/2027 – 2030/2031).

4.57 This has been amended at Regulation 19 stage but with no explanation as to the change that have been

made. Sites have been repositioned between the large, medium, and small sites categories and some small sites have been removed but it is unclear as to the basis for the change in approach and rationale.

4.58 Again, no delivery is anticipated from this source until 2029/2030. No justification for the rationale has

been provided.

Delivery Rates

4.59 At Regulation 18 stage, delivery in the past 3 years was averaging 422 dwellings per annum. In the
Regulation 19 Plan, this is reduced to 360 dwellings[34]. This is just **40%** of the required annual supply going forwards (885 dwellings (2023 standard method) and **23%** of the (1,544 dwellings 2024 standard method).

4.60 Delivery from future completions average in the period from now until 2030/31 (5 years after anticipated

plan adoption) totals some 1,944 dwellings (or 1,787 including lapse rates) – an average of 297-324 dwellings (based upon 6 years average) or 255 - 277 dwellings based upon 7 years. At best this represents about **36%** of the required annual supply (885 dwellings (2023 standard method) and **22%** of the (1,544 dwellings 2024 standard method).

4.61 No draft allocated sites are identified in the Trajectory (2024) to be delivering any dwellings until

2029/2030 which represents year 4 after the Draft Plan is adopted, 5.5 years from now. Based upon the current assumptions the housing supply position will be significant below the standard method (2023), further increasing issues of unmet need and affordability within the district. We question on this basis whether 'no plan is better than a plan'.

4.62 An additional buffer of sites is required to ensure that a suitable range and breadth of sites are identified

to ensure that the StADC is able (should delays on large sites arise) to meet in target housing projections.

4.63 The significant reduction in housing delivery is not assessed within the context of identified housing

need in the district of some 802 dwellings per annum and/or the draft NPPF (2024) requirement for 1,544 dwellings per annum.

4.64 In effect, for the next 5 years, StADC is relying upon the delivery from sites with existing planning

permissions, and 363 dwellings being delivered from windfall sites. This does not appear to be a plan lead system and is not the way in which either a stepped or incremental Trajectory should work.

34 Appendix 2 – Trajectory Comparison years 2021/22 – 2023/24

Stepped Trajectory

4.65 The Trajectory (2024) of the Draft Plan indicates delivery targets:

- 2024 – 2026– an average of 398 dwellings/year.
- 2026/2031 (5 years after the plan adoption) - 710 dwellings per annum at Regulation 18, now 485 dwellings per annum.
- 2031 – 2036 (6 – 10 years post adoption)– 1,200 dwellings per annum at Regulation 18, now 1,255 dwellings per annum.
- 2036 – 2041 - 950 dwellings per annum at Regulation 18, now 1,025 dwellings per annum.

4.66 We note that from 2030/31 StADC anticipated the stepped trajectory increasing from 485 dwellings per

annum (which is only exceeds the standard method housing requirement in year 5 from adopted (2030/31) to 1,255 dwellings per annum in 2031/32. No explanation has been given for the reduction of the stepped trajectory from 710 dwellings per annum to 485 dwellings in the first 5 years from adoption or the increased provision in the final 5-year period from 950 to 1,025 dwellings per annum.

4.67 There is no explanation given in the Housing Evidence Paper for these changes, not least the 42%

reduction in the stepped Trajectory and it's rational as set against the SM (2023) requirement of 885 dwellings.

4.68 What is wholly apparent is that in almost all areas of housing supply, provision is being reduced,

deferred, and delayed, an approach which is completely counter to the NPPF (2023) WMS and draft NPPF (2024).

Buffer

4.69 With a 20% buffer applied to years 1 – 5 and the 5% buffer at Regulation 18 has been reduced to 2.6%
overall as detailed above (as required by the NPPF), several anomalies result including:

- Delivery only exceeds the standard method (2023) in 20930/31 the final year of the plan period. In all years prior to that performance substantially falls below the requirement.
- 2031 – 2036 (6 – 10 years post adoption)- in this period it appears in the assumption is that more than 500 dwellings/ year will be delivered from Broad Locations to year 9 of 10.
- HGC delivery assumptions appear overly ambitious and highly unrealistic as summarised above and detailed in the Identified Sites Deliverability Assessment (2023).

4.70 Moreover, no regard has been had for infrastructure capacity or delivery and how this relates to the

assumed delivery rates from identified sites.

Unmet Need

4.71 As already set out, StADC in an area of very high market demand, low affordability and is close to
London. It is an area which has not has properly planned for growth for circa 30 years. Such is the acute level of unmet need within the district. We set out in Section 5.0 the significant gaps in the evidence base regarding housing need and market evidence and, as such, greater evidence is required in this regard to support the draft plan's policies around matters such as quantum and spatial decision making for example.

4.72 In addition to StADC's acute unmet housing need for market and affordable housing, the district's

relationship to London and the extent of unmet housing need in the capital, should be acknowledged or addressed within the draft Regulation 19 evidence base.

4.73 For the reasons noted above it is evident that a significant amount of further work is needed to ensure

that the draft Plan's land supply targets and assumptions can actually be achieved and that sufficient sites have been identified which are capable of delivering within the plan period.

4.74 Accordingly, we consider that the current housing land supply assumptions in the Regulation 19 Plan

are significantly lacking in evidential support, and it clear that the land at NE Redbourn (being available, deliverable and suitable in NPPF terms) should be allocated in the draft Plan to help address some of the major deficiencies that have been identified in the land supply position.

Mathematical Anomalies

4.75 We have detailed above the mathematical anomalies between the Trajectory (2024) details of site
delivery and Part B Local Plan Sites Table A1.1.

- Alternative Supply Position

Hemel Garden Community & Broad Locations

4.76 HGC straddles both Dacorum and St Albans administrative districts and, as such, there will be certain
aspects of the HGC's delivery which will not be within the control of the StADC. Dacorum's plan is currently lagging. StADC will, on some level, be constrained by the progress made – or not made - in Dacorum. This could be a major factor in restricting delivery, not least in relation to securing outline planning permission (resolutions) and entering the necessary s106 agreements; but also matters of infrastructure delivery, SANG's and other shared aspects of the HGC concept plan.

4.77 To achieve the delivery of 100 dwellings per year occupations by 2028/2029 the following aspects all

need to take place within a 3-year period from plan adoption which, from our experience, seems highly unrealistic:

- Securing outline planning approval and completion of (complex) s106 agreement.
- Sale of land parcel, submission and approval of reserved matters details and discharge of relevant pre commencement conditions.
-
- Construction of enabling works.
- Development of land parcels to deliver units.

4.78 As such, assuming the Local Plan is adopted as proposed in March 2026 (LDS Sept 2024)[35] for a large

strategic scheme of this nature, we would anticipate (at best) the following time considerations for these requirements, namely:

- Preparation of masterplan – 18 months (mid-late 2027)
- Planning application & s106 execution - 2 years for complex site (mid - end 2029)
- Pre commencement condition submission and discharge – 12 months (mid - end 2030)
- Commencement of early enabling Infrastructure works – 12 months (mid - end 2031)

4.79 Indeed, the Crown Estate own (best case) work programme suggests that it is unlikely that 100 dwellings

can be delivered by 2028.

4.80 StADC provide no details on:

- Condition discharge
- Land sales and procurement
- Reserved matters submissions

4.81 The allocation of HGC is accepted as per Policy SP1, SP3 and Table 3.1 of Part Local Plan and Part B Local

Plan Table A1.1 and Sites H 1 – H4, however concerns relate to the level of assumed delivery within the draft Plan period and the lack of evidence to substantiate the proposed delivery rates set out in the Trajectory (2024) and timeline. The lack of justification around the delivery timeframes for HGC, given the cross-boundary nature draws into question the soundness of the plan's spatial strategy. These concerns also link to draft policies LG1, LG2 and lG3 which fail to demonstrate the deliverability framework of the site.

4.82 Appendix 1 to these representations indicates that the capacity of these sites is likely to result **in a**

reduction of supply of circa 935 dwellings.

Other Broad Locations

4.83 Broad locations are not delivering houses until 2031/32, HGC is anticipated to deliver 275 dwellings by
2030/31. No allocated sites are identified to deliver any houses in the period from 2024/25 to 2028/29 – 5 years.

4.84 For the next 5 years, St Albans anticipate delivering some 1,863 dwellings, an average of 372 dwellings

per annum, or within 3 years from adoption. In the first four years from adoption based upon StADC's own trajectory, only 1,888 dwellings will be delivered which represents just 472 dwellings per annum. If a Local Plan review is to commence in 2026/207 looking to deliver a housing requirement in line with the revised standard method (2024) the assumptions in the stepped trajectory should be orientated to facilitate this, and not be reduced to defer delivery in line with the standard method for (2023) until years 4/5 after adoption.

35 https://www.stalbans.gov.uk/sites/default/files/attachments/SADCX20LocalX20DevelopmentX20SchemeX20-X20SepX202024X20-X20Final.pdf

4.85 The basis for 500 dwellings per annum (from 2031/32) being delivered from Broad Locations is

unevidenced.

4.86 The lack of justification around the delivery timeframes for the Broad Locations set out in Table 3.1 of

Reg 19 Local Plan Part A and in Part B Local Plan Table A1.1 - Sites B1 – B8, given the cross-boundary nature draws into question the soundness of the draft Plan's spatial strategy. No evidence has been provided as to the deliverability of the anticipated supply to provide confidence that the assumptions can or will be achieved.

4.87 Appendix 1 to these representations indicates that the capacity of these sites is likely to result **in a**

reduction of supply of circa 1,487 dwellings.

Large Medium & Small Sites

4.88 The Large Medium & Small sites allocated via Policy LG4 in Part A Plan and Part B Local Plan Table A1.1
- Sites L1 – L3; M2 – M23, in many instances have significant deliverability constraints as detailed in our Regulation 18 representations (Identified Sites Deliverability Assessment - FINAL - 25th Sept 23).

4.89 Appendix 1 to these representations indicates that the capacity of these sites is likely to result **in a**

reduction of supply of circa 374 dwellings.

Greenbelt Previously Developed Land

4.90 We assert that the Part B Local Plan Table A1.1 – Sites P1 – P3 have questionable deliverability that has
not been fully substantiated by the evidence base to the Regulation 19 Plan is likely to result **in a reduction of supply of circa 73 dwellings**.

HEELA Sites

4.91 We assert that the Part B Local Plan Table A1.1 – Sites U2 – U4 have questionable deliverability that has
not been fully substantiated by the evidence base to the Regulation 19 Plan is likely to result **in a reduction of supply of circa 33 dwellings**.

Urban Capacity Sites

4.92 We assert that the Part B Local Plan Table A1.1 – Sites UC1 – UC57 have questionable deliverability that
has not been fully substantiated by the evidence base to the Regulation 19 Plan is likely to result **in a reduction of supply of circa 788 dwellings**.

4.93 Appendix 1 to these Representations shows supply which assessed based upon our Regulation 19

assessment (where applicable) results in the following revised supply position as defined in Table 10:

Table 10 Alternative Supply Position:

	Regulation 19 Identified Supply	**Questionable/Non-Deliverable**	**Deliverable**
Harpenden NP Sites	57	0	57
Hemel Garden Community (Policy LG2, 3,4)	4,300	-935	3,365
Broad Locations (Policy LG1)	4,232	-1,487	2,740
Large Sites (Policy LG4)	385	-110	275
Medium and Small Sites (Policy LG4)	866	-264	602
Greenbelt Previously Developed Land	137	-73	64
HELAA Sites	43	-33	10
Urban Capacity Sites	855	-788	67
Other	0	0	0
Total	**10,875**		**7,180**
Shortfall		**-3,690**	

4.94 The above Table 10 highlights that a 3,690 dwellings shortfall from the target figure of 10.875 (or 10,653

in the Trajectory) and notwithstanding the other mathematical anomalies we identity above.

4.95 The Regulation 19 Plan is therefore unsound for the reasons detailed above which include (in summary):

- Mathematical errors across Part A, B and associated evidence base to the Plan resulting from a lack of time to review the draft Plan material.
- Lack of justification of delivery assumptions.
- Lack of justification for a reliance for the first 4 years of the Plan following adoption on existing commitments, resulting in a substantial under delivery of housing.
- Approach to Green Belt review (2023) has been inconsistent and haphazard.
- Delivery assumptions from HGC have been inflated.
- Delivery assumptions from Broad Locations have been inflated.
- Delivery assumptions for medium and small site lack robust justification.
- Delivery assumptions from Urban Capacity site lack rigour, design input and comprehensive understanding of capacity and availability of sites, to deliver housing in the plan period
- The Trajectory fails to properly plan for housing delivery in the 5 year period after adoption with only 485 dwellings per annum being targeted (when set against a requirement in the NPPF (2024) of 1,544 dwellings per annum, and contrary to officers advice to member at Committee on the 12th and 23rd September that on the day after adoption they will need to be planning for 1,544 dwellings – this is not evidenced in the land us allocation decisions made in the plan.
- Provides circa 3,690 fewer dwellings than is required by the standard method (2023).
- Additional housing allocation such as the land at NE Redbourn, are required to address the imbalance and ensure sustainable development of homes across the district.

4.96 Given the comprehensive failings in the Part B Local Plan Sites, the supporting Housing Evidence Paper,

Trajectory and associated assumptions of the draft Plan, the current basis for which is unsound as it fails to have been positively prepared, lacks justification. It is not effective or consistent with national policy as we demonstrate above. Additional allocations should therefore be made in Part B of the Local Plan.

Monitoring & Review

4.97 Part A of the draft Plan provides little if any guidance on the manner and extent to which the policies of

the Plan (in respect of housing) affordability and otherwise, will be monitored and reviewed. We note Appendix 6 of Part A which sets out some monitoring indicators, as there is no provision for regular monitoring and review of the Plan. This is particularly important given the way StADC is wishes to progress - ignoring the WMS[1] and draft PPF (2041 provisions – but with an intention to review their Local Plan on day one following adoption (See Sections 2.0 and 3.0 above).

4.98 In recent times, due to concerns in relation to housing supply, Bedford Local Plan (2020) through Main

Modification 1 introduced a review mechanism for the Local Plan which resulted in the adopted Local Plan, having the following requirement as Policy 1.

4.99 Bedford Local Plan Adopted Plan (January 2020) has an implementation and review policy which states:

“Policy 1 - Reviewing the Local Plan 2030

The Council will undertake a review of the Local Plan 2030, which will commence no later than one year after the adoption of the plan. An updated or replacement plan will be submitted for examination no later than three years after the date of adoption of the plan. In the event that this submission date is not adhered to, the policies in the Local Plan 2030 which are most important for determining planning applications for new dwellings will be deemed to be 'out of date' in accordance with paragraph 11 d) of the National Planning Policy Framework 2019.

The plan review will secure levels of growth that accord with government policy and any growth deals that have been agreed. The planning and delivery of strategic growth will be aligned with the delivery of planned infrastructure schemes including the A421 expressway, Black Cat junction, East West Rail link and potentially the A1 realignment.

The review will also serve to build stronger working relationships with adjoining and nearby authorities and may result in the preparation of a joint strategic plan based on a wider geography. "

4.100 This potential provides a framework should the draft Plan be found sound on which to hold StADC to account in respect of its intentions.

4.101 However, a word of caution should also exist as even with such provisions, opportunities for delay and

prevarication have arisen in Bedford, as highlighted in the 'Effectiveness of Review Mechanisms (Planning Policy Briefing Note) April 2024':

"*Policy 1 of Local Plan 2030 requires the council to submit a review of the plan within three years after the date of adoption. The submission of Local Plan 2040 in January 2023 fulfils this requirement. The draft plan is still at examination and the Inspector has agreed to a pause in*

the examination until at least January 2025. The council anticipates adoption of the plan by December 2025..."

4.102 This shows, firstly, that whilst the Submission of a revised Local Plan was achieved within the target of

3 years, the examination process has then been substantially protracted with the revised Plan not being in place (as at the time of these representations). If similar mechanisms are to be contemplated for StADC, then whilst sanctions are helpful, they need to avoid scope for evasion.

3.72 Currently the Regulation 19 Plan's implementation and monitoring policies and mechanisms are virtually non-existent and so fail to be effective, justified, and consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

3.73 The required changes to draft Plan include:

- Reconcile various mathematical errors and inconsistencies which affect Part A (Table 3.1 and 3.2), Part B Table A1.1 and the Trajectory (2024) also at Table 3.2 Part A/Appendix A to the Housing Evidence Paper.
- Housing Trajectory (Tables 3.1 and 3.2 and Appendix A to Housing Evidence Paper) to be amended to prioritise supply as soon as possible within plan period – not defer provision as far as possible.

- Draft Policy SP1, SP3 and Policies LG 1 – 4 alongside Tables 3.1 and 3.2 of Reg 19 Local Plan Part A should be amended. Part B of the Plan updated accordingly to address.
- Delivery assumptions from HGC has been inflated and should be adjusted.
- Delivery assumptions from Broad Locations have been inflated.
- Delivery assumptions for medium and small site lack robust justification.
- Delivery assumptions from Urban Capacity site lack rigour, design input and

comprehensive understanding of capacity and availability of sites, to deliver housing in the plan period.

- Housing supply is questionable a level of circa 3,690 fewer dwellings than is required by the (current) standard method (2023) and the Plan should be amended, and additional allocations made such as the land at North East Redbourn to address these shortcomings.
- The Trajectory (2024) should be amended to address significant proposed shortfalls in the 5-year period following adoption.
- Revise the assumptions underpinning Draft Policies SP1, SP3 and Table 3.1 and Table 3.2 of Reg 19 Local Plan Part A and Part B Local Plan Table A1.1 and Sites H 1 – H4
- Mitigate the identified shortfall of 3.690 dwellings in supply through the identification and allocation of further Broad Locations at Policy SP1, SP3 and Table 3.1/3.2 of Part Local Plan and Part B Local Plan Table A1.1.
- The Trajectory (2024) fails to properly plan for housing delivery in the 5 year period after adoption with only 485 dwellings per annum being targeted (when set against a requirement in the NPPF (2024) of 1,544 dwellings per annum, and contrary to officers advice to member at Committee on the 12th and 23rd September 2024, that on the day after adoption they will need to be planning for 1,544 dwellings – this is not evidenced in the land us allocation decisions made in the draft Plan.
- Trajectory (2024) revisions and assumptions require evidence and verification, including maters such as dwelling delivery commencement, amendments to the stepped trajectory for the first 5 years of the plan period, significant reduction in assumed dwellings completions for the first 5 year following adoption (25/26 – 2030/31) from 4,285 dwelling to 2,941 dwellings – against a requirement figure of 4,425 dwellings, a shortfall of 1,484 dwellings.
- Revise the assumed delivery rates in the first 5 years of the Plan to address the current position where only about **36%** of the required annual supply (885 dwellings (2023 standard method) and **22%** of the (1,544 dwellings 2024 standard method) will be delivered. This will require additional allocations to achieve sustainable development.
- Reviewing the stepped trajectory assumptions for the first 5 years of the plan to ensure greater supply of housing in the early years of the plan, whilst larger sites come on stream.
- Increased buffer from 2.6%
- Additional allocations are required to address the identified shortfall in supply, sites include those which have the potential to make a tangible contribution within the first 5 years of the Plan as well as offering a range of sustainable development benefits, this plainly includes the land at NE Redbourn.
- Provide additional details as to the basis for the revised windfall assumptions
- Provide greater detail as to the assumptions underpinning assumed build out rates and lead times to provide necessary clarity on the identified supply position.
- 2024 AMR is required to provide additional substantiate to the Regulation 19 supply assumptions.

- Greater regard to levels of housing need in addressing the housing requirements and in determining the way supply is manged over the plan period. The deferral of delivery seeks only to exacerbate matter of housing need and increasing level of unmet need.
- Suitable implementation, monitoring and review policies should be provided to ensure that strict oversight is provide in respect of the Plans delivery aspirations and performance. Detailed review polices as detailed above should be included to ensure sanctions apply if performance is not achieved.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Regulation 18 to 19 Sites Position_[R].pdf
2. Appendix 2 - Trajectory Comparison_[R].pdf
3. Appendix 3 - 2941-4-1-TD-0001-S5-P3 NE Redbourn GB Appraisa_[R].pdf
4. Appendix 3 - 2941-4-4-4-LV-0001-S5-P3 Redbourn Landscape Analysis_[R].pdf
5. St Albans Technical Submission - Final Draft - 7th November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To address the matters detailed in the attached Submission Document

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Sustainability Appraisal Note

Comment Number: 4

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

7.0 Sustainability Appraisal (SA)

- **Sustainability Appraisal (September 2024)**

7.1. The Sustainably Appraisal (2024) (referred to hereafter as the SA) seeks to provide the 'justification' for

the Local Plan spatial strategy and land use decisions, however we contend that the application of the SA findings have been undertaken in an inconsistent manner which alongside the Green Belt Review (2023) fails to assess sites objectively and consistently for potential allocation.

7.2. The SA has implications for the spatial strategy underpinning Part A and B of the draft Plan as well as

the site selection methodology and wider evidence base.

<u>New Settlements</u>

7.3. With regards to the matter of new settlements, we note that page 31 the SA states: states that without
HGC very difficult decisions would be required to either not meet housing and employment needs, releasing land from Green Belt around the edge of settlement "*given a lack of new settlement options locally*" and as such, "*There is every chance that such decisions would prove politically too difficult, such that there would be a risk of the Local Plan failing, as per the last two attempts to deliver a local plan....*"

7.4. This suggests that political prevarication sits behind the spatial decisions being taken in the Local Plan.

The rationale has been to avoid difficult decisions, which is not an excuse for poor plan making. We question again whether an approach to planning where 'any plan is better than no plan' can prevail.

7.5. The Local Plan has failed on two previous occasions due to inadequacies in the DtC, a trap that StADC

in rushing forwards with their Regulation 19 Plan run the risk of repeating a third time.

7.6. With regards to the SA conclusion on allocated sites in Redbourn at paragraph 5.4.101 its tates :

"***West Redbourn*** *strategic urban extension – is one of four proposed allocations from the Draft Plan stage where it is the case that both: A) the land is recommended for further consideration by the Green Belt Review; and B) there is the potential to deliver a strategic scale scheme. In particular, the site will deliver a primary school, which is supported by the County Council (N.B. this is an evolution of the situation since the Draft Plan stage, when there was thought to be the possibility*

of alternatively funding expansion of the existing primary school). Furthermore, of the four sites discussed, it is fair to say that this site is one of the stronger performing in Green Belt terms, given hard boundaries around most (but not all) of the site boundary. However, there are clear access / connectivity challenges and constraints, including in the form of the adjacent M1 and several public rights of way. Also, it is noted that there is a pending application for 300 homes within the southern half of the site (ref. 5/2021/3631), which is not ideal from a perspective of comprehensive planning (and it is noted that there are three landowners in total, plus a small adjacent site to the east is being promoted by the County Council). The current planning application is for 300 homes, but total site capacity is 545 homes (down from 593 homes in 2023). It is recognised that the Parish Council request "furthergranulation of West of Redbourn which does not include the whole site." However, supporting only half of the site would create Green Belt challenges, with a long-term perspective, and delivery of a primary school could be called into question..."

Underline Urbanissta emphasis

7.7. We make the following observations in respect of the proposed West Redbourn strategic urban

extension allocation.

- The Parish Council do not support the allocation in full and seek to reduce the site's capacity.
- In stating that *supporting only half of the site would create Green Belt challenges, with a longterm perspective, and delivery of a primary school could be called into question.*
- Potential for piecemeal development and lack of coordinating planning.
- The Site is heavily constrained in access, environmental and PROW terms.

7.8. The main driver for the site's allocation appears to be the way it was assessed in the Green Belt Review,

which we deal with the inconsistencies and inadequacies of this aspect of the evidence base in Section 6.0 above.

7.9. It should also be noted that High Town Housing Association also highlighted at Regulation 18 stage of

the Local Plan that the North East Redbourn site represented a better site for allocation given the constraints of the West Redbourn site.

7.10. Councillor Mitchell [41] Chair of Redbourn Parish Council, indicated to Policy Committee that the NE

Redbourn site would make a better allocation that the West Redbourn allocation, given the scale, deliverability credentials and extent of opportunities that would be presented by the Site's allocation.

7.11. We therefore question why, given the uncertainties surrounding the West Redbourn draft allocation,

alternative site's potentially have not been more fully explored and investigated through the SA – and indeed with Landowners.

7.12. Turning to the SA conclusions on the proposed East Redbourn site allocation, also at paragraph 5.4.101

it is stated that:

"...***East Redbourn*** *– this site is also recommended by the Green Belt Review but is not a strategic site. The site benefits from good proximity to the village centre (much better than West of Redbourn) and there is a considerable opportunity to improve access to the River Ver corridor, to the benefit of the village as a whole. However, this is a complex site, particularly given the river corridor. In this light, the expectation is that the site would deliver in two parts, with the bulk of homes to the northwest of the river, and a smaller number of homes to the south. The northwest component is*

constrained by priority habitat at its northern extent (seemingly a remnant orchard, i.e. not riverine habitat) and road access from Crown Street could potentially be challenging, noting that the road bends quite sharply. The southeast component would benefit from very good access to the village centre and Nickey Line, but onsite priority habitat is a constraint. Across both components of the site there is a clear need for ongoing close consideration of the possible need to buffer the flood risk zone, to account for climate change..."

Underline Urbanissta emphasis

7.13. The East Redbourn site is non-strategic in nature and constrained by flood risk. It does not have the

potential to provide a primary school.

7.14. Paragraph 5.4.102 of the SA then goes on to look at sites not recommended for further consideration in

the Green Belt Review:

"*Moving on to sites not recommended for further consideration by the Green Belt Review, a first port of call is a possible **NE Redbourn** strategic urban extension. This was not proposed for allocation in 2023, but was 'noted', and does warrant ongoing consideration. This is primarily on the basis of the site's access and transport credentials, noting direct access onto two good road corridors (including one with bus connectivity) and good proximity to the village centre. Also, there are limited onsite constraints, although viewing the site in its wider context it seems likely that landscape is a constraint*."

Underline Urbanissta emphasis

7.15. The SA then continues ...

"The site is being actively promoted for up to 1,000 homes plus a primary school, a care home, community and potentially employment uses, and a 22 ha SANG. Also, delivery in combination with East of Redbourn could support a comprehensive approach to river corridor enhancements, and a further consideration is that the land is owned by Lawes Agricultura l Trust, which is a charity that owns the Rothamsted Estate, and which supports Rothamsted Research plus 38 third party commercial agri-tech tenant businesses that operate within the estate (as understood from the site promoters consultation response, ref 799). "

7.16. Paragraph 5.4.104 of the SA (Sept 2024) refers *to 'housing development on the raised land to the*

*northern extent of the site which might be revisited'*and *'a reduced scheme without compromising on infrastructure'.*

7.17. The SA considered that a reduced scheme might present a sustainable opportunity, however DJA have

reviewed the NE Redbourn site and conclude that the northern aspect of the site is not constrained in landscape terms. DJA find this assertion to be incorrect with no basis in fact or evidence. It is therefore our contention that the site can be delivered in landscape and sustainability terms in its entirety, delivering the full range of sustainability and infrastructure benefits.

7.18. The SA (Sept 2024) concludes:

*"**NE Redbourn** – has a degree of merit when viewed in isolation but can be ruled out at this stage (i.e. need not be progressed to Section 5.5) when considered in context, in that the*

previously proposed allocations from the Draft Plan stage – i.e. West and East Redbourn – are preferable, and there is no case for a high growth strategy at Redbourn to include allocation of all three sites. This is particularly noting the lack of a train station and secondary school (with established concerns around school traffic between Redbourn and Harpenden), the limited village centre offer, and the very limited employment offer (albeit major employment locations are within cycling distance). West Redbourn is preferable to NE Redbourn in Green Belt terms and would also deliver a more appropriate quantum of growth."

7.19. As detailed above, Councillor Mitchell (for Redbourn) highlighted at PPC Committee on the 23rd

September 2024, that the NE Redbourn Site represented a much better option for allocation that the existing options.

7.20. West Redbourn site (B3) in not in a sustainable location in transport terms and performs poorly when

objectively compared to the NE Redbourn site.

7.21. The West Redbourn site is less favourable in topographical and landscape terms than the NE Redbourn

site and marginal or questionable as to whether the site can provide the required infrastructure set out in Part B of the draft Plan for Site B3.

7.22. Site M6 (East Redbourn) is constrained in ecological, flood and ownership terms and therefore has more

questionable deliverability credentials.

7.23. It is unclear how the SA can conclude that the two existing allocations at Redbourn are preferable when

both sites are constrained, potentially unable to deliver at the required levels of housing identified in the Regulation 19 Plan and are publicly not supported by key local stakeholders, such as the Parish Council.

7.24. The SA (2024) also fails to assess objectively the proposed benefits of the NE Redbourn site against the

community benefits that would arise from the exiting two allocations, including (not exhaustively);

- Primary school
- SANG - providing publicly accessible SANG not only for the site but additional to meet wider development requirements.
- Rothamsted Research enhancements, including:
- Enable specific new purpose-built building(s) on site for science R&D and innovation.
- New residential accommodation for staff and students.
- Creation of an endowment fund to provide research grants in line with our charitable purposes.
- Enable enhancements to Rothamsted Manor.

7.25. With regards to the constraints of the Site in relation to the SA, we make the following observations:

- If there is no case for a high growth strategy at Redbourn– perhaps alternative site allocations should be made which have guaranteed deliverability and sustainability credentials.
- The lack of a train station– Harpenden Station is circa 3miles away. Several allocations within the Plan are circa 3 miles away from a mainline railway station. Sustainable transport options form part of the infrastructure package of NE Redbourn.

- lack of secondary school (established concerns around school traffic between Redbourn and Harpenden) - no regard is given to the social infrastructure that would be achieved through HGC which might assist in addressing Redbourn secondary school needs (towards with NE Redbourn would make financial contribution).
- the limited village centre offer - the NE Redbourn site would help support and sustain the village centre offer.
- very limited employment offer (albeit major employment locations are within cycling distance) – the site is in a sustainable location with good access to a range of employment and other community uses and has the potential of contribute towards strengthening and enhancing wider infrastructure needs in Redbourn, which site B3 and M6 are not of sufficient scale to achieve.
- The unique benefits to Rothamsted Research are not fully acknowledged.

7.26. Indeed, the SA (2024) does not examine how the infrastructure deficits (as perceived) could be

overcome through other alternative sites within the draft Plan – such as the secondary school provision that will be provided within HGC.

7.27. Based upon the research and conclusions of the SA (2024) it is our contention that the Local Plan has not fully and properly looked at alternatives, rather it has sought to retrofit conclusions to support a pre-determined spatial strategy. The approach is not effective or justified and draws into question the soundness of the spatial strategy set out in Part B of the Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

7.28. Changes to the Sustainability Appraisal (2024) to the draft Plan in this regard to ensure soundness and legal compliance include:

- Addressing the inconsistencies in approach to reviewing site alternatives, including matters:
- Local political considerations.
- Ability of sites to deliver in the identified timescale and levels anticipated.
- Actual Site constraints and potential benefits.
- The SA to be reviewed to have more comprehensive regard to sustainable development fully when reviewing site allocations and omission sites.
- Considering whether the existing allocation in Redbourn should be replaced with a single allocation which is unsustainable, deliverable, unconstrained and capable of provide specific and unique benefits to both Redbourn and Rothamsted Research.
- Addressing overreliance on the (flawed) Green Belt Review when assessing site sustainability at paragraphs 5.4.101 and 5.4.102.
- Amending the SA to reflect how perceived infrastructure deficits might be over come through other spatial decisions within the plan (such as HGC providing a secondary school).
- The Link between the SA (2023 and 2024) and the IDP (2023 and 2024) to be better developed to substantiate the preferred (and discounted spatial options considered by the plan through formulation.

- Reviewing the spatial strategy and SA conclusions to reflect the fact that site sB3 and M6 have deliverability and environmental constraints which render them questionable in deliverability terms. The allocation of the land at NE Redbourn would make a tangible contribution towards sustainable development within Redbourn, in line with the aspirations of paragraph 8 of the NPPF (2023).
- The SA suggestion that the northern aspect of the site is constrained in landscape term sis incorrect and should be revised alongside its associated conclusions on the NE Redbourn.
- Site selection methodology and approach has been undertaken in a spurious manner which is contradictory in nature and therefore should be reviewed.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Regulation 18 to 19 Sites Position_[R].pdf
2. Appendix 2 - Trajectory Comparison_[R].pdf
3. Appendix 3 - 2941-4-1-TD-0001-S5-P3 NE Redbourn GB Appraisa_[R].pdf
4. Appendix 3 - 2941-4-4-4-LV-0001-S5-P3 Redbourn Landscape Analysis_[R].pdf
5. St Albans Technical Submission - Final Draft - 7th November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To address the matters detailed in the attached Submission Document

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

180 - Mr Brian Parker

Submission Number: 180 Submission Date: 30/10/24 09:00

Respondent: MRP Planning Mr Brian Parker

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1 Summary

1.1 The Draft Local Plan 2041 (the DLP) is St Albans Council's latest attempt to replace the 1994 Local Plan Review, Adopted 30 years ago next month. The five previous attempts all ended in failure:

- Local Development Framework 2006-2021 (consulted upon in 2009);
- The Core Spatial Strategy 2011-2028 (consulted upon in 2010);
- The Strategic Local Plan 2011-31 – Version 1 (consulted upon in 2012);
- The Strategic Local Plan 2011-31 – Version 2 (consulted upon in 2014); and, finally,
- The Local Plan 2020-36 (consulted upon in 2018) ... and Withdrawn in November 2020.

1.2 The one genuine spark of optimism associated with this latest attempt is that it may be the last time the Council is allowed to write one on its own. That is because in her Written Ministerial Statement, 30th July 2024, the Deputy Prime Minister wrote:

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

... here's hoping.

1.3 In the meantime, and as set out in the following pages, the Council, via this latest DLP, once again fails the thousands of local people who want and need more affordable housing (and for it to be more affordable). That is because, whilst Local Plans provide an opportunity for Councils to

"*provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings"*(NPPF [15]) ...

if the Council's vision for the future is realised then at least 60% of all new houses will be affordable to only the top few percent of the population (think lawyers and fund managers rather than teachers and nurses). For the rest, the advice on the Council's 'Finding a Home' webpage is nothing if not direct:

"To solve your housing difficulties please consider ... moving to a more affordable location."

2 Soundness

2.1 Paragraph 35 of the NPPF sets out the criteria by which a Draft Local Plan is tested for 'soundness':

"Plans are 'sound' if they are:

1. *Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
2. *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
3. *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
4. *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

2.2 For the reasons set out in the next four sections, the DLP fails each test.

3 Positively prepared

3.1 Whilst the NPPF requires Local Plans to provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, the DLP deliberately fails to meet the affordable housing need or mix identified by its housing evidence.

3.2 The NPPF states that housing strategies in a Local Plan should be based on an objective assessment of housing need using the Standard Method (NPPF, [61])1. The DLP is informed by the South-West Hertfordshire Local Housing Needs Assessment (the LHNA) (GL Hearn, 2020). For St Albans, its key figures and the subsequent targets in the DLP are set out below (informed by Draft Policies SP1 and HOU2):

[Footnote 1 - Unless exceptional circumstances justify a different approach, which the Council has not claimed applies here.]

[Please see attachment for Table]

3.3 So, whilst the 2020 LHNA (just like its 2016 predecessor and the Housing Market Assessments by Housing Vision which preceded that), found that the vast majority of the housing need was for different types of affordable housing, the DLP prioritises open market houses.

3.4 In October 2024, the average house price in St Albans was £648,387[2]. To purchase a house of that price, a typical two-income household would require a deposit of c.£65,000[3] and a combined annual income of £133,000[4]. As the average annual two-income household in St Albans is £67,790[5], it is obvious that the vast majority of the houses planned for in the DLP do not meet the area's objectively assessed needs.

[Footnotes 2-5:

[2] The mean of the "average house price in St Albans" on three websites: £653,398 on Zoopla; £630,000 on Plumplot; and £660,763 on Home.co.uk (October 2024)

[3]Based on a typical 10% deposit

[4] Based on a typical 4.5 multiple

[5] ONS House price to workplace-based earnings ratio England and Wales 1997-2023, Table 5b (March 2024)]

3.5 Consequently, the DLP has not been positively prepared.

4 Justified

4.1 The NPPF requires Local Plans to promote an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

4.2 As set out in the previous section, the evidence in the LHNA does not support the housing mix proposed in the DLP.

4.3 Even if the Council thought it would be impossible to require 93% of all houses to be affordable, it must provide evidence to support this view and demonstrate why the affordable housing contribution could not be closer to the identified need than 40%. It has failed to do so.

4.4 Furthermore, even if the Council wishes to argue (as it appears to do) that 40% is the most that could be demanded from landowners and developers, it absolutely knows that is not the case. 45% of the new homes at the Bullens Green Lane scheme (Ref: 5/2020/1992) will be affordable and 100% of the new homes at Addison Park (Ref: 5/2021/3194) will be affordable. In a depressing sign of the Council's aversion to delivering more than 40% affordable housing, it refused both of these schemes and spent tens of thousands of pounds of taxpayers' money fighting them, unsuccessfully, at Appeal.

4.5 Finally, of course, the Council's lack of ambition for affordable housing will likely be undermined by the imminent publication of a new NPPF. Draft Paragraph 155 will require *"at least"* 50% of homes on land released from the Green Belt through plan preparation to be affordable housing. However, rather than seize this opportunity to deliver more of the houses its proportionate evidence demonstrates is needed, the Council is desperately trying to preserve its strategy of prioritising open market housing by rushing to Examination. This clearly unsustainable strategy fails to meet the needs of the present generation whilst for future generations it reasserts the Council's advice that they should *"move to a more affordable location"*.

4.6 Consequently, the DLP is not justified.

5 Effective

5.1 The NPPF requires Local Plans to be based on *"effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground"* (emphasis added).

5.2 However, in its unseemly haste to avoid meeting the housing needs of its local communities, the Council has brought forward its Local Plan timetable. By doing so, not only did the Council fail to give sufficient time to review the Regulation 18 Consultation comments in full (particularly in respect of the Arup Green Belt Review and the Site Selection process), but it also acknowledged that it hadn't completed its job properly.

5.3 The Officer Report to the Planning Policy & Climate Committee on 23rd September – whose recommendation to proceed to Regulation 19 Consultation was accepted – expressly stated that as a direct result of its changed timetable (3.28 [1]), rather than evidence that cross-boundary strategic matters *"have been dealt with"* by statements of common ground:

"There will realistically be fewer agreed and signed Statements of Common Ground to assist the Inspectors."

5.4 The obvious consequence of this admission is that there can be no confidence that the DLP is effective.

6 Consistent with national policy

6.1 The NPPF requires Local Plans to enable the delivery of sustainable development in accordance with the policies in the Framework and other statements of national planning policy, where relevant.

6.2 Paragraph 7 of the NPPF states, in part:

"... the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs".

6.3 As already demonstrated in Sections 3 and 4 above, by rejecting the evidence of its own Local Housing Needs Assessment (the LHNA) the Council has deliberately chosen not to meet the needs of either the present or future generations. Instead, the DLP prioritises very expensive open market houses over the proportion and mix of affordable houses that are actually required.

6.4 In particular, whilst the Glossary of the St Albans City & District Housing Needs Survey Update, 2006 (DCA) recognised that:

"A Key Worker is any person who directly provides services that are ***essential for the balanced and sustainable development*** *of the local community and local economy ..."*(emphasis added)

the LHNA (Sept 2020) did not even attempt to measure the housing needs of those members of society who are essential for the balanced and sustainable development of the local community.

6.5 Inexplicably and inexcusably, the DLP contains no specific policies for essential local workers[6]. Which bit of "essential" do St Albans' Councillors not understand?

[Footnote 6: Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers (NPPF [Glossary])]

6.6 The purpose of the planning system is to achieve sustainable development (NPPF [7]). The DLP clearly fails to achieve that goal. Consequently, it is unsustainable and inconsistent with national policy.

7 Conclusions

7.1 The Local Plan process offers an opportunity for Councils to "*provide a positive vision for the future"*of the area they serve and for the people they represent. For the sixth time in 15 years, St Albans Council has spurned that opportunity.

7.2 Planning policy tools already exist to allow Councils in areas where houses prices are high to deliver more of all types of affordable housing and to make home ownership more affordable. National policy is about to change, too, which will require at least half the new housing on large sites, such as the Broad Locations, to be affordable.

7.3 All the evidence tells us that St Albans is one of the most expensive Districts in the country where such tools should be deployed and where the minimum 50% affordable housing requirement should be embraced. And yet, those tools are not being used and the Council is rushing to Examination in an undignified attempt to dodge its responsibility to deliver more affordable homes.

7.4 Whilst the LHNA demonstrates that the clear majority of new homes needed should be affordable, the DLP is demanding only 40%, less than is already being promoted by landowners. Think about that for a moment: landowners and developers are more progressive and in tune with the needs of the community than St Albans City and District Council. A sad indictment of the Council's lack of ambition.

7.5 The Draft Local Plan 2041 is desperately unambitious and demonstrably unsustainable. It fails all four tests of soundness and should not proceed to yet another expensive and unsuccessful Examination. Instead, the Council should acknowledge it is incapable of producing a sound Local Plan and ask the Government to intervene.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SP1 and HOU2 Housing_[R].pdf

LG8 - Small Scale Development in Green Belt Settlements

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1 Introduction and Summary

1.1 Paragraph 35 of the NPPF sets out the criteria by which a Draft Local Plan is tested for 'soundness':

"Plans are 'sound' if they are:

1. *Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
2. *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
3. *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
4. *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

1.2 As set out in the following sections, Draft Policies LG8 'Small Scale Developments in Green Belt Settlements' and LG9 'Extension or Replacement of Buildings in the Green Belt' of the Draft Local Plan (the DLP), fail the second and fourth tests.

1.3 In particular, LG8 and LG9 seeks to restrict the principle of "limited infilling in villages" (NPPF [154e]), which is inconsistent with national policy and Appeal Decisions of which it is fully aware. This includes promoting Green Belt Settlement boundaries which defy common-sense.

1.4 Between them, therefore, Policies LG8 and LG9 are not 'justified' because more reasonable alternatives would have been to apply the approach employed by Planning Inspectors and to identify sensible village boundaries. Consequently, they are not 'consistent with national policy' because they would frustrate reasonable examples of "limited infilling in villages".

1.5 The Council would do well to recall that one of the reasons it was forced to Withdraw its previous Plan, in November 2020 is because of Inspectors Crosby and Worthington's criticism of the SKM Green Belt Review. The approach by Arup, on behalf of the Council, to identify the extent of village boundaries is so patently irrational that it, too, would likely be heavily criticised at Examination. It must be carried out again and re-consulted upon.

2 Village boundaries - a lack of common sense

2.1 Before considering how applications for small-scale development in the Green Belt should be treated differently depending on whether the site is in a village or not, it is necessary to consider the DLP's approach to "villages".

2.2 The long-established rule is that the extent of a village is as experienced on the ground[1].

[Footnote 1 - "It was also common ground that while a village boundary as defined in a Local Plan would be a relevant consideration, it would not necessarily be determinative, particularly in circumstances where the boundary as defined did not accord with the inspector's assessment of the extent of the village on the ground."**Wood v SoS for Communities and Local Government & Others [2015] EWCA Civ. 195]**

The Council commissioned Arup to establish which villages should be retained in the Green Belt and the extent of their boundaries. Under the sub-heading, 'Implications for Washed Over Villages Assessment' the Arup Green Belt Review (June 2023) (the Arup GBR), states [2.2]:

"There is no definition of what constitutes a village in the NPPF. However, a review of Case Law has assisted in defining a "village" as a group of houses and associated building (sic), smaller than a town, situated in a rural area. ***A common-sense approach should be used when identifying the extent of a village****. It should be physically and perceptually defined."*

(emphasis added)

2.3 However, whilst that statement accords with the long-standing principle established by the Courts, Arup has clearly failed to apply common-sense as can be seen by a review of its wholly inappropriate village boundary maps in Section 3 below.

2.4 Paragraph 4.8 of the Arup GBR, headed 'Step 2 – Defining Village Boundaries', states:

"The Council's GIS shapefiles (for the settlements and Conservation Areas) were initially used to determine the spatial extent of the washed over villages."

2.5 What "GIS shapefiles"? These should be published because it is unclear what Arup is referring to. Whilst there are GIS shapefiles for Conservation Areas[2] there are none for Green Belt Settlements. What is irrefutably clear is that there are no boundaries for the washed-over villages on the Council's GIS resource. The explanation for this is simple: there are no boundaries for the washed-over villages on the extant Policies Map, 1994. To be clear, formal boundaries for the washed-over villages have never been Adopted by the Council.

[Footnote 2: And for Article 4 Direction Areas, Neighbourhood Plan Areas, Landscape Conservation Areas and Parking Zones etc.]

2.6 Thus, instead of (apparently) relying on some unknown "shapefiles", Arup should have begun with a clean slate. It should have applied the long-standing rule (see paragraph 2.2 above) and the requirements of Paragraph 148 of the NPPF, in particular, that plans should:

"b) not include land which it is unnecessary to keep permanently open; and

1. ***f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."***

2.7 However, as demonstrated in Section 3 below, Arup has a very unusual concept of "openness" and defines boundaries which frequently defy explanation, especially when readily recognisable and permanent physical features are available. Furthermore, Arup's illogical boundaries exclude buildings and areas which are obviously part of the villages both "physically and perceptually"– and, in many cases, very important parts such as a pub, a school, a church or a sports hall. It is vital to note that the NPPF at 154e refers to "limited infilling in villages", not to "limited infilling in parts of villages" or "on some streets in villages" or "on residential plots in villages".

2.8 In seeking to understand, Arup's lack of common-sense on this matter, it must be noted that in paragraph A.1.1.3 (p.96) of its GBR, Arup completely misinterprets the NPPF. Arup "explains" that if a village has an open character which justifies its retention within the Green Belt, then any development within it is inappropriate and can only be allowed if "very special circumstances" apply. This is nonsense. At Paragraph 154, the NPPF expressly states that "limited infilling in villages" (which quite obviously means limited infilling in a village and in the Green Belt), is a form of appropriate development, for which "very special circumstances" are not required. Under Arup's approach, limited infilling outside the village boundary would be inappropriate and limited infilling within the village boundary would be inappropriate, too!

2.9 Whatever the reasoning behind it, Arup's approach to excluding buildings and areas which are obviously part of the village is misplaced and the Council is wrong to adopt its proposed boundaries to define the extent of "Green Belt Settlements" on its Policies Map. Unchanged, this

approach would frustrate the Government's permissive policy of allowing "limited infilling in villages". As it stands, the irrational Green Belt Settlement boundaries are neither 'Justified' nor 'Consistent with national policy'.

2.10 The Arup GBR must be revised to identify village boundaries as they are experienced by villagers and visitors on the ground. The Policies Map must be changed accordingly and the DLP consulted upon before being submitted for Examination.

3 A Review of Arup's Boundaries

3.1 This Section identifies the problems with the boundaries suggested by Arup and adopted by the Council on its draft Policies Map. For each village assessed by Arup's "Green Belt Review: Washed Over Villages Study", June 2023 (the WOVS), questions are asked about openness, the exclusion of particular buildings and/or the logic of boundaries.

3.2 Annables / Kinsbourne Green

[See Attachment for Image]

Fig 1 – Arup's village boundary (central image) superimposed on a wider view of the village from the Council's GIS resource.

[See Attachment for Table]

Table 1 – Questions about Arup's assessment of the extent of the village.

3.3 Colney Heath

[See Attachment for Image]

Fig. 2 Annotated extract of Arup's map.

[See Attachment for Table]

Table 2 – Why are these obvious parts of Colney Heath excluded from Arup's assessment of the extent of the village?

3.4 Folly Fields

[See Attachment for Image]

Fig 3 – How does this densely built-out village contribute to the permanent openness of the Green Belt? (Photo © Google Earth)

3.5 Gustard Wood

[See Attachment for Image]

Fig 4 – Arup's village boundary (top image) and a wider view of the village from the Council's GIS resource.

[See Attachment for Table]

Table 4 – Questions about Arup's assessment of the extent of the village.

3.6 Lea Valley Estate

[See Attachment for Image]

Fig 5 – How does this densely built-out village contribute to the permanent openness of the Green Belt? (Photo © Google Earth)

3.7 Radlett Road and Frogmore

[See Attachment for Image]

Fig 6 – How does this densely built-out village contribute to the permanent openness of the Green Belt? (Photo © Google Earth)

3.8 **Sandridge**

[See Attachment for Image]

Fig. 7 Annotated extract of Arup's boundary for Sandridge.

[See Attachment for Table]

Table 7 – Why are these obvious parts of Sandridge excluded from Arup's assessment of the extent of the village?

3.9 Finally, on Sandridge, the aerial photograph below, raises a very simple question:

"If Paragraph 148b instructs us that land should only be included if it is necessary to keep it "permanently open", why is Sandridge included in the Green Belt?"

[See Attachment for Image]

Photo 1 – Is Sandridge suitable for inclusion in the Green Belt? (© Google Earth)

3.10 **Sleapshyde**

[See Attachment for Image]

Fig. 8 Annotated extract of Arup's map of Sleapshyde (left-hand image), with a view of the wider village from the Council's GIS resource.

[See Attachment for Table]

Table 8 – Why are these obvious parts of Sleapshyde excluded from Arup's assessment of the extent of the village?

3.11 **Smallford**

[See Attachment for Image]

Fig. 9 Annotated extract of Arup's map of Smallford (right-hand image), with a view of the wider village from the Council's GIS resource.

[See Attachment for Table]

Table 9 – Why are these obvious parts of Smallford excluded from Arup's assessment of the extent of the village?

3.12 **Napsbury Park**

3.13 When setting out the need for a "*common-sense approach"*, the Arup GBR refences a particular Appeal Decision (under "Implications for Washed Over Village Assessment" [paragraph 2.2 and footnote 17]). That Appeal Decision, Ref: APP/B1605/W/19/3225401, directly considered the basis on which a settlement could qualify as a village. In setting out why the settlement in that case did not constitute a village, the Inspector explained [DL (13)]:

"A village would normally be expected to have its own visual separation from surrounding settlements and particularly nearby larger towns and cities. This rural aspect would mean it would most likely be surrounded by countryside."

3.14 Whilst all the villages considered above benefit from such 'visual separation ... from larger towns' and are surrounded by countryside, Arup's map shows Napsbury Park abutting development to the east (see Fig. 10 below).

[See Attachment for Image]

Fig. 10 Development can be seen to the east of Arup's boundary for Napsbury Park

3.15 When seen in the wider context, that development to the east is confirmed to be London Colney (see Fig. 11 below), which the DLP identifies as a "Tier 3" settlement, i.e. a small town (on the District level, smaller only than St Albans and Harpenden).

[See Attachment for Image]

Fig. 11 Napsbury Park appears as an urban extension to the town of London Colney

3.16 Consequently, using the approach taken in the Appeal Decision to which the Arup GBR expressly refers, Napsbury Park should not be identified as a village.

4 LG8 Small-Scale Development in Green Belt Settlements

4.1 The serious, real-world implications of the Council's flawed approach to defining village boundaries on its Policies Map is made clear by Draft Policy LG8's insistence that proposals must be:

"... within Green Belt Settlement boundaries".

4.2 An obvious consequence of this would be for an applicant to submit a proposal for appropriate development on a site which is clearly within the village, only for the Council to argue that it is inappropriate development because it is not within the Arup-inspired village boundary. This is clearly demonstrated by considering an application for two dwellings on undeveloped land between 106 and 116 Tollgate Road (see front cover photo and item 8 in Fig. 2/Table 2). This was approved by the Council in 2021 under Ref: 5/2021/0758, with the Officer Report stating:

"It is noted that the natural boundary of the village was found for the 2005 refused application to fall just outside the application site, but the current proposal is found to infill the frontage such as to effectively extend the 'village' boundary to include the application site, in terms of the new NPPF exception. As such, it is considered the development would fall within the exception of limited infilling in villages as stated in the NPPF."

4.3 And yet, that now-developed Site sits outside the village boundary as defined on the proposed Policies Map – see Fig. 12 below:

[See Attachment for Image]

Fig. 12 The "limited infilling in villages" site (outlined in red) was approved in 2021 and has been built out (see front cover) but sits outside the village boundary proposed by Arup and the DLP.

4.4 Left unchanged, the Green Belt Settlement boundaries on the Policies Map are likely to cause confusion amongst residents and developers. Heads will be scratched and Appeals launched following refusals on the basis that a site which is clearly in a village is deemed by the Council to be outside the village boundary.

4.5 Finally, on LG8, the text should make clear that appropriate "small-scale development" in villages includes householder extensions and the replacement of dwellings: both of which can qualify as "limited infilling".

4.6 The Council is aware that extensions can qualify as "limited infilling in villages" following Appeal Ref: APP/B1930/D/20/3261569, at Langley Grove in the village of Sandridge, where a single-storey side extension was allowed. The Inspector's explanation was clear and should have been acknowledged and embraced by the DLP.

4.7 The Council is also aware that a replacement dwelling can qualify as "limited infilling in villages" following Appeal Ref: APP/B1930/W/23/3318561 at Little Bushes in Sleapshyde, where a scheme for a 3-bedroom bungalow to be replaced by a 6-bedroom, two-storey house incorporating an annexe was allowed. Once again, the Inspector's explanation was clear and should have been acknowledged and embraced by the DLP.

5 LG9 Extensions or Replacement Dwellings in the Green Belt

5.1 The key problem with this Draft Policy is that it does not distinguish between applications on sites within a village in the Green Belt and applications on sites in the Green Belt but outside (common-sense) village boundaries

5.2 Whilst a standard householder scheme such as a rear extension or a side extension can clearly be a reasonable example of “limited infilling” (of a plot or between buildings), that would only be appropriate development if the house in question is within a village rather than the middle of nowhere.

5.3 Equally, the replacement of a dwelling can qualify as “limited infilling” (its demolition creating a gap which can then be infilled), but would only be appropriate development if the house in question is within a village rather than beyond a village boundary.

5.4 These development options should be made clear in the text, directing potential applicants to Draft Policy LG8 (revised as set out in Section 4 above), if their site is within a village.

6 Conclusion

6.1 The plan-making process provides an opportunity for Councils to identify whether a village should be included or excluded from the Green Belt. Whilst Arup stated that a *“common-sense approach”*should be used to identify the extent of a village, many of the boundaries it proposes are nonsensical. Regrettably, however, the Council has adopted them for its Policies Map. In order to support rather than frustrate “limited infilling in villages”, the boundaries for Districts’ Green Belt Settlements must be changed to reflect the actual extent of the village and the rationale behind retaining some of the villages in the Green Belt must be reviewed.

6.2 As set out above, Policies LG8 and LG9 are neither justified nor consistent with national policy. They must be revised to help deliver sustainable development in the Green Belt.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

6.2 As set out above, Policies LG8 and LG9 are neither justified nor consistent with national policy. They must be revised to help deliver sustainable development in the Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LG8 and LG9 Appropriate Development in the Green Belt_[R].pdf

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LG9 - Extension or Replacement of Buildings in the Green Belt

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1 Introduction and Summary

1.1 Paragraph 35 of the NPPF sets out the criteria by which a Draft Local Plan is tested for ‘soundness’:

“Plans are ‘sound’ if they are:

1. *Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
2. *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
3. *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
4. *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

1.2 As set out in the following sections, Draft Policies LG8 'Small Scale Developments in Green Belt Settlements' and LG9 'Extension or Replacement of Buildings in the Green Belt' of the Draft Local Plan (the DLP), fail the second and fourth tests.

1.3 In particular, LG8 and LG9 seeks to restrict the principle of "limited infilling in villages" (NPPF [154e]), which is inconsistent with national policy and Appeal Decisions of which it is fully aware. This includes promoting Green Belt Settlement boundaries which defy common-sense.

1.4 Between them, therefore, Policies LG8 and LG9 are not 'justified' because more reasonable alternatives would have been to apply the approach employed by Planning Inspectors and to identify sensible village boundaries. Consequently, they are not 'consistent with national policy' because they would frustrate reasonable examples of "limited infilling in villages".

1.5 The Council would do well to recall that one of the reasons it was forced to Withdraw its previous Plan, in November 2020 is because of Inspectors Crosby and Worthington's criticism of the SKM Green Belt Review. The approach by Arup, on behalf of the Council, to identify the extent of village boundaries is so patently irrational that it, too, would likely be heavily criticised at Examination. It must be carried out again and re-consulted upon.

2 Village boundaries - a lack of common sense

2.1 Before considering how applications for small-scale development in the Green Belt should be treated differently depending on whether the site is in a village or not, it is necessary to consider the DLP's approach to "villages".

2.2 The long-established rule is that the extent of a village is as experienced on the ground[1].

[Footnote 1 - "It was also common ground that while a village boundary as defined in a Local Plan would be a relevant consideration, it would not necessarily be determinative, particularly in circumstances where the boundary as defined did not accord with the inspector's assessment of the extent of the village on the ground."**Wood v SoS for Communities and Local Government & Others [2015] EWCA Civ. 195]**

The Council commissioned Arup to establish which villages should be retained in the Green Belt and the extent of their boundaries. Under the sub-heading, 'Implications for Washed Over Villages Assessment' the Arup Green Belt Review (June 2023) (the Arup GBR), states [2.2]:

"There is no definition of what constitutes a village in the NPPF. However, a review of Case Law has assisted in defining a "village" as a group of houses and associated building (sic), smaller than a town, situated in a rural area. ***A common-sense approach should be used when identifying the extent of a village****. It should be physically and perceptually defined."*

(emphasis added)

2.3 However, whilst that statement accords with the long-standing principle established by the Courts, Arup has clearly failed to apply common-sense as can be seen by a review of its wholly inappropriate village boundary maps in Section 3 below.

2.4 Paragraph 4.8 of the Arup GBR, headed 'Step 2 – Defining Village Boundaries', states:

"The Council's GIS shapefiles (for the settlements and Conservation Areas) were initially used to determine the spatial extent of the washed over villages."

2.5 What "GIS shapefiles"? These should be published because it is unclear what Arup is referring to. Whilst there are GIS shapefiles for Conservation Areas[2] there are none for Green Belt Settlements. What is irrefutably clear is that there are no boundaries for the washed-over villages on the Council's GIS resource. The explanation for this is simple: there are no boundaries for the washed-over villages on the extant Policies Map, 1994. To be clear, formal boundaries for the washed-over villages have never been Adopted by the Council.

[Footnote 2: And for Article 4 Direction Areas, Neighbourhood Plan Areas, Landscape Conservation Areas and Parking Zones etc.]

2.6 Thus, instead of (apparently) relying on some unknown "shapefiles", Arup should have begun with a clean slate. It should have applied the long-standing rule (see paragraph 2.2 above) and the requirements of Paragraph 148 of the NPPF, in particular, that plans should:

"b) not include land which it is unnecessary to keep permanently open; and

1. ***f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."***

2.7 However, as demonstrated in Section 3 below, Arup has a very unusual concept of "openness" and defines boundaries which frequently defy explanation, especially when readily recognisable and permanent physical features are available. Furthermore, Arup's illogical boundaries exclude buildings and areas which are obviously part of the villages both "physically and perceptually"– and, in many cases, very important parts such as a pub, a school, a church or a sports hall. It is vital to note that the NPPF at 154e refers to "limited infilling in villages", not to "limited infilling in parts of villages" or "on some streets in villages" or "on residential plots in villages".

2.8 In seeking to understand, Arup's lack of common-sense on this matter, it must be noted that in paragraph A.1.1.3 (p.96) of its GBR, Arup completely misinterprets the NPPF. Arup "explains" that if a village has an open character which justifies its retention within the Green Belt, then any development within it is inappropriate and can only be allowed if "very special circumstances" apply. This is nonsense. At Paragraph 154, the NPPF expressly states that "limited infilling in villages" (which quite obviously means limited infilling in a village and in the Green Belt), is a form of appropriate development, for which "very special circumstances" are not required. Under Arup's approach, limited infilling outside the village boundary would be inappropriate and limited infilling within the village boundary would be inappropriate, too!

2.9 Whatever the reasoning behind it, Arup's approach to excluding buildings and areas which are obviously part of the village is misplaced and the Council is wrong to adopt its proposed boundaries to define the extent of "Green Belt Settlements" on its Policies Map. Unchanged, this approach would frustrate the Government's permissive policy of allowing "limited infilling in villages". As it stands, the irrational Green Belt Settlement boundaries are neither 'Justified' nor 'Consistent with national policy'.

2.10 The Arup GBR must be revised to identify village boundaries as they are experienced by villagers and visitors on the ground. The Policies Map must be changed accordingly and the DLP consulted upon before being submitted for Examination.

3 A Review of Arup's Boundaries

3.1 This Section identifies the problems with the boundaries suggested by Arup and adopted by the Council on its draft Policies Map. For each village assessed by Arup's "Green Belt Review: Washed Over Villages Study", June 2023 (the WOVS), questions are asked about openness, the exclusion of particular buildings and/or the logic of boundaries.

3.2 **Annables / Kinsbourne Green**

[See Attachment for Image]

Fig 1 – Arup's village boundary (central image) superimposed on a wider view of the village from the Council's GIS resource.

[See Attachment for Table]

Table 1 – Questions about Arup's assessment of the extent of the village.

3.3 **Colney Heath**

[See Attachment for Image]

Fig. 2 Annotated extract of Arup's map.

[See Attachment for Table]

Table 2 – Why are these obvious parts of Colney Heath excluded from Arup's assessment of the extent of the village?

3.4 **Folly Fields**

[See Attachment for Image]

Fig 3 – How does this densely built-out village contribute to the permanent openness of the Green Belt? (Photo © Google Earth)

3.5 **Gustard Wood**

[See Attachment for Image]

Fig 4 – Arup's village boundary (top image) and a wider view of the village from the Council's GIS resource.

[See Attachment for Table]

Table 4 – Questions about Arup's assessment of the extent of the village.

3.6 **Lea Valley Estate**

[See Attachment for Image]

Fig 5 – How does this densely built-out village contribute to the permanent openness of the Green Belt? (Photo © Google Earth)

3.7 **Radlett Road and Frogmore**

[See Attachment for Image]

Fig 6 – How does this densely built-out village contribute to the permanent openness of the Green Belt? (Photo © Google Earth)

3.8 **Sandridge**

[See Attachment for Image]

Fig. 7 Annotated extract of Arup's boundary for Sandridge.

[See Attachment for Table]

Table 7 – Why are these obvious parts of Sandridge excluded from Arup's assessment of the extent of the village?

3.9 Finally, on Sandridge, the aerial photograph below, raises a very simple question:

"If Paragraph 148b instructs us that land should only be included if it is necessary to keep it "permanently open", why is Sandridge included in the Green Belt?"

[See Attachment for Image]

Photo 1 – Is Sandridge suitable for inclusion in the Green Belt? (© Google Earth)

3.10 **Sleapshyde**

[See Attachment for Image]

Fig. 8 Annotated extract of Arup's map of Sleapshyde (left-hand image), with a view of the wider village from the Council's GIS resource.

[See Attachment for Table]

Table 8 – Why are these obvious parts of Sleapshyde excluded from Arup's assessment of the extent of the village?

3.11 **Smallford**

[See Attachment for Image]

Fig. 9 Annotated extract of Arup's map of Smallford (right-hand image), with a view of the wider village from the Council's GIS resource.

[See Attachment for Table]

Table 9 – Why are these obvious parts of Smallford excluded from Arup's assessment of the extent of the village?

3.12 **Napsbury Park**

3.13 When setting out the need for a "*common-sense approach"*, the Arup GBR refences a particular Appeal Decision (under "Implications for Washed Over Village Assessment" [paragraph 2.2 and footnote 17]). That Appeal Decision, Ref: APP/B1605/W/19/3225401, directly considered the basis on which a settlement could qualify as a village. In setting out why the settlement in that case did not constitute a village, the Inspector explained [DL (13)]:

"A village would normally be expected to have its own visual separation from surrounding settlements and particularly nearby larger towns and cities. This rural aspect would mean it would most likely be surrounded by countryside."

3.14 Whilst all the villages considered above benefit from such 'visual separation ... from larger towns' and are surrounded by countryside, Arup's map shows Napsbury Park abutting development to the east (see Fig. 10 below).

[See Attachment for Image]

Fig. 10 Development can be seen to the east of Arup's boundary for Napsbury Park

3.15 When seen in the wider context, that development to the east is confirmed to be London Colney (see Fig. 11 below), which the DLP identifies as a "Tier 3" settlement, i.e. a small town (on the District level, smaller only than St Albans and Harpenden).

[See Attachment for Image]

Fig. 11 Napsbury Park appears as an urban extension to the town of London Colney

3.16 Consequently, using the approach taken in the Appeal Decision to which the Arup GBR expressly refers, Napsbury Park should not be identified as a village.

4 LG8 Small-Scale Development in Green Belt Settlements

4.1 The serious, real-world implications of the Council's flawed approach to defining village boundaries on its Policies Map is made clear by Draft Policy LG8's insistence that proposals must be:

"... within Green Belt Settlement boundaries".

4.2 An obvious consequence of this would be for an applicant to submit a proposal for appropriate development on a site which is clearly within the village, only for the Council to argue that it is inappropriate development because it is not within the Arup-inspired village boundary. This is clearly demonstrated by considering an application for two dwellings on undeveloped land between 106 and 116 Tollgate Road (see front cover photo and item 8 in Fig. 2/Table 2). This was approved by the Council in 2021 under Ref: 5/2021/0758, with the Officer Report stating:

"It is noted that the natural boundary of the village was found for the 2005 refused application to fall just outside the application site, but the current proposal is found to infill the frontage such as to effectively extend the 'village' boundary to include the application site, in terms of the new NPPF exception. As such, it is considered the development would fall within the exception of limited infilling in villages as stated in the NPPF."

4.3 And yet, that now-developed Site sits outside the village boundary as defined on the proposed Policies Map – see Fig. 12 below:

[See Attachment for Image]

Fig. 12 The "limited infilling in villages" site (outlined in red) was approved in 2021 and has been built out (see front cover) but sits outside the village boundary proposed by Arup and the DLP.

4.4 Left unchanged, the Green Belt Settlement boundaries on the Policies Map are likely to cause confusion amongst residents and developers. Heads will be scratched and Appeals launched following refusals on the basis that a site which is clearly in a village is deemed by the Council to be outside the village boundary.

4.5 Finally, on LG8, the text should make clear that appropriate "small-scale development" in villages includes householder extensions and the replacement of dwellings: both of which can qualify as "limited infilling".

4.6 The Council is aware that extensions can qualify as "limited infilling in villages" following Appeal Ref: APP/B1930/D/20/3261569, at Langley Grove in the village of Sandridge, where a single-storey side extension was allowed. The Inspector's explanation was clear and should have been acknowledged and embraced by the DLP.

4.7 The Council is also aware that a replacement dwelling can qualify as "limited infilling in villages" following Appeal Ref: APP/B1930/W/23/3318561 at Little Bushes in Sleapshyde, where a scheme for a 3-bedroom bungalow to be replaced by a 6-bedroom, two-storey house incorporating an annexe was allowed. Once again, the Inspector's explanation was clear and should have been acknowledged and embraced by the DLP.

5 LG9 Extensions or Replacement Dwellings in the Green Belt

5.1 The key problem with this Draft Policy is that it does not distinguish between applications on sites within a village in the Green Belt and applications on sites in the Green Belt but outside (common-sense) village boundaries

5.2 Whilst a standard householder scheme such as a rear extension or a side extension can clearly be a reasonable example of "limited infilling" (of a plot or between buildings), that would only be appropriate development if the house in question is within a village rather than the middle of nowhere.

5.3 Equally, the replacement of a dwelling can qualify as "limited infilling" (its demolition creating a gap which can then be infilled), but would only be appropriate development if the house in question is within a village rather than beyond a village boundary.

5.4 These development options should be made clear in the text, directing potential applicants to Draft Policy LG8 (revised as set out in Section 4 above), if their site is within a village.

6 Conclusion

6.1 The plan-making process provides an opportunity for Councils to identify whether a village should be included or excluded from the Green Belt. Whilst Arup stated that a *"common-sense approach"*should be used to identify the extent of a village, many of the boundaries it proposes are nonsensical. Regrettably, however, the Council has adopted them for its Policies Map. In order to support rather than frustrate "limited infilling in villages", the boundaries for Districts' Green Belt Settlements must be changed to reflect the actual extent of the village and the rationale behind retaining some of the villages in the Green Belt must be reviewed.

6.2 As set out above, Policies LG8 and LG9 are neither justified nor consistent with national policy. They must be revised to help deliver sustainable development in the Green Belt.

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6.2 As set out above, Policies LG8 and LG9 are neither justified nor consistent with national policy. They must be revised to help deliver sustainable development in the Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LG8 and LG9 Appropriate Development in the Green Belt_[R].pdf

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HOU2 - Affordable Housing

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1 Summary

1.1 The Draft Local Plan 2041 (the DLP) is St Albans Council's latest attempt to replace the 1994 Local Plan Review, Adopted 30 years ago next month. The five previous attempts all ended in failure:

- Local Development Framework 2006-2021 (consulted upon in 2009);
- The Core Spatial Strategy 2011-2028 (consulted upon in 2010);
- The Strategic Local Plan 2011-31 – Version 1 (consulted upon in 2012);
- The Strategic Local Plan 2011-31 – Version 2 (consulted upon in 2014); and, finally,
- The Local Plan 2020-36 (consulted upon in 2018) ... and Withdrawn in November 2020.

1.2 The one genuine spark of optimism associated with this latest attempt is that it may be the last time the Council is allowed to write one on its own. That is because in her Written Ministerial Statement, 30th July 2024, the Deputy Prime Minister wrote:

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

... here's hoping.

1.3 In the meantime, and as set out in the following pages, the Council, via this latest DLP, once again fails the thousands of local people who want and need more affordable housing (and for it to be more affordable). That is because, whilst Local Plans provide an opportunity for Councils to

"*provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings"*(NPPF [15]) ...

if the Council's vision for the future is realised then at least 60% of all new houses will be affordable to only the top few percent of the population (think lawyers and fund managers rather than teachers and nurses). For the rest, the advice on the Council's 'Finding a Home' webpage is nothing if not direct:

"To solve your housing difficulties please consider ... moving to a more affordable location."

2 Soundness

2.1 Paragraph 35 of the NPPF sets out the criteria by which a Draft Local Plan is tested for 'soundness':

"Plans are 'sound' if they are:

1. *Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
2. *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
3. *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
4. *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

2.2 For the reasons set out in the next four sections, the DLP fails each test.

3 Positively prepared

3.1 Whilst the NPPF requires Local Plans to provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, the DLP deliberately fails to meet the affordable housing need or mix identified by its housing evidence.

3.2 The NPPF states that housing strategies in a Local Plan should be based on an objective assessment of housing need using the Standard Method (NPPF, [61])1. The DLP is informed by the South-West Hertfordshire Local Housing Needs Assessment (the LHNA) (GL Hearn, 2020). For St Albans, its key figures and the subsequent targets in the DLP are set out below (informed by Draft Policies SP1 and HOU2):

[Footnote 1 - Unless exceptional circumstances justify a different approach, which the Council has not claimed applies here.]

[Please see attachment for Table]

3.3 So, whilst the 2020 LHNA (just like its 2016 predecessor and the Housing Market Assessments by Housing Vision which preceded that), found that the vast majority of the housing need was for different types of affordable housing, the DLP prioritises open market houses.

3.4 In October 2024, the average house price in St Albans was £648,387[2]. To purchase a house of that price, a typical two-income household would require a deposit of c.£65,000[3] and a combined annual income of £133,000[4]. As the average annual two-income household in St Albans is £67,790[5], it is obvious that the vast majority of the houses planned for in the DLP do not meet the area's objectively assessed needs.

[Footnotes 2-5:

[2] The mean of the "average house price in St Albans" on three websites: £653,398 on Zoopla; £630,000 on Plumplot; and £660,763 on Home.co.uk (October 2024)

[3]Based on a typical 10% deposit

[4] Based on a typical 4.5 multiple

[5] ONS House price to workplace-based earnings ratio England and Wales 1997-2023, Table 5b (March 2024)]

3.5 Consequently, the DLP has not been positively prepared.

4 Justified

4.1 The NPPF requires Local Plans to promote an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

4.2 As set out in the previous section, the evidence in the LHNA does not support the housing mix proposed in the DLP.

4.3 Even if the Council thought it would be impossible to require 93% of all houses to be affordable, it must provide evidence to support this view and demonstrate why the affordable housing contribution could not be closer to the identified need than 40%. It has failed to do so.

4.4 Furthermore, even if the Council wishes to argue (as it appears to do) that 40% is the most that could be demanded from landowners and developers, it absolutely knows that is not the case. 45% of the new homes at the Bullens Green Lane scheme (Ref: 5/2020/1992) will be affordable and 100% of the new homes at Addison Park (Ref: 5/2021/3194) will be affordable. In a depressing sign of the Council's aversion to delivering more than 40% affordable housing, it refused both of these schemes and spent tens of thousands of pounds of taxpayers' money fighting them, unsuccessfully, at Appeal.

4.5 Finally, of course, the Council's lack of ambition for affordable housing will likely be undermined by the imminent publication of a new NPPF. Draft Paragraph 155 will require *"at least"*50% of homes on land released from the Green Belt through plan preparation to be affordable housing. However, rather than seize this opportunity to deliver more of the houses its proportionate evidence demonstrates is needed, the Council is desperately trying to preserve its strategy of prioritising open market housing by rushing to Examination. This clearly unsustainable strategy fails to meet the needs of the present generation whilst for future generations it reasserts the Council's advice that they should *"move to a more affordable location"*.

4.6 Consequently, the DLP is not justified.

5 Effective

5.1 The NPPF requires Local Plans to be based on *"effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground"*(emphasis added).

5.2 However, in its unseemly haste to avoid meeting the housing needs of its local communities, the Council has brought forward its Local Plan timetable. By doing so, not only did the Council fail to give sufficient time to review the Regulation 18 Consultation comments in full (particularly in respect of the Arup Green Belt Review and the Site Selection process), but it also acknowledged that it hadn't completed its job properly.

5.3 The Officer Report to the Planning Policy & Climate Committee on 23rd September – whose recommendation to proceed to Regulation 19 Consultation was accepted – expressly stated that as a direct result of its changed timetable (3.28 [1]), rather than evidence that cross-boundary strategic matters *"have been dealt with"*by statements of common ground:

"There will realistically be fewer agreed and signed Statements of Common Ground to assist the Inspectors."

5.4 The obvious consequence of this admission is that there can be no confidence that the DLP is effective.

6 Consistent with national policy

6.1 The NPPF requires Local Plans to enable the delivery of sustainable development in accordance with the policies in the Framework and other statements of national planning policy, where relevant.

6.2 Paragraph 7 of the NPPF states, in part:

"... the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs".

6.3 As already demonstrated in Sections 3 and 4 above, by rejecting the evidence of its own Local Housing Needs Assessment (the LHNA) the Council has deliberately chosen not to meet the needs of either the present or future generations. Instead, the DLP prioritises very expensive open market houses over the proportion and mix of affordable houses that are actually required.

6.4 In particular, whilst the Glossary of the St Albans City & District Housing Needs Survey Update, 2006 (DCA) recognised that:

*"A Key Worker is any person who directly provides services that are **essential for the balanced and sustainable development** of the local community and local economy ..."*(emphasis added)

the LHNA (Sept 2020) did not even attempt to measure the housing needs of those members of society who are essential for the balanced and sustainable development of the local community.

6.5 Inexplicably and inexcusably, the DLP contains no specific policies for essential local workers[6]. Which bit of "essential" do St Albans' Councillors not understand?

[Footnote 6: Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers (NPPF [Glossary])]

6.6 The purpose of the planning system is to achieve sustainable development (NPPF [7]). The DLP clearly fails to achieve that goal. Consequently, it is unsustainable and inconsistent with national policy.

7 Conclusions

7.1 The Local Plan process offers an opportunity for Councils to "*provide a positive vision for the future"*of the area they serve and for the people they represent. For the sixth time in 15 years, St Albans Council has spurned that opportunity.

7.2 Planning policy tools already exist to allow Councils in areas where houses prices are high to deliver more of all types of affordable housing and to make home ownership more affordable. National policy is about to change, too, which will require at least half the new housing on large sites, such as the Broad Locations, to be affordable.

7.3 All the evidence tells us that St Albans is one of the most expensive Districts in the country where such tools should be deployed and where the minimum 50% affordable housing requirement should be embraced. And yet, those tools are not being used and the Council is rushing to Examination in an undignified attempt to dodge its responsibility to deliver more affordable homes.

7.4 Whilst the LHNA demonstrates that the clear majority of new homes needed should be affordable, the DLP is demanding only 40%, less than is already being promoted by landowners. Think about that for a moment: landowners and developers are more progressive and in tune with the needs of the community than St Albans City and District Council. A sad indictment of the Council's lack of ambition.

7.5 The Draft Local Plan 2041 is desperately unambitious and demonstrably unsustainable. It fails all four tests of soundness and should not proceed to yet another expensive and unsuccessful Examination. Instead, the Council should acknowledge it is incapable of producing a sound Local Plan and ask the Government to intervene.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SP1 and HOU2 Housing_[R].pdf

Strategic Policy SP11 - Historic Environment

Comment Number: 5

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1 Introduction and Summary

1.1 Paragraph 35 of the NPPF sets out the criteria by which a Draft Local Plan is tested for 'soundness':

"Plans are 'sound' if they are:

1. *Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
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3. *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
4. *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

1.2 Criterion (e) of Draft Policy SP11 'Historic Environment' claims that the Council will pursue a positive strategy for the conservation and enjoyment of the historic environment through, amongst other things:

"Periodic reviews of Conservation Areas and locally identified non designated assets".

1.3 Given the significant changes that have taken place since the last "periodic reviews" and the requirement for residents submitting even modest planning applications to spend time and money taking account of designated assets, Criterion (e) is too vague. Consequently, it risks undermining confidence in the concept of Conservation Areas and the planning system in general.

1.4 The Historic Environment element of the Draft Local Plan (the DLP) is, therefore, unsound because designated assets have not been properly reviewed and there is no certainty over when they will be reviewed going forwards. Consequently, it is not 'justified' because a more reasonable alternative would have been (a) to have reviewed its Conservation Areas as part of the emerging Local Plan process and (b) to commit to more specific review periods.

2 Statute, National Policy and National Guidance

2.1 Under Section 69 [1] of the 'Planning (Listed Buildings and Conservation Areas) Act 1990' (the Act), a Local Planning Authority (LPA) can designate as Conservation Areas, places which it considers to be desirable to preserve and enhance. Under Section 69 [2] of the Act, LPAs have a duty to review these designations *"from time to time"*.

2.2 The reason why Conservation Areas should be reviewed is explained by Paragraph 197 of the National Planning Policy Framework (the NPPF), which states:

"When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest."

2.3 In other words, retaining Conservation Area status in places when the designation is no longer justified will devalue the very concept.

2.4 The Planning Practice Guidance (the PPG) clearly explains that Conservation Area reviews are mandatory and, crucially, that they are also helpful in plan-making[1]:

[Footnote 1: "Do local planning authorities need to review conservation areas?" Ref. ID 18a-025-20190723]

"Local planning authorities must review their conservation areas from time to time (section 69 [2] of the Planning (Listed Buildings and Conservation Areas) Act 1990).

A conservation area appraisal can be used to help local planning authorities develop a management plan and plan-making bodies to develop appropriate policies for local and neighbourhood plans. A good appraisal will consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change or the need for planning protection."

(emphasis added)

2.5 As to what is meant by "from time to time", Historic England's Advice Note[2] states [104]:

[Footnote 2: "Conservation Area Appraisal, Designation and Management" Historic England Advice Note 1 (Second Edition)]

"Resources permitting, every five years is ideal, but review frequency will vary according to the development pressures in the local area."

2.6 Consequently, a reasonable strategy would have seen the Council review its Conservation Areas within the past 5 years, because so much development had taken place since the last review and because it was developing a new Local Plan at the time.

3 An example of the need for a review of the St Albans Conservation Area

3.1 As declared above, my family home (built c.1997) is in part of the St Albans Conservation Area (the SACA). Specifically, it is in Character Area 6b Midland & Great Northern Railways (Area 6b) on the south-east edge of the SACA (see Fig. 1 below).

[See attachment for image]

Fig. 1 The St Albans Conservation Area – Area 6b is on the south-east edge.

3.2 On page vi of the SACA Character Statement, under 'Status of the Document', the Council advises:

"The draft St Albans Character Statement was produced in 2009/2010 and was put out to public consultation in September 2010. Consultation responses were considered and, where appropriate, were incorporated

within the final St Albans Character Statement which was revised in 2014 and published in 2016."

3.3 Thus, based on Historic England's advice, a Review is well overdue and there was no better time to carry one out than during the evolution of the DLP. However, no such Review took place.

3.4 As set out above, Criterion (e) of Draft Policy SP11 states that the Council will carry out "periodic reviews of Conservation Areas" but provides no timeframes. Given the Council's failure to carry out any reviews in the past 10 years, there can be no confidence that timely reviews will be carried out.

3.5 In respect of Area 6b, a change to the current boundary, from, for instance, Plan 1 to Plan 2 (see below) is justified by the new housing developments that have helped change the character of this part of the Area since the Character Statement was revised 10 years ago.

[See attachment for images: Plan 1 above – extract from Area 6b Character Statement; and Plan 2 above – Potential changes to extent of Area 6b]

3.6 The new housing schemes justifying a change to the boundary are:

1. a) the conversion of the Ziggurat building into flats (central building immediately below);

[See attachment for image]

1. b) the construction of a 7-storey building with over 70 flats on the former car park of the Ziggurat (centre of photograph below)

- [See attachment for image]

1. c) and the imminent completion of Vickers Mews: 32 dwellings, including 23 no. 3-storey townhouses (below)

- [See attachment for image]

3.7 Self-evidently, none of these modern residential buildings are of any historic interest. When they are seen in the context of the 53 family homes on Orient Close and the modern office buildings on Grosvenor Road (see front cover), there is no justification for retaining the boundary of Area 6b unchanged.

3.8 The following comparison (Fig. 2) adds further support for a change to Area 6b. The photograph and caption on the left are taken directly from page 226 of the SACA Character Statement. The accompanying text states:

"To the east of Orient Close at the eastern edge of the conservation area marked by a band of trees, on a narrow site and like the station set down below London Road, lies no. 222 a long narrow building, an early C20 century engineering works and experimental station, used previously by ship builders having included a large flotation tank and now converted for a series of small commercial and light industrial users."

3.9 Noting, first – and importantly – that the band of trees is, in fact, over 70 metres beyond the Conservation Area and did not mark its eastern edge, the photograph on the right (taken in October 2024) explains that the historic engineering has gone, replaced by modern townhouses which all but obscure the trees to the east.

- [See attachment for image]

Fig. 2 (L) Photo and caption from the SACA Character Statement. (R) My photo and caption. The important tree screen – which was never in the Conservation Area – is all but obscured by townhouses which have replaced the historic engineering works.

3.10 On its website, under "How and when conservation areas are designated", the Council states:

"The Council can also remove the designation of an area or part of an area if it loses its special interest."

3.11 This part of Area 6b shown in Plan 2 above (paragraph 3.5) has lost any special interest it may have had. Consequently, its Conservation Area designation should have been removed as part of the plan-making process and the boundary changed.

3.12 Finally, it can be noted that the DLP proposes protecting the route of the former railway line between Orient Close and Cottonmill Lane (part of the Alban Way) under Draft Policy NEB4 'Significant Publicly Accessible Green Areas (Key Linear Green Spaces)' as shown in the extract from Sheet 4 of the Policies Map (Fig. 3) – adding further support to changes to this part of the Conservation Area.

- [See attachment for image]

Fig. 3 The DLP proposes protecting the south-west 'finger' of Area 6b from development as a Significant Publicly Accessible Green Area.

Conclusion

4.1 The plan-making process provides an opportunity for Councils to review their Conservation Areas, something which should also be done every 5 years throughout a plan period. St Albans Council has not taken that opportunity and, furthermore, its last review of the St Albans Conservation Area was over 10 years ago.

4.2 This document has demonstrated that a change to part of Area 6b if the SACA is overdue and necessary. It is very likely that other parts of the extensive Conservation Area should no longer be designated, too.

4.3 Consequently, the heritage strategy currently proposed in the Draft Local Plan is not justified.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SP11 Historic Environment_[R].pdf

183 - McCarthy & Stone Retirement Lifestyles Ltd, Jarvis Homes, and Wheathampstead Land

Submission Number: 183 Submission Date: 07/11/24 15:09

Respondent: The Planning Bureau Ltd Ms Jane Vlach

On Behalf Of McCarthy & Stone Retirement Lifestyles Ltd, Jarvis Homes, and Wheathampstead Land :

CE2 - Renewable and Low Carbon Energy

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Non compliance with national policy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy CE2

This policy seeks to increase the use of renewable and low carbon energy in the District. Whilst the Council's commitment to meeting both its and the UK Government's target of net zero carbon emissions is commendable, it appears that the Council is going to achieve this through having mandatory carbon and climate standards from adoption of the plan that may go beyond government targets. However, it is our view that any requirement should be 'stepped' in line with Government targets and the proposed changes to the building regulations.

This approach is confirmed within the Ministerial Statement (statement no : Statement UIN HCWS123 available from Written statements - Written questions, answers and statements - UK Parliament) released on 13th December 2023. The ministerial statement confirms that with respect to the net zero goal….

'*The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale'* and '*To be sound, local plans must be consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, including this one'*.

Recommendation

1. *b) Major development proposals must set out at the planning application stage how they will make use of renewable or low carbon energy within the site through submitting and agreeing an Energy Statement with the Council,* ***in line with government targets****. Agreed measure will be secured through conditions.*

-

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide additional context to the above comments and recommendations.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Non compliance with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

LG4 – Large, Medium and Small Sites point I.

Point I requires proposals for Large, Medium and Small sites to '*Plant at least 1 semi-mature tree for each dwelling; for C2 accommodation* plant 1 semi-mature tree for each 2.5 dwelling equivalent bed spaces'. NPPF para 16. identifies that '*Plans should…b) be prepared positively, in a way that is aspirational but deliverable'*. Para 131 provides guidance specifically associated with trees and states '*Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different user*s'.

PPG with respect to viability states that '*The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan'*(Paragraph: 002 Reference ID: 10-002-20190509).

Requiring 1 new trees per new dwelling especially for small brownfield sites is not deliverable or realistic and could compromise sustainability development and is therefore contrary to NPPF. The requirement also goes beyond the requirements of the NPPF. Any requirement would need to be fully evidenced and the requirement incorporated into any forthcoming viability study.

Recommendation:

The Council should reconsider policy LG4 point I and ensure any such policy approach introduces more flexibility or is deleted.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide additional context to the above comments and recommendations,

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Non compliance with national policy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy HOU1 – Housing Mix

The policy requires proposals of 10 or more dwellings to provide a housing mix as per Table 4.1 below.

The above housing mix relates to all housing developments of over 10 dwellings, yet this is clearly not appropriate for retirement living schemes. The subsequent text to the policy recognises that some adjustment may be needed for specialist housing schemes, but only in relation to Broad locations.

'*The delivery of specialist housing at Broad Locations could affect the housing mix by increasing the number of smaller units. Therefore the housing mix may be adjusted on sites that deliver specialist housing units to take account of an increased proportion of smaller units.'*

Recommendation

Amend the policy wording as follows:

*New residential development proposals (Use Class C3**,excluding specialist housing for older people**) should provide: …*

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide additional context to the submitted comments and recommendations,

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Non compliance with national policy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy HOU2 – Affordable housing

The policy includes the following:

The Council will seek to meet the District's affordable housing needs by:

1. a) Requiring residential development proposals (Use Class C3) with a gain of 10 or more homes, or where the site has an area of 0.5 hectares or more, to provide:
1. 40% of homes as on-site affordable housing
1. e) Ensuring that development proposals which do not propose the full amount of required affordable housing must demonstrate the evidence on why this is the case, and to meet the full amount that is viable;
1. f) Only accepting a financial contribution for off-site affordable housing provision in exceptional circumstances where evidence demonstrates that on-site affordable housing provision would not be viable or feasible;

The policy applies to older persons' housing, as confirmed in Policy HOU3 – Specialist Housing, which states that '*The Council will support development proposals for specialist housing to meet the needs of older people and people with disabilities which are in accordance with the following requirements:*

1. *b) Provision of an appropriate proportion of affordable housing within the specialist housing development, in accordance with Policy HOU2 for proposals within Use Class C3 or C2;*

The policy does not elaborate on 'appropriate portion' but the supporting text introduces some flexibility when it says: "…*planning applications will need to take account of practical delivery arrangements, operator requirements and viability*."

Therefore, it is clear from both policies Hou2 and Hou3 that any proposal for specialist housing for older people would either need to deliver policy compliant affordable housing or to provide a viability assessment if policy compliant on-site affordable housing was not achievable.

The policies appear to be based on the BNG Paribas Viability Assessment September 2024 which concludes:

Our appraisals indicate for retirement living and extra care units that between 25% to 40% affordable housing and all policy requirements can be supported across the 4 value areas with the highest percentages applying in Harpenden and St Albans.

Firstly, we would comment that although the Appraisal results for all typologies have been published, the full appraisals have not been published so it is difficult to ascertain whether inputs used have been applied correctly. The council should note that Paragraph: 002 Reference ID: 10-002-20190509 of the PPG on Viability states that '*It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers.'* Without publication of the full appraisals, it is difficult to make an assessment as to whether the evidence that supports the policy requirements within the regulation 19 draft plan, especially with regard to specialist housing for older people, are correct and robust. These full appraisals must be published and consulted upon, and consideration be given to the responses prior to any plan being submitted to the Secretary of State for examination.

We would then direct the Council towards the Retirement Housing Consortium paper entitled 'A briefing note on viability' prepared for Retirement Housing Group by Three Dragons, May 2013 (updated February 2016 ('RHG Briefing Note'). The RHG Briefing Note establishes how sheltered housing and extra care development differs from mainstream housing and looks at the key variables and assumptions that can affect the viability of specialist housing for older people. These key variables include unit size, unit numbers and GIA, non-saleable communal space, empty property costs, external build cost, sales values, build costs, marketing costs and sales periods and significantly variable benchmark land values. We are also aware that the RHG Briefing Note is being updated and indeed we are informing that process.

The published assumptions on which the BNG Viability Assessment is based are at variance with the RHG briefing note. We therefore have the following comments on the assumptions that should be used within the Viability Assessment with respect to extra care and sheltered housing, as defined by the PPG on housing for older and disabled people Paragraph: 010 Reference ID: 63-010-20190626.

If the Viability Assessment was re-run using these assumptions extra-care and sheltered housing would be likely to be shown as less viable in terms of delivering affordable housing and would result in the council needing to consider a variable affordable housing target for specialist housing for older people or exempting it from affordable housing altogether.

Recommendation

We recommend that the Viability Report is run for sheltered and extra-care housing using the assumptions recommended below and the affordable housing policy amended accordingly.

Unit numbers / GIA / Density

We note that the Viability Assessment (Appendix 4) has modelled a unit density of 75 dwellings per hectare resulting in a 30-unit scheme being modelled on a 0.4 hectare site for the Retirement Housing typology, and a unit density of 75 dwellings per hectare resulting in a 80-unit scheme being modelled on a 1.1 hectare site for the Extra-Care typology.

However, we would question whether the densities used are correct given that para 4.16 of the viability study states '*As with retirement housing, Extra Care developments have significantly different viability considerations to standard residential dwellings. These arise due to an even lower gross to net ratio of such developments than retirement housing (due to the need for more communal facilities) as well as the additional time that it takes to sell the accommodation due to the restricted market for that type of unit. In our experience such units also achieve premium values*.'

In this regard, we would also question whether the Viability Assessment has in its consideration of density and facilities in effect incorporated flatted extra-care accommodation with integrated retirement communities given para 4.15 that states *'People who live in Extra Care Housing have their own self-contained homes and a legal right to occupy the property. It comes in many built forms, including blocks of flats, bungalow estates and retirement villages*.' Such developments are very different and need to be considered separately.

Sales and marketing costs

As detailed within the RHG Briefing Note sales and marketing costs for older persons housing schemes are typically 6% of GDV and this should be used within the older persons modelling rather than the 2.75% used.'

Sales periods

As discussed in the RHG Briefing Note, sales periods of older persons' housing schemes are typically longer for retirement and extra care housing than general needs housing. There is a typical 18 month build period before sales can commence. Sheltered and Extra care schemes cannot be phased but must be fully operational and completed from month 1 of sales / occupation. As detailed within the RHG Briefing Note, once sales commence a rough guide is that 40% of units will be sold at the end of the first year of sales, 30% during the second year of sales and 30% during the third period. This should be considered within the viability modelling and amended accordingly. These longer sales periods should therefore be incorporated into the Viability Assessment, especially for sheltered housing, rather than the 2 sales per month indicated which would for example show that the 30 unit scheme modelled would sell out in just 15 months. A 40 month sales period for an extra care scheme is more appropriate and even ambitious in the current climate where average sales rates have fallen below 1 sale on average per month for the older person housing sector.

Empty property costs

It is recommended that a standard allowance of £5,000 per unit is assumed as a typical average empty property cost – to cover Council Tax liability on unsold units and service charges (which will be applicable to the whole building from day first resident moves in). This increases to £10,000 for extra care accommodation to reflect higher costs particularly in maintaining care, communal and catering facilities, staff, and services and reflecting a slower sales rate than Retirement Living. We note that no allowance for empty property costs appears to have been made in the report.

Developer Return

PPG sets out that 'For the purpose of plan making an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers. However, for specialist housing for older people there is a clear precedent for a return of not less than 20% of gross development value primarily because of the risks associated with such developments. This is consistent with the Inspector's conclusions for appeals such as McCarthy Stone proposal at Redditch (Appeal Ref: 3166677), Churchill Retirement Living proposal at Cheam (Appeal Ref: 3159137) and the Churchill Retirement Living scheme at West Bridgford (Appeal Ref: 3229412) in 2019. The most recent example is a McCarthy Stone appeal in Sale in 2023 for a smaller proposal of 25 units (Appeal Ref 3325034) where the inspector concluded that:

As the Council has failed to account for the particular risks associated with developing a retirement living scheme, I consider that its base line of 17.5% is unsound and the uplift of 1% to reflect 2023 market conditions is no antidote. I therefore agree with the Appellant that a profit of 20% of gross development value should apply (Paragraph 83)

20% profit should therefore be assumed for specialist housing for older people rather than the 17.5% base position used within the Report.

Sales Values

We note from Table 4.14.1 that the Viability Assessment has added a 10% premium over mainstream housing to average sales values that have been used for a number of geographic areas across the district for retirement housing. A 20% premium has been added for extra care housing, thus making an assumption that specialist housing for older people has a large premium over other housing. However, the council should note that the RHG briefing note has shown that the price of a 1 bed retirement living/sheltered property is approximately 75% of the price of an existing 3 bed semi-detached house and a 2-bed retirement living/sheltered property is approximately 100% of the price of an existing 3 bed semi-detached. An extra care property is then approximately 25% more expensive than a retirement living/sheltered property. It is therefore advocated that the premium added to the average sales values in the Viability Appraisal has over inflated sales values for specialist housing for older people and the methodology for calculating sales values for older persons housing should be reconsidered. Pricing for affordability matters in respect of housing for older people given that to acquire such housing, no availability to mortgage lending will be available due to the age of purchasers. Instead, purchasers are entirely reliant upon the release of equity from existing housing. As a result, there is strong linkages between pricing of retirement housing and existing semi detached housing in an area (where purchasers will typically downsize from). Simply adding unchecked premiums to non-retirement comparable property is not appropriate.

Unit mix

Table 4.1.5 below shows the unit size that it assumes for older persons' housing

However, a typical retirement living scheme provides 1 and 2 bedroomed apartments using a mix of 60% 1 bed and 40 % 2 bed units on a development. This is the case for both sheltered (retirement) and extra care (retirement living plus) schemes. Table 4.1.5 of the viability report shows a 50:50 split between one and two bedroomed apartments and should be amended accordingly.

Recommended Older Persons' Unit Mix

Typology	**1 Bed Flat**	**2 Bed flat**
Retirement Living	60%	40%
Extra care	60%	40%

Unit Size

Table 4.1.5 above also shows the unit size that it assumes for older persons' housing.

The unit sizes should be amended to the sizes below which have evolved in recent years with the National Space Standards and M4 (2) requirements, and allow for additional storage and circulation space to facilitate downsizing, particularly in relation to retirement living:

Recommended Older Persons' Unit Size

Typology	**1 Bed Flat**	**2 Bed flat**

Retirement Living	55 sqm	75 sqm
Extra care	60 sqm	80 sqm

Accessibility Standards M4 (3)

Despite the draft plan requiring 5% of older persons housing to be built for M4(3) places additional cost on retirement housing over general market housing as the fixtures and fittings, services and controls and increased room dimensions and layout include up to 30% more floorspace with corresponding reduction in density, sales values, and affordability of such housing. While some value may be secured for larger units this is unlikely to mitigate the overall loss of units across the proposal as a result of the requirement.

Biodiversity Net Gain

Paragraph 4.25 of the Viability Assessment states that it has tested the requirement for a 10% enhancement to biodiversity in perpetuity in greenfield sites based on the 2019 DEFRA report *'Biodiversity net gain and local nature recovery strategies impact assessment',* and given a lower build cost figure for brownfield sites*'as they typically have lower starting levels of biodiversity than greenfield sites'.* However, the Council should note that on 27th July 2023 the price of statutory biodiversity credits were published (available from . Statutory biodiversity credit prices - GOV.UK (www.gov.uk)). This has enabled it to be determined how much BNG may cost, and it is considered that the costs per dwelling put forward within the Viability Assessment have greatly underestimated the costs. In addition, brownfield site BNG costs are often more substantial than greenfield, but this very much depends on the site characteristics. For example, if an older persons' housing scheme consisting of 50 units on a 0.5 hectare site needed to purchase 1 off-site statutory credit, if this was for the cheapest low quality habitat type this would cost £42,000 or £840 per unit. Therefore, as a result of credit prices having been published, the Council should re-run the Viability Assessment that includes a realistic assessment of BNG costs and if necessary, reduce the BNG and affordable housing requirements accordingly.

Point h of policy HOU 2

We are also disappointed that our earlier comments in respect to the above policy have not been addressed and therefore we reiterate our comments from the Reg 18 consultation:

Point h of policy HOU 2 seeks an affordable housing review mechanism into planning permissions that may be delivering affordable housing below policy requirements. To burden development which has already been found to be not viable with a review mechanism is wholly inappropriate and inflexible.

Housing for older people, being specialist in nature as defined by Paragraph: 010 Reference ID: 63-010-20190626 of the PPG on Housing for Older and Disabled people, is often delivered on small brownfield sites separate to housing allocations or other development sites of around 0.5 hectares. Schemes tend to be high-density flatted developments located near town centres that have around 35 to 40 units. They tend to be delivered as a single phase. Sheltered housing and extra care development differ from mainstream housing and there are a number of key variables that affect viability. These include unit size, unit numbers and GIA, non-saleable communal space, empty property costs, external build cost, sales values, build costs, marketing costs and sales periods.

Once planning permission for specialist housing for older people is granted given the small size and single phase of schemes the objective is to commence the build and complete all units within one single phase. The build period usually takes around 18 months. Older person's housing, given its specialist nature and being built in one phase, then has a much longer sales period often up to 36 Months with 50% of the scheme often not being sold until year 2 of sales, despite being

completed some years earlier. Given the completion of the whole scheme on the first flat occupation, empty property costs are then charged on properties that have not yet sold, this includes costs such as council tax and service charges.

For a large or multi-phase development which will be delivered over a long period it makes sense to check whether the scheme's viability has changed with market movements. However, for a small single phased site the Inspectorate have repeatedly noted that review mechanisms are unnecessary. For example, under Appeal decision reference APP/C4235/W/120/3256972 dated 1st April 2021, the Inspector noted in paragraph 17 that '*as the development would almost certainly be completed in a single phase with an estimated build time of 12-18 months, it is not the sort of large multi-phased scheme where stronger arguments for a review/clawback mechanism may otherwise exist*'.

Recommendation:

The following text should be added to point g to incorporate flexibility for smaller single phased schemes so such development is not subject to a review mechanism:

'The review mechanism does not apply to smaller single phased schemes of less than 100 units'.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide additional context to the submitted comments and recommendations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU3 - Specialist Housing

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Non compliance with national policy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

HOU3 – Specialist Housing

As explained above, it is our contention that if the Viability Assessment is re-run with more accurate assumptions, it will become clear that the viability of retirement and extra care living is significantly more challenging than currently shown. It would than be appropriate to reflect this position in the policy wording to prevent unrealistic policy expectations. Without this amendment to policy wording Council Members, Officers and the general public will assume that applications for sheltered or extra care housing will be able to support a policy compliant level of affordable housing. Our extensive experience in dealing with site specific viability discussions is that it is never appropriate to apply generic affordable housing requirements as this leads to confusion, misled expectations and delay.

Off-site contributions

The SW Herts LHNA Report update March 2024 Iceni at Para 9.64 says that "*Whilst recognising the benefits associated with mixed income/tenure development, in considering whether mixed tenure schemes can work it is important to consider the degree to which service charges will be affordable to those on lower incomes and whether Registered Providers will want or be able to support access to the range of services/facilities on site. In a range of instances, this has meant that authorities have accepted off-site contributions to affordable housing provision.'*

In light of the above, and our own experience, it is our contention that recognition of the appropriateness of off-site affordable housing provision for older persons' housing should be reflected in Policy HOU3.

Recommendation

The policy should be amended as follows:

The Council will support development proposals for specialist housing to meet the needs of older people and people with disabilities which are in accordance with the following requirements:

-

1. *b) Provision of an appropriate proportion of affordable housing, **which is likely to be significantly lower than for general market housing**, within the specialist housing development, in accordance with Policy HOU2 for proposals within Use Class C3 or C2; **This can be provided through off-site contributions in recognition of the exceptional circumstances for this type of specialist housing. Levels of commuted sum will take account the viability characteristics of specialist housing for older persons as well as the housing need specific to the typology.***

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide additional context to the above comments and recommendations.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

COM1 - Education

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Non compliance with national policy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

COM1 – Education (Chapter 7)

Policy COM 1 requires at point a) that '*Major residential development will be required to make appropriate provision for new schools and early years facilities either on-site or by making a suitable contribution towards the improvement or expansion of nearby existing facilities*.

To ensure the plan is in accordance with NPPF para 57 that states '*Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms, b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development'*, the policy should exempt all older people's housing from education contributions. Older People's housing by its very nature and age of residents does not create a demand for education.

Recommendation:

For the plan to be consistent with national policy and effective the following text should be added to policy COM 1:

'Older person's housing schemes are exempt from providing education contributions.'

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide additional context to the above comments and recommendations.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 3

Type:

* Site

Number:

M24 New Site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Non compliance with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

St Albans Local Plan Reg 19 Consultation –Site Allocation

Land South of Codicote Road, Wheathampstead AL4 8GD

We respond on behalf of McCarthy & Stone Retirement Lifestyles Ltd who currently have a planning application (5/2024/1508) with the council for the development of Land south of Codicote Road and Cory Wright Way, Wheathampstead, comprising 33 apartments and 13 bungalows, and also on behalf of other parties within an interest in the land, Jarvis Homes, and Wheathampstead Land.

The site comprises overgrown scrub and includes a yard and storage structures for a forestry enterprise. We object to the removal of draft site M24 Land south of Codicote Road,

Wheathampstead from the Regulation 19 draft consultation. The 1.28ha site was identified for residential development at the draft Local Plan Regulation 18 stage(Medium and Small Sites) (2023) (site M24). This proposed allocation was based on the evidence within the Council's Green Belt Study (2023) and HELAA (2022) . The site was formerly used as a storage yard.

The site is, however, now excluded from the Regulation 19 St Albans local plan on the basis that work is being undertaken that could consider the site as part of an extended Chilterns National landscape. It has therefore been included in a list of sites that are titled 'Chilterns National Landscape Site – not recommended to progress' on the basis that:

'*Technical work undertaken by Natural England, regarding the characteristics of land that meets their criteria for an extension to the Chilterns National Landscape into St Albans City & District, includes this site.'*

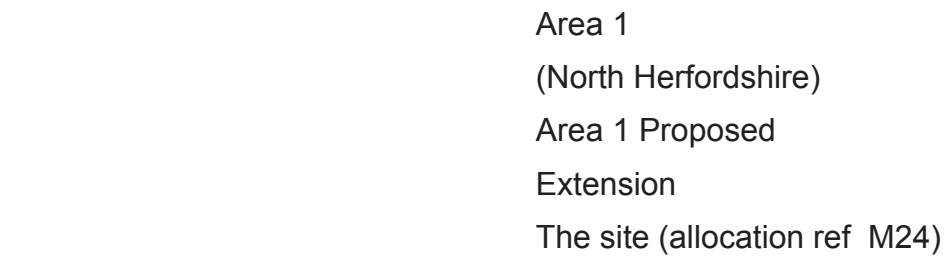
The outcome of this technical work is not yet available.

Chiltern Hills National Landscape boundary Extension process.

In 2013 the Chilterns Conservation Board applied to Natural England to extend the boundaries of the 4 designated Areas of AONB (National Landscape) to provide *'opportunities for a more strategic and coherent approach to positively managing these assets where they are outside the current designated AONB for future generations;'*

The diagram below formed part of the application to Natural England and shows the designated Area closest to the Codicote Lane site as Area 1 – North Hertfordshire. The proposed extended boundary at the southern end of Area 1 roughly followed the district boundary line of North Hertfordshire council.

Land at Codicote Road shown in relation to proposed Chilterns Hills AONB proposed extension 2013



According to the Chilterns National Landscape Conservation Board meeting note of 19th September 2024 a workshop for technical experts was held in November 2023 and additional sites were proposed for consideration. It is believed that a far larger swathe of land (to include land within St Alban's DC) was proposed at this stage. Natural England has subsequently prepared a Natural Beauty Assessment of the proposed extended area and at September 2024 was considering its consultants' (LUC) final 'Desirability to Designate' assessment of the candidate areas as potential new boundaries. We are not aware that these documents are yet publicly available. Natural England suggest that the timetable has slipped, and that they are now expecting the formal and public consultation to take place this winter and possibly not before January 2025. A Variation Order for the Secretary of State is likely to take at least a year from the date of consultation given the legal process that designation involves.

It would therefore appear that the site (M24) has been excluded from the plan solely on the basis that the general area around it has been included within a much wider study by Natural England looking at options to extend the Chilterns National Landscape, and which is not available for consideration. This is not a justification for deleting a site, especially given the council's housing need, with justification for allocation already provided. Designation within a National Landscape does not preclude development.

Furthermore, given the image above that illustrates the potential AONB extension, the development of site (M24) would not have any impact on newly designated AONB land. Due to the topography and landscape structure of the area there is no intervisibility between the areas in question.

Housing Supply Background

The Regulation 19 draft says that there is a need for 14,603 dwellings from October 2024 to March 2041, which is equivalent to 885 dwellings per annum, but only allocates sites totaling 10,808 dwellings, which is equivalent to a 12 year supply of dwellings over the 16 year plan period. We note that the Regulation 18 draft proposed allocations for 11,779 dwellings. The Latest published figures for the St Albans show a very limited housing land supply of 1.7 years. With the publication of the new draft NPPF and a return to a standard method it is likely that the housing requirement will increase and that the housing supply position within St Albans district will become more acute. Land south of Codicote Road, given its characteristics, should not have been removed from the draft plan and should be re-incorporated within it.

Recommendation

In view of the considerable delay and uncertainty surrounding the proposed Chiltern National Landscape boundary extension, the lack of current evidence to justify this approach, and the extremely low housing land supply within St Albans, it is inappropriate to exclude the site from the list of proposed site allocations within the Local Plan. The site should therefore be reintroduced to the plan and allocated for housing development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0183 St Albans Reg 19 Site Allocation rep_Wheathampstead_[R].pdf
2. 0183 wheathampstead LVIA_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide additional context to the above comments and recommendation.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

185 - Mrs Jane Sellars

Submission Number: 185 Submission Date: 07/11/24 15:21

Respondent: Private Mrs Jane Sellars

B1 - North St Albans, AL3 6DD

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The traffic plan for this development is inadequate and poses a safety and freedom of movement risk to the people who will live there and use it, those living in the vicinity of it and those who commute through the area - including to and from the five schools. In the traffic report that accompanies the local plan it states that all arms of the Ancient Briton junction are already over capacity so we don't understand what highway improvements could be made.

Also in the traffic report, extra traffic movements are capped at '500+', and this junction will obviously be well above that with the extra 4000+ traffic movements expected per day through it. It would have been more honest to use a different scale to allow the company producing the report to show exactly how many extra cars are expected at peak times through that junction. Being a resident of New Greens, cars will naturally divert through our estate to avoid the Ancient Briton junction, which will make it difficult for residents of New Greens to leave the estate and will cause Green Lane to be hazardous for pedestrians, being already double parked and with cars already regularly mounting the pavement to pass each other. What consideration has been given to this / what measures will be taken to remedy it?

Expected pollution levels from the inevitable gridlock should be published, with a scale that allows true figures to be divulged. Telling people to 'be sustainable' and use unreliable, irregular, limited bus routes without bus lanes is not fair or feasible.

I also have concerns about the drainage plan and flood risk and believe that proposing to build a development on this scale in one phase is irresponsible.

We understand that there is a need for a greater supply of housing in the area. Whether that will make it affordable is another matter. We hope that opportunities to combat vacant possession and develop brownfield sites are being maximised alongside this use of greenbelt. This development might fit into the Greenbelt review parameters but each time I've asked our local councillors how it would work, the answer ends up coming down to the fact that the council simply has to build them. It doesn't feel like the development has been properly thought through, so residents would appreciate some reassurance as well as proper scrutiny and debate.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Plan for an additional entrance and exit from the development into Valley Road or elsewhere so that Harpenden Road, the Ancient Briton Junction and the New Greens estate don't bear all of the city, east and west bound traffic from the development on top of the volume of traffic it currently bears.

Build homes in phases rather than the proposed 1,200 at once (from both Sewell Park and Woollam Park) and review the viability of each phase before the commencing the next one.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I would like my views to be considered, as they reflect those of many New Greens residents, and would be glad to be informed about when the debate on this development is taking place so that I can hear it.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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186 - Mr Roy Warren

Submission Number: 186 Submission Date: 07/11/24 15:23

Respondent: Sport England Mr Roy Warren

UC47 - Crabtree Fields / Land at Waldegrave Park, Harpenden, AL5 5SA

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

While no comment is made on the principle of the allocation, requirement 1 relating to retaining existing community facilities including Harpenden & District Indoor Bowling Club and its ancillary parking is supported. This would provide clarity that the allocation needs to retain this important sports facility facilities and would be consistent with paragraph 103 of the NPPF.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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187 - Mr Roy Warren

Submission Number: 187 Submission Date: 07/11/24 15:30

Respondent: Sport England Mr Roy Warren

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Support is offered for the principle of allocating a site for community uses which may include a community centre and associated outdoor sport and recreation facilities. This may help address community outdoor sports needs in the Bricket Wood area identified in the Council's evidence base (Playing Pitch Strategy).

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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188 - Mr Roy Warren

Submission Number: 188 Submission Date: 07/11/24 15:31

Respondent: Sport England Mr Roy Warren

Part B - Local Plan Sites

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Support is offered for the principle of redeveloping the pavilion at Toulmin Drive. The Council's Playing Pitch Strategy & Action Plan identified that the existing pavilion facilities were in need of replacement to support the use of the playing fields. This allocation would accord with the Council's evidence base (Playing Pitch Strategy).

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Support is offered for the principle of redeveloping the pavilion at Toulmin Drive. The Council's Playing Pitch Strategy & Action Plan identified that the existing pavilion facilities were in need of replacement to support the use of the playing fields. This allocation would accord with the Council's evidence base (Playing Pitch Strategy).

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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189 - M E Simons Trust

Submission Number: 189 Submission Date: 07/11/24 15:40

Respondent: Bidwells MR Derek Bromley

On Behalf Of M E Simons Trust :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Site

Number:

Site B2 North East Harpenden

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Our clients land is proposed as part of the Broad Location Site B2 shown in the Regulation 19 Plan Our clients support this allocation subject to the qualification/caveat below.

Is the Plan justified ?
Whilst the Site B2 north-east Harpenden remains as part of the Local Plan allocation through to its Adoption. our clients will work together with the other land interests in the delivery of a comprehensive scheme Having regard to the recommendations of the Arup Green Belt Study there is a "planning balance" to be drawn between the benefits derived from the wider scheme which includes the provision of a two-form entry primary school, care home, neighbourhood centre and sports facilities against the Green Belt impacts identified in the ARUP Green Belt Study in relation to the whole allocation (SA 24) which was not recommended That planning balance is a matter for others to decide and our clients make no judgement on this point but recognise the benefits which will accrue from the wider allocation.

The M E Simons land and most of the Wimms land, together with land to the south known as Sauncey View Lodge was separately identified in the ARUP Green Belt study as RC-3 and recommended for further consideration.

It is reasonable that our clients land could either deliver an independent scheme or as a phase of development within the wider strategic location In Appendix 2 we have shown how an access can be delivered off Common Lane which serves our clients land and to provide a link to the north The development of our client's land as a phase would not be prejudicial to the strategic allocation, in fact quite the reverse. It is complimentary and provides benefits which could enable the faster delivery of housing. A development of our client's land would be designed so that it overlaps and

integrates with a wider Masterplan. As part of the Broad Location, contributions would be made towards the key development requirements education, community and sporting facilities via Section 106 obligations.

Sustainability

The site is in a sustainable location, adjoins the settlement edge of Harpenden and is in close proximity to education facilities of nursery, primary, junior and secondary schools, bus transport links. local facilities of shops. pubs, petrol filing station and employment areas.

Key Development Requirements
As part of the wider allocation it is envisaged that there would be an indicative overarching Masterplan (attached as Appendix 3 is the latest iteration of the Master Plan where clients land edged in bold red). There have been joint meetings with the representatives of the respective interests comprising Crest Nicholson. Miller Homes, Octagon Homes, [redacted](the owners of Sauncey Lodge) and our clients regarding this Master Plan and the earlier iterations. There is nothing which the parties have discussed in respect of the overarching indicative Masterplan which would prevent a phasing of the development.
Statement of Common Ground
Pursuant to the delivery of Site B2 allocation, the owners have agreed a Statement of Common Ground with St Albans Council, on a without prejudice basis. The agreed common ground is that the Council and the owners generally support what is set out in the Local Plan Part A and the Local Plan Part B, including subject to the alterations indicated above the key development requirements for Site B2.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Changes to the Plan

As part of the proposed B2 allocation the key development requirements should make provision for a phasing of the development in accordance with a Masterplan approved by the parties and the Council.

In the event the 82 allocation in *its* present form is not accepted, then our clients land identified in the Green Belt Study as RC -3 should be nevertheless shown as a Green Belt release for housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0189 M E Simons Wimms Reg 19 Subs 2024 OCR_Redacted_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client owns part of Site B2 which is identified as one of the Broad Locations to take housing growth. It is therefore of significant importance to the Local Plan and that objections or clarification are properly considered in open forum.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B2 - North East Harpenden, AL5 5EG

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Our clients land is proposed as part of the Broad Location Site B2 shown in the Regulation 19 Plan. Our clients support this allocation subject to the qualification/caveat below.

Is the Plan justified ?

Whilst the Site B2 north-east Harpenden remains as part of the Local Plan allocation through to its Adoption. our clients will work together with the other land interests in the delivery of a comprehensive scheme Having regard to the recommendations of the Arup Green Belt Study there is a "planning balance" to be drawn between the benefits derived from the wider scheme which includes the provision of a two-form entry primary school, care home, neighbourhood centre and sports facilities against the Green Belt impacts identified in the ARUP Green Belt Study in relation to the whole allocation (SA 24) which was not recommended That planning balance is a matter for others to decide and our clients make no judgement on this point but recognise the benefits which will accrue from the wider allocation.

The M E Simons land and most of the Wimms land, together with land to the south known as Sauncey View Lodge was separately identified in the ARUP Green Belt study as RC-3 and recommended for further consideration.

It is reasonable that our clients land could either deliver an independent scheme or as a phase of development within the wider strategic location In Appendix 2 we have shown how an access can be delivered off Common Lane which serves our clients land and to provide a link to the north The development of our client's land **as** a phase would not be prejudicial to the strategic allocation, in

fact quite the reverse. It is complimentary and provides benefits which could enable the faster delivery of housing. A development of our client's land would be designed so that it overlaps and integrates with a wider Masterplan. As part of the Broad Location, contributions would be made towards the key development requirements education, community and sporting facilities via Section 106 obligations.

Sustainability

The site is in a sustainable location, adjoins the settlement edge of Harpenden and is in close proximity to education facilities of nursery, primary, junior and secondary schools, bus transport links. local facilities of shops. pubs, petrol filing station and employment areas.

Key Development Requirements

As part of the wider allocation it is envisaged that there would be an indicative overarching

Masterplan (attached as Appendix 3 is the latest iteration of the Master Plan where clients land edged in bold red). There have been joint meetings with the representatives of the respective interests comprising Crest Nicholson. Miller Homes, Octagon Homes, [redacted] (the owners of Sauncey Lodge) and our clients regarding this Master Plan and the earlier iterations. There is nothing which the parties have discussed in respect of the overarching indicative Masterplan which would prevent a phasing of the development.

Statement of Common Ground

Pursuant to the delivery of Site B2 allocation, the owners have agreed a Statement of Common

Ground with St Albans Council, on a without prejudice basis. The agreed common ground is that the Council and the owners generally support what is set out in the Local Plan Part A and the Local Plan Part **B,** including subject to the alterations indicated above the key development requirements for Site B2.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Changes to the Plan

As part of the proposed B2 allocation the key development requirements should make provision for a phasing of the development in accordance with a Masterplan approved by the parties and the Council.

In the event the 82 allocation in its present form is not accepted, then our clients land identified in the Green Belt Study as RC -3 should be nevertheless shown as a Green Belt release for housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0189 M E Simons Wimms Reg 19 Subs 2024 OCR_Redacted_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client owns part of Site B2 which is identified as one of the Broad Locations to take housing growth. It is therefore of significant importance to the Local Plan and that objections or clarification are properly considered in open forum.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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190 - Julie Bennett

Submission Number: 190 Submission Date: 07/11/24 15:42

Respondent: Woods Hardwick Planning Talys Nikan

On Behalf Of : Julie Bennett

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP1 suggests that "*the Spatial Strategy positively plans for the future to ensure that by 20241 St Albans District is a great place to live, work and visit*".

Paragraph 1.31 of the supporting text confirms that:

"There is a clear need for more new homes because of the national situation, high house prices and also a need for more local people to have the opportunity to live and work where they were brought up. To do this the District needs in particular a supply of first family homes to purchase, affordable homes to rent and buy, and to provide opportunities for downsizing and Self-build and Custom Housebuilding…..".

Table 1.2 sets out the Local Plan Objectives, of which one is *"provide a sufficient amount of good quality housing which meets the needs of all sections of society in sustainable locations.*

It is difficult to rationalise these statements with the Council's decision to accelerate its Local Plan preparation timetable in a clear and deliberate attempt to delay meeting the increased housing requirement under the new Government's proposed amendments to the Standard Methodology ("SM) for calculating local housing need that were the subject of recent consultation.

The Briefing Note on proposed reforms to the NPPF and other changes to the planning system that was presented to the Planning Policy & Climate Committee meeting of 12 September 2024 set out the implications of the revised Standard Methodology proposed, with the annual housing requirement for St Albans District increasing from 885 to 1,544.

The principal reason the SM figure becomes as high at is does for St Albans, is that the Council has for decades failed to deliver the required level of growth to meet the needs arising in the District, primarily due to the fact that it last adopted an up-to-date Development Plan 30 years ago, and that only planned to meet housing need to 2021. The chronic undersupply that has a resulted has directly contributed to the affordability issues that beset the District.

The framework for formulating strategic policies since the last Plan was adopted has drastically changed – particularly given the NPPF as a policy instrument did not even exist in 1994 at the time of the current, albeit out-of-date, Plan's adoption and indeed has even undergone several iterations since its first implementation in 2012.

Affordability has always been a key factor in the SM formula, and given St. Albans district has consistently tracked as one of the least affordable places in the entire country it only accentuates the dire circumstances households in the District finds themselves in with respect to securing not just affordable homes, but homes in general.

The crux of the issue, therefore, is that the progression of the current emerging Local Plan (eLP) will result in a situation whereby the development plan will remain "out-of-step" with national policy and a strategy that properly seeks to address housing need and affordability issues will be delayed again.

The new Government was elected in July 2024 with a clear mandate to address the housing crisis that has been plaguing the nation for years. The Government swiftly announced they would be seeking to reform the NPPF and the planning system as a whole to facilitate positive change across the country with a consultation on the proposed changes announced in the same month. Whilst the outcome of the public consultation on the proposed changes is yet to be announced, it has recently been confirmed by Government that the new NPPF will be in place by the end of the year, which is only weeks away, and it is evident in the objectives and aspirations of this Government there will be a step-change in the amount of housing it seeks for Councils to deliver and, critically, *when* it will be delivered.

It is unfathomable, therefore, that this Council is actively seeking to accelerate the timetable for its eLP to take advantage of the transitional arrangements in the consultation draft NPPF. Certainly, the Council's case for this is flawed. It argues that were it to consider the outcome of the proposed changes then it would be forced to delay adoption of a new Plan by some 2-3 years at a time when housing is much needed in the District (as already noted that is hardly a new situation) and the vehicle for delivery of those homes is the eLP in its current form. However, in accelerating the Plan this Council would be seeking to deliver substantially short of its local housing need under the proposed methodology and would then have to immediately commence a review of the new Local Plan to make up shortfall, which would take considerably longer than 2-3 years to put in place.

Continuing with the eLP would not address the clear direction of travel in terms of the new approach to calculating need that is likely to be adopted by Government in the coming months, which in turn will have untold years of impact upon the those in need of housing now in this District. The Council intends to commit itself to this current eLP thereby delaying when it would take the time to formulate a strategy to meet the needs of a revised SM, and take further time still to implement that strategy, and even further time thereafter to see that level of growth being delivered.

Such an approach is contrary to even the current December 2023 version of the Framework, which sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development, including through the provision of new homes.

Paragraph 8b) adds that part of the social objective of sustainable development is *"…. ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations…."*

Paragraph 11a) of the presumption in favour of sustainable development requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of the area.

Paragraph 16 requires local plans to a) be prepared with the objective of contributing to the achievement of sustainable development and b) be prepared positively.

Paragraph 22 requires strategic polices, of which SP1 is one, to look ahead over a minimum of 15 years period from adoption, to anticipate and respond to long-terms requirements.

Paragraph 35a) on examining plans, requires plans to be positively prepared, providing a strategy which as a minimum, seeks to meet the area's objectively assessed needs. Footnote 19 sets out that needs for housing should be assessed using a clear and justified method, as set out in paragraph 61 of the Framework. Paragraph 61 requires strategic polices, such as Policy SP1, to be informed by a local housing needs assessment, conducted using the current standard method in national planning guidance. It adds that outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. It refers to paragraph 67, which confirms that housing requirement can be higher than the standard method figure.

Paragraph 35b) requires Local Plans to be justified, meaning they are an appropriate strategy, taking into account the reasonable alternatives, and base on proportionate evidence.

Paragraph 35d) requires plans to be consistent with national policy.

Having regard to the above, particularly, the impending substantial increase in housing need under the new proposed approach to the SM, our client considers Policy SP1, and the approach of meeting only the current SM figure of 885 dpa, to be unsound. It cannot be considered positively prepared or consistent with national policy in this context, nor is it the most appropriate strategy.

The only course of action this Council should be considering is how to align the objectives of any forthcoming Plan with those of the new Government. That can only be achieved if an amended draft Plan is formulated to take account of changes to the NPPF and the SM when they are introduced later this year. Work on this eLP should therefore be suspended effective immediately or this Council will continue to damage the social, economic, and environmental fabric of the District in an effort to defer again facing up to its substantial housing need. The consequences of which will be monumental when considering the time lag for addressing any revised SM through a new Local Plan as part of a review post-adoption of the current plan, assuming it is found sound, which seems highly questionable and the eLP cannot be considered positively prepared, is not justified and will not be effective as required by paragraph 35 of the NPPF.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Local Plan Regulation 19 Response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client does not consider that the Plan can be found sound in its current form for the reasons set out in our representations. We wish to present a detailed case to the Inspector why the Council needs to update its evidence base before preparing a draft Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Paragraph

Number:

3.14 - 3.19

Do you consider the St Albans Local Plan to be legally compliant?

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Grey Belt

An additional proposed change in the Government's recent consultation that adds further weight to the case for SADC to stop work on the eLP and to prepare an amended Regulation 19 Plan that alignes with the requirements of the new NPPF as soon as it is adopted later this year, is the inclusion of a new designation for land: "grey belt".

This designation would be distinct from, yet inextricably linked to, Green Belt in that the function of existing Green Belt – when measured against its contribution to the five identified purposes in the NPPF – would lead to a judgement on whether specific areas of currently existing Green Belt

would be better identified as Grey Belt, i.e. land that performs poorly against the five purposes and therefore deemed as locations where certain types of development would not be considered inappropriate and should also be deemed sequentially preferrable for release as part of plan-making.

The eLP confirms that over 80% of St Albans District is Green Belt. Consequently, the introduction of a Grey Belt designation has significant implications for plan-making, in respect of the potential for additional land, such as that being promoted by our client, to be deemed suitable for release from the Green Belt and allocated to meet the substantial shortfall in housing in St. Albans District. This further accentuates the need to suspend the current eLP and for this Council to commence a review of its existing evidence as soon as the new NPPF is adopted later this year.

This would invariably need to include consideration of what Grey Belt land exists as part of an updated Green Belt Review, which in turn would significantly influence the supply of sites deemed suitable for allocation.

In respect of other aspects of the spatial strategy, our client supports the proposed Settlement Hierarchy at Table 1.3. It is appropriate that St Albans City sits at the top of the hierarchy. That said, as will be elaborated on in representations on Policy SP3 of the plan and its supporting evidence, the Council has failed to include sustainable sites on the edge of St Albans as allocations that could help it meet the huge shortfall in housing against the proposed new standard methodology referred to above.

Green Belt Review

Green Belt Review

Earlier representations at the Regulation 18 Stage have been submitted on behalf of Ms. Bennett objecting to the Stage 2 GBR. It is not that these have not been addressed and no up date to the GBR has been undertaken to deal with the flaws identified. This is likely to be, at least partly, a consequence of the Council's rush to progress this Regulation 19 Plan to avoid meeting any increased housing need under the new Government's proposed SM.

Our client's objections therefore stand and are reiterated below. However, it should also be noted that with the proposed changes to the NPPF, particularly the introduction of the Grey Belt classification, a new Green Belt Review will need to be undertaken such that it remains consistent with the objectives of the Framework.

The Grey Belt classification is a fundamental change to the approach toward Green Belt development in that those areas which are constrained by Green Belt in securing the required levels of housing and economic growth, land which would be considered Grey Belt can be developed for those purposes without being deemed "inappropriate". Furthermore, the proposed changes set out that first consideration should be given to Green Belt land for release where is previously developed land (as is the present case), followed by Grey Belt land (proposed change), and only then should consideration be to other Green Belt sites (proposed change).

Evidently, the objective here is that opportunities for previously developed land and Grey Belt sites should be exhausted before any consideration is given to other land in the Green Belt – functionally, this would be a new approach to sustainable development within the Green Belt. Should this emerging Plan progress in current form a substantial proportion of the evidence base which underpins the strategic policies may very well conflict with a future iteration of the Framework that would demand a new Plan altogether. It is in this Council's interested, therefore, to undertake the relevant work for updating the evidence base once the proposed changes have been confirmed rather than continue to avoid its responsibility to positively prepare a plan.

The following objectives of the current NPPF support our client's position on the matter:

Paragraph 7 confirm that the purpose of the planning system is to contribute to the achievement of sustainable development, including through the provision of new homes.

Paragraph 8b) add that part of the social objective of sustainable development is *"…. ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations…."*

Paragraph 11a) of the presumption in favour of sustainable development requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of the area.

Paragraph 16 requires local plans to a) be prepared with the objective of contributing to the achievement of sustainable development and b) be prepared positively.

Paragraph 35a) on examining plans, requires plans to be positively prepared.

Paragraph 35b) requires Local Plans to be justified, meaning they are an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

Paragraph 35d) requires plans to be consistent with national policy.

For the above reasons, failure to give due consideration to Grey Belt land within any of the evidence, let alone as a component of the Green Belt Review, can only lead to this Plan being found unsound.

Returning to the aforementioned points regarding our client's prior representations on the Green belt Review, there are three principal areas of objection which remain relevant and to which the above paragraphs of the NPPF also bear relevance in the consideration of these points:

1. The inconsistent approach to the scale of parcels assessed. For example, parcels SA-92 and SA-93 have been assessed at a site level, whereas parcel SA-91, which our client's site has been assessed as part of, comprises a much larger area. That directly impacts on the conclusions reached on its contribution to Green Belt purposes. The site has been assessed and rejected as a direct consequence.
2. The approach to defining parcels. FPCR Landscape Architects have reviewed the Stage 2 GBR in their Landscape and Visual Appraisal and Green Belt Assessment ("LVAGBA") prepared as part of an outline planning application submitted for our client's site for up to 190 dwellings, a copy of which is enclosed with these representations. They assessed the contribution a parcel of land containing our client's site, but with different boundaries to SA-91, based on more logical features on the ground, makes to the Green Belt purposes. They found the parcel they assessed to contribute at a low level to the Green Belt purposes.
3. When FPCR assessed the contribution the site itself would make to Green Belt purposes, this was at a lower level still, with the harm from the proposed development limited. As per the proposed changes to the NPPF, it is highly possible that this site would be classified as Grey Belt. It is therefore considered the ARUP assessment not only over-estimates the harm, but will in some respects be outdated should the Grey Belt classification be formally included within national policy later this year. Ultimately, the findings by ARUP appear to have directly led to the site being rejected and overlooked for inclusion as a large site allocation in Part B of the eLP.

As a result, the list of Large, Medium and Small Sites included in Part B of the ELP is not considered an appropriate strategy when considering the reasonable alternatives. Our client's site has been omitted in place of less sustainable and appropriate locations for new housing. The eLP should therefore have included the allocation of our client's site between Alban Way and Colney Heath Lane, St Albans.

As noted, it is currently the subject of an outline planning application for up to 190 dwellings. This has been supported by a full suite of application plans and documents demonstrating both the suitability of the site and its deliverability. This information is available directly on the Council's own website. Enclosed with these representations is a copy of the submitted illustrative concept masterplan and landscape masterplan submitted with the application. These demonstrate that the site can be developed to form an appropriate extension to St Albans.

Site Selection Methodology

The eLP sets out that in addition to the Green Belt Review (GBR) a site selection assessment has considered constraints such as environmental considerations like flood risk and wildlife conservation, and other planning factors such as distance to facilities, heritage and access, in the plan-making process to determine suitable sites for allocation.

The methodology for the site selection assessment is outlined in the Site Selection – Proforma Methodology Paper (SSM) published in September 2024. Specifically, Tables 1 (Green Belt and PDL considerations) and 2 (Major Policy and Environmental Considerations) of the SSM establishes the site assessment criterion and, thus, whether a site is considered suitable as a potential allocation.

In respect of the site our client is promoting through the emerging Local Plan process (site ref: C-013), and for which there is a currently a live outline planning application for residential development of up to 190 dwellings (ref: 5/2023/1923), there are serious concerns with the chosen methodology and whether it is suitable in practice given it is our position that the site is a suitable one to include as a potential allocation.

Site C-013 was assessed as performing strongly against 14 of the criteria set out in table 2, moderately against 9, and weakly against 8. These ratings are comparable with other sites that were recommended to progress, nonetheless the site selection process drew the conclusion this site is not recommended to progress. This appears to be on the basis that the Green Belt Review stage 2 Report did not recommend the site for further consideration, in addition to the site's performance against the Table 2 criteria which it performs poorly on raise technical considerations that would not justify a positive recommendation.

In terms of the latter, the site is recorded as performing weakly against:

- Distance to a railway line;
- Distance to a local/town/village centre;
- Agricultural Land Classification;
- Local or Regional Nature Conservation sites;
- Priority Habitats;
- Access to Open Space;
- TPO trees; and
- Contamination.

Firstly, the inclusion of multiple criteria that are proximity based is counterintuitive. The SSM sets out that the criteria include other measurements such as distance to schools, bus stops and GP surgeries. The site performs moderately or strongly against all these other criteria and, yet, to include separate criterions for different methods of sustainable transport as well as a local/town/village centre when accessibility to facilities and services can give rise to contradictory assessments on a site's locational sustainability.

The site has already been identified as being with the Green Belt settlement buffer for St. Albans city – in this respect, it is well-related to the city and indeed has sustainable transport links such as bus services and the Alban Way cycleway within a reasonable distance to access the city centre and the railway. Distance in this context is less of concern, therefore, than the actual time that would be taken to access these key facilities and services within the city and serves only to skew the outcomes of the site selection assessment If this latter approach were taken it would be clear that the site in practicality would perform than better than it first seems with regards to its locational sustainability.

On the matter of agricultural land quality it is simply not enough to determine a site's classification in isolation – it must instead be considered in the considered of total land suitable and available for development to determine to the true extent of loss of any best and most versatile land. Certainly,

in a district where majority of the housing to be delivered is from Green Belt release there is expected to be significant quantity of land released on what may be BMV land to facilitate growth that otherwise may not be achievable. The failure to contextualise this criterion in terms of the agricultural land quality of submitted sites does not provide an accurate assessment as to the site's impact to or loss of BMV land.

Turning to the site's assessment against ecological considerations, there has been no effort made to quantify the scale of the site which comprises designations such as woodland, priority habitats, etc. under the rating scale of Table 2 of the SSM, therefore no accurate assessment as to whether there will be a significant impact on these features.

The proforma notes the site is over 11 hectares in size. It is a given that not of all the site will be developable, and indeed the scale in reality allows room to provide a suitable scale of residential development such that any ecological features of importance that require preservation can be suitably accommodated as part of a scheme, or the impact mitigated or compensated. The SSM in this respect only provides an indication of proximity to these features rather than the impact to them and is therefore vague and ambiguous in its application for plan-making purposes. Equally, the criterion relating to contamination does little to provide a qualitative assessment on whether a contaminated site can be remediated to facilitate development. As will be detailed in other sections of our responses to this consultation, a suite of supporting documents has been produced to support the planning application at this site which suitably addresses the aforementioned technical considerations on ecology, contamination, etc.

In short, the SSM appears to be formulated from a risk or constraints perspective but has left very little room to give consideration to opportunities that certain sites might provide, include specifically site C-013. This, coupled with the SSM's own repeated and contradictory assessments on location sustainability, does lend itself to being a suitable frame for site selection. Evidently, this is a process which would require significant review on the basis that many sites may have not been appropriately assessed.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Local Plan Regulation 19 Response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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Our client does not consider that the Plan can be found sound in its current form for the reasons set out in our representations. We wish to present a detailed case to the Inspector why the Council needs to update its evidence base before preparing a draft Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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These representations have been submitted on behalf of our client, Ms Bennett, who previously responded at the Regulation 18 consultation stage.

Strategic Policy SP3 incorporates the local housing need target of 14,603 dwellings to 2041 (885 per annum) in policy, confirming that this is the minimum number of new homes needed in the District.

As noted in the response to Policy SP1: Spatial Strategy for St Albans, given the clear direction of travel indicated in the Government consultation on changes to national policy, particularly the amendments to the standard methodology ("SM") for calculating housing need, which will have a significant impact in St Albans due to the pressing affordability issues that beset this District, it increasing to 1,544 dwellings per annum, our Client objects to the housing requirement in the Plan. This is on the basis progression of the current emerging Local Plan (eLP) now will result in a situation whereby the development plan will remain "out-of-step" with national policy and it would delay considerably meeting housing need in full, leaving this to an immediate review of the eLP.

Accordingly, for the similar reasons set out in the response to Policy SP1, our Client considers the approach in Policy SP3 to be unsound. The annual requirement of the emerging Plan needs to revised to accord with the forthcoming changes to the standard methodology otherwise it cannot be positively prepared or consistent with national policy in this context, nor is it the most appropriate strategy. This is on the basis that Policy SP3, as drafted, would conflict with the following objectives of the Framework:

Paragraph 7 sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, including through the provision of new homes.

Paragraph 8b) add that part of the social objective of sustainable development is *"…. ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations…."*

Paragraph 11a) of the presumption in favour of sustainable development requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of the area.

Paragraph 16 requires local plans to a) be prepared with the objective of contributing to the achievement of sustainable development and b) be prepared positively.

Paragraph 22 requires strategic polices, of which SP3 is one, to look ahead over a minimum of 15 years period from adoption, to anticipate and respond to long-terms requirements.

Paragraph 35a) on examining plans, requires plans to be positively prepared, providing a strategy which as a minimum, seeks to meet the area's objectively assessed needs. Footnote 19 sets out that needs for housing should be assessed using a clear and justified method, as set out in paragraph 61 of the Framework. Paragraph 61 requires strategic polices, such as Policy SP3, to be informed by a local housing needs assessment, conducted using the current standard method in national planning guidance. It adds that outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. It refers to paragraph 67, which confirms that housing requirement can be higher than the standard method figure.

Paragraph 35b) requires Local Plans to be justified, meaning they are an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

Paragraph 35d) requires plans to be consistent with national policy.

It is therefore imperative that the local housing need is met in full now, and that delivery takes place early to address the sizeable shortfalls in housing of different types and tenures that have been created over the decades the Council has not had an up-to-date local plan. To do so would require a suspension of the eLP in its current form and it a new Regulation 19 Plan being prepared that meets the need in the Government's new proposed methodology once adopted later this year.

Further, a new Green Belt Review will need to be undertaken that assesses the supply that of housing that could be delivered from land that meets the definition of Grey Belt.

Notwithstanding the above, our Client supports the Council's position that there is insufficient supply of brownfield sites to meet even the lower housing need identified within the eLP and accordingly exceptional circumstances required for release of land from Green Belt exist in the District – this primarily will be the mechanism through which the vast majority of housing need is delivered in the District in the coming years. This fact applies in the context of both the currently identified housing need, and that which may come to be the new housing need figure as per the revised SM; certainly, the revised SM would only emphasize the shortcomings in the spatial strategy but, more importantly, highlights that Policy SP3 in its current form is not fit for purpose.

Our client objects, however, to the failure to include their land between Alban Way and Colney Heath Lane. We are submitting separate objections to the eLP evidence base, including site selection methodology and the Green Belt Review, on the basis there application has been flawed leading to sites, including our client's at Land Between The Alban Way And Colney Heath Lane, St Albans that would be suitable for potential allocation and thus make a genuine effort in addressing the affordability crisis of this District, that have been overlooked.

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I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 5

Type:

* Site

Number:

New site

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As has been set out in these representations on Part A of this Plan and its supporting evidence, there is a live outline planning application that has been submitted to the Council for our client's site referred to as Land Between The Alban Way And Colney Heath Lane for the construction of up to 190 dwellings – including 50% affordable housing and 10% self-build and custom housing, a minimum of 6ha of public open space, landscaping, biodiversity habitat, formation of new access and all ancillary works (ref: 5/2023/1923).

The supporting documentation for the planning application demonstrates that the number of constraints identified in the site selection assessment for this land have been carefully considered, resulting in a level of harm from the proposal that is limited in scope and nature. We invite the Council on Ms. Bennett's behalf to review the technical information that supports the scheme which will provide assurance that the site is suitable, available and deliverable and is an ideal choice for inclusion as a potential allocation in the eLP despite the findings of the site selection assessment and GBR.

More specifically, the below points address the criteria against which the site allegedly performs weakly on:

- The Site is in a sustainable location within close proximity to the public transport network with the submitted Travel Plan and Accessibility Audit duly considering alternative modes of transport and confirming there is no reason why planning permission should not be granted.
- The Illustrative Concept Masterplan, Land Use Parameters Plan, Illustrative Landscape Masterplan, Density Parameters Plan, Building Heights Parameters Plan and the Design and Access Statement demonstrate and explain how the proposed development will integrate into the character of its surroundings in relation to scale, height, density, size, design and materials. The open space to the east of the site provides a gentle and landscaped new edge to the settlement, as well providing valuable amenity space for existing and future residents.
- The existing protected woodland will be retained and safeguarded during construction. A tree survey has identified any trees to be removed are of low quality and will be replaced through new planting. The Landscape Masterplan provides for new ecological habitat, open space and landscaping.
- The site is not covered by any designation for character or quality other than the Watling Chase Community Forest area, which is a large swathe of land between St Albans and Hatfield. The site does not fall within any of the landscape conservation areas.
- The Site has been subject to various ecological surveys and habitat assessments which have identified protected species and areas of high-quality habitat. The proposed development provides a number of ecological enhancements as part of the scheme along with areas of new habitat and new landscaping. The application demonstrates a biodiversity net gain can be achieved through on-site mitigation and off-site compensation.
- The proposed development will result in the restoration and remediation of a contaminated site that currently poses a risk to the environment and human health. The NPPF contains at Paragraph 124 an objective that sets out planning policies and decisions should support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

We strongly recommend that the Council reviews the information supporting the outline planning application which will provide assurances that the development of the site will result in a net overall planning gain. The Landscape and Visual Assessment and Green Belt Assessment (LVAGBA) submitted with the application robustly addresses the shortcomings of the Arup Stage 2 GBR in its assessment of the site, and demonstrates that the site is indeed suitable for residential development in the context of harm to the Green Belt. That position will only be furthered with the introduction of Grey Belt when the new NPPF is adopted later this year, as based on the assessment

in the LVAGBA submitted with the application, there is a strong argument that that the site makes only a limited contribution to Green Belt purposes, thus meaning it is considered to be Grey Belt and should be considered sequentially preferable for release from Green Belt and allocation to assist the Council meeting its substantial housing needs. Failure to do so would mean that the plan cannot be considered sound, as it would not be positively prepared or justified. Nor would it be consistent with national policy.

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Sustainability Appraisal Note

Comment Number: 2

Type:

* Sustainability Appraisal

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* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The Sustainability Appraisal (SA) sets out that a number of different growth scenarios were assessed to determine the most sustainable outcomes for the District in meeting the currently identified housing need. Putting aside the fact that this housing need is likely to increase considerably when the Government adopts the new standard methodology ("SM") later this year, and therefore the assessments may not be applicable to the scale of housing required by a revised SM formula, it is evident that not all opportunities have been fully explored within the SA for growth.

Particularly, the eLP makes clear in various instances that the spatial strategy seeks to direct development and growth to the main urban settlements. Despite this, however, the SA makes clear that of the 8 growth scenario options, the emerging preferred option (option 3) relies primarily on strategic allocations in the west of the District towards Hemel Hempstead, strategic scale allocations to the north and east of St. Albans city, and a number of smaller allocations at Harpenden and settlements in the south of the District. As such, there appears to be limited growth around the edge of St. Albans in the context of small and medium-sized sites – unlike that which is proposed for Harpenden where there is an abundance of these.

In fact, all of the growth scenarios assessed do not seem to exhibit a level of growth on the edge of the St. Albans urban settlement – the most sustainable location in the District as identified in the proposed Settlement Hierarchy – which seems counterintuitive.

We therefore object to the approach taken in the SA growth scenarios as they are biased towards a spatial strategy that is overly reliant on a small number of large urban extensions / strategic scale allocations at St. Albans city. Insufficient levels of small and medium sites being allocated would result in the need for time lag to allow for the delivery of much larger and, when considered in conjunction with the increasing housing need figure under the proposed NPPF changes, it is untenable that the Council believes it's current approach is a suitable one.

The District simply cannot afford to keep waiting for adequate levels of growth to be left later in Plan period or to a review of the LP and certainly not when it is anticipated a higher level of growth will need to be planned for once the final changes to the NPPF are announced that may very likely drastically increase the growth required for this district.

There is appropriate land being promoted in such locations, such as the site Ms. Bennett has put forward. This illustrates the need in removing the current narrow focus to the exceptional circumstances for releasing Green Belt land as is currently set out in this eLP and amending the wider spatial strategy to include small and medium allocations in appropriate locations such as at Land Between The Alban Way And Colney Heath Lane.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. SADC Local Plan Regulation 19 Response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client does not consider that the Plan can be found sound in its current form for the reasons set out in our representations. We wish to present a detailed case to the Inspector why the Council needs to update its evidence base before preparing a draft Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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191 - Herts & Middlesex Wildlife Trust

Submission Number: 191 Submission Date: 07/11/24 15:43
Respondent: Herts & Middlesex Wildlife Trust Ms Chloe Edwards
On Behalf Of Herts & Middlesex Wildlife Trust :

Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure

Comment Number: 2

Type:

* Figure

Number:

10.1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

No reference to Local Wildlife Sites in Fig 10.1 Green infrastructure. There are 186 in the District and these are important components of any green infrastruture network - why are non-statutory local designations which relate to wildlife-rich habitats not identified in the mapping? They should also be referenced in the text. NPPF states:
174. To protect and enhance biodiversity and geodiversity, plans should:
*a) **Identify, map and safeguard components of local wildlife-rich habitat**s and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity*

To tie in with their reference in NEB6 - these need referencing, identifying and mapping in the preceding part of the plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Referencing, identify and map Local Wildlife Sites in the Distruct in the preceding part of the plan and Fig 10.1.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Inclusion of M3 - Bedmond Lane was strongly objected to by Herts & Middlesex Wildlife Trust through the Reg 18 consultation. It is in conflict with national planning policy, as set out in NPPF and the policies of the local plan. It will also conflict with priorities being identified through the emerging Hertfordshire Local Nature Recovery Strategy (LNRS).

Policies in the Local Plan that inclusion of M3 does not align with:

Chapter 10 Natural Environment and Biodiversity

10.4 - The location of the site close to St Albans means that it is a highly valued and loved local resource, as evidenced as its designation as an Asset of Community Value by the local community.

10.8 - It will not be possible to deliver biodiversity net gain on this site, within the proposed plans given the location of priority habitats - lowland meadow and lowland calcareous grassland (both rare and priority habitats identified in the emerging Hertfordshire Local Nature Recovery Strategy).

10.12 - Inclusion of this site is entirely inconsistent with a strategic approach to maintaining and enhancing networks of habitats or planning for the enhancement of natural capital. It would destroy several priority habitats, result in a massive biodiversity net loss.

10.13 - The Council have not listened to stakeholders re: the importance of this site - it has been flagged repeatedly. By including it, it is actively invoking the destruction of the District's existing natural environment and biodiversity green infrastructure assets.

Strategic Policy SP10 – Natural Environment and Biodiversity

1. By including this site (which we have already established cannot be compensated due to the priority habitats present and the mosaic of habitats they create in conjunction with other valuable habitats, making them more valuable than if taken individually) the Council will be endorsing the ***destruction*** *of Green Infrastructure for its role in combating Climate Change and supporting biodiversity, along with its value for recreation, health and wellbeing, and landscape value.*

Non-Designated Local Green Spaces

10.22 -

In point 2 it is stated that development cannot proceed unless the loss of the site can be adequately compensated. This site is one of the most botanically diverse sites in the district. It is home to several priority habitats made more valuable by their proximity to each other. It is home to numerous rare plant species including the rarest plant in the county, protected by the Wildlife and Countryside Act. It cannot be replaced *by equivalent or better provision in terms of quantity and quality in a suitable location.*

10.23

NEB 3 – Non-Designated Local Green Space

1. The site was an Asset of Community Value and is in daily use by the local community.
2. It continues to provide huge biodiversity benefits, which will mature over time. The occurrence of priority habitats means that it cannot be adequately provided elsewhere. The complex and rare geology means that even if it could, finding such a site within the district would be almost impossible.

Similarly point b cannot be fulfilled because it would destroy a highly valuable component of the strategic green infrastructure network which could not be replaced within or outside the development.

Point c. Biodiversity cannot be improved by this proposal.

Biodiversity and Biodiversity Net Gain

10.29 - This is the epitome of a site and species of national and local importance for biodiversity. The only reason it isn't a LWS is because of a lack of landowner permission to do so. The habitats that occur there are priorities for conservation and creation in all past Hertfordshire-wide and local habitat and biodiversity strategies and the emerging Local Nature Recovery Strategy for the county.

NEB 6 –

1. The mitigation hierarchy has not been applied here. Nationally important species and habitats are present. Priority habitats that cannot be replaced are present. Applying the mitigation hierarchy means avoiding this site. Again, the allocation is not compliant with policy.

Biodiversity Net Gain

1. **This site as proposed, cannot provide a biodiversity net gain, due to the habitats that are present.**

HMWT are extremely disappointed that SADC continues to include this site - it represents a complete lack of understanding from SADC of the sites ecological value, and a concerning lack of understanding of the ecological policies in their own local plan. This representation continues to flag (as was done at Reg 18 consultation stage) the numerous policies that preclude its inclusion in the plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Removing this site allocation from the Local Plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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192 - Mr Richard Wimms

Submission Number: 192 Submission Date: 07/11/24 15:47

Respondent: Bidwells MR Derek Bromley

On Behalf Of : Mr Richard Wimms

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Site

Number:

Site B2 North East Harpenden

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[redacted]

Our clients land is proposed as part of the Broad Location Site B2 shown in the Regulation 19 Plan Our clients support this allocation subject to the qualification/caveat below.

Is the Plan justified ?

Whilst the Site B2 north-east Harpenden remains as part of the Local Plan allocation through to its Adoption. our clients will work together with the other land interests in the delivery of a comprehensive scheme Having regard to the recommendations of the Arup Green Belt Study there is a "planning balance" to be drawn between the benefits derived from the wider scheme which includes the provision of a two-form entry primary school, care home, neighbourhood centre and sports facilities against the Green Belt impacts identified in the ARUP Green Belt Study in relation to the whole allocation (SA 24) which was not recommended That planning balance is a matter for others to decide and our clients make no judgement on this point but recognise the benefits which will accrue from the wider allocation.

The M E Simons land and most of the Wimms land, together with land to the south known as Sauncey View Lodge was separately identified in the ARUP Green Belt study as RC-3 and recommended for further consideration.

It is reasonable that our clients land could either deliver an independent scheme or as a phase of development within the wider strategic location In Appendix 2 we have shown how an access can be delivered off Common Lane which serves our clients land and to provide a link to the north The development of our client's land as a phase would not be prejudicial to the strategic allocation, in fact quite the reverse. It is complimentary and provides benefits which could enable the faster delivery of housing. A development of our client's land would be designed so that it overlaps and

integrates with a wider Masterplan. As part of the Broad Location, contributions would be made towards the key development requirements education, community and sporting facilities via Section 106 obligations.

Sustainability
The site is in a sustainable location, adjoins the settlement edge of Harpenden and is in close proximity to education facilities of nursery, primary, junior and secondary schools, bus transport links. local facilities of shops. pubs, petrol filing station and employment areas.

Key Development Requirements
As part of the wider allocation it is envisaged that there would be an indicative overarching Masterplan (attached as Appendix 3 is the latest iteration of the Master Plan where clients land edged in bold red). There have been joint meetings with the representatives of the respective interests comprising Crest Nicholson. Miller Homes, Octagon Homes, [redacted] (the owners of Sauncey Lodge) and our clients regarding this Master Plan and the earlier iterations. There is nothing which the parties have discussed in respect of the overarching indicative Masterplan which would prevent a phasing of the development.

Statement of Common Ground
Pursuant to the delivery of Site B2 allocation, the owners have agreed a Statement of Common Ground with St Albans Council, on a without prejudice basis. The agreed common ground is that the Council and the owners generally support what is set out in the Local Plan Part A and the Local Plan Part B, including subject to the alterations indicated above the key development requirements for Site B2.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Changes to the Plan
As part of the proposed B2 allocation the key development requirements should make provision for a phasing of the development in accordance with a Masterplan approved by the parties and the Council.
In the event the 82 allocation in its present form is not accepted, then our clients land identified in the Green Belt Study as RC -3 should be nevertheless shown as a Green Belt release for housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0192 M E Simons Wimms Reg 19 Subs 2024 OCR_[R]_Redacted.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client owns part of Site B2 which is identified as one of the Broad Locations to take housing growth. It is therefore of significant importance to the Local Plan and that any objections or clarification are properly considered in open forum.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B2 - North East Harpenden, AL5 5EG

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Our clients land is proposed as part of the Broad Location Site B2 shown in the Regulation 19 Plan **Our** clients support this allocation subject to the qualification/caveat below.

Is the Plan justified ?

Whilst the Site B2 north-east Harpenden remains as part of the Local Plan allocation through to its Adoption. our clients will work together with the other land interests in the delivery of a comprehensive scheme Having regard to the recommendations of the Arup Green Belt Study there is a "planning balance" to be drawn between the benefits derived from the wider scheme which includes the provision of a two-form entry primary school, care home, neighbourhood centre and sports facilities against the Green Belt impacts identified in the ARUP Green Belt Study in relation to the whole allocation (SA 24) which was not recommended That planning balance is a matter for others to decide and our clients make no judgement on this point but recognise the benefits which will accrue from the wider allocation.
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delivery of housing. A development of our client's land would be designed so that it overlaps and integrates with a wider Masterplan. As part of the Broad Location, contributions would be made towards the key development requirements education, community and sporting facilities via Section 106 obligations.

Sustainability

The site is in a sustainable location, adjoins the settlement edge of Harpenden and is in close proximity to education facilities of nursery, primary, junior and secondary schools, bus transport links. local facilities of shops. pubs, petrol filing station and employment areas.

Key Development Requirements

As part of the wider allocation it is envisaged that there would be an indicative overarching Masterplan (attached as Appendix 3 is the latest iteration of the Master Plan where clients land edged in bold red). There have been joint meetings with the representatives of the respective interests comprising Crest Nicholson. Miller Homes, Octagon Homes, [redacted] (the owners of Sauncey Lodge) and our clients regarding this Master Plan and the earlier iterations. There is nothing which the parties have discussed in respect of the overarching indicative Masterplan which would prevent a phasing of the development.

Statement of Common Ground

Pursuant to the delivery of Site B2 allocation, the owners have agreed a Statement of Common Ground with St Albans Council, on a without prejudice basis. The agreed common ground is that the Council and the owners generally support what is set out in the Local Plan Part A and the Local Plan Part B, including subject to the alterations indicated above the key development requirements for Site B2.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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In the event the 82 allocation in *its* present form is not accepted, then our clients land identified in the Green Belt Study as RC -3 should be nevertheless shown as a Green Belt release for housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0192 M E Simons Wimms Reg 19 Subs 2024 OCR_[R]_Redacted.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client owns part of Site B2 which is identified as one of the Broad Locations to take housing growth. It is therefore of significant importance to the Local Plan and that any objections or clarification are properly considered in open forum.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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193 - Catesby Estates PLC

Submission Number: 193 Submission Date: 07/11/24 15:55

Respondent: LDA Design Mr Matthew Gibson-King

On Behalf Of Catesby Estates PLC :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Local Plan Process

As mentioned above in our Introduction we have significant concerns over the Council's decision to suddenly speed up the preparation of the Local Plan following the Government's consultation on a draft NPPF and related transitional arrangements. The Council's Planning Policy & Climate (PP&C) Committee has scrutinised the plan across two committee meetings, but it has not been scrutinised by full Council. The local members and local community will feel that the Council have not followed due process when making decisions on progressing the Plan.

Furthermore, a full Council meeting was held on 17th October 2024, halfway through the consultation period to ratify the PP&C Committee's decision to publish the draft Local Plan for this Regulation 19 consultation. The decision by full Council to ratify the Planning Policy & Climate Committees decision has no weight due to the fact that the consultation had already began.

At the full Council meeting on 17 October the Local Plan was also approved for submission to the Secretary of State, even though significant risks were highlighted in relation to the Plan being found unsound at Examination. Members were advised that if the Plan was to be found unsound, due to a lack of evidence available to properly apply the test of soundness, then a revised Plan would need to be prepared. The new Plan would need to plan for a significantly higher level of growth as a result of the updates to the Standard Method, which could amount to a 75% increase in housing need across the District.

This raises the question, why doesn't the Council delay the regulation 19 consultation on the draft Local Plan and prepare a Plan that allocates sufficient land to accommodate this new growth. This is in the light of the 16.8% unaffordability ratio and severe housing shortage, the lack of strategic planning since 1993 and that the Sustainability Appraisal concludes that a higher housing target can be accommodated without significant adverse impacts.

Finally, the approach to plan preparation post-Reg 19 consultation presents a concern that representations made to this consultation will not be fully considered due to the accelerated timetable. The Plan is being considered for Submission by the PP&C Committee just 20 days after the close of the Reg 19 consultation. It has already been decided that it will then be formally submitted for Examination on 2nd December 2024. This is insufficient time for the Council to digest all of the representations made during the Reg 19 consultation and to consider if there are overwhelming 'showstoppers' or other significant concerns before the Plan is progressed.

Duty to Cooperate

It has been highlighted in documents provided to full Council that the accelerated timescale to Submission means that there will be less time to undertake the work to support

Submission of the Plan at Examination, which raises the risk of the Plan being found unsound and the Plan having to be withdrawn.

One of the risks that has been highlighted in the Committee Report[1], taken to the Planning Policy & Climate Committee on the 24th September, is that there will be '*fewer agreed and signed Statements of Common Ground to assist the inspector*' in determining whether the plan is '*sound',* in accordance with the tests set out in paragraph 35 of the NPPF. Without agreed and signed SoCGs the Inspector will not be able to determine if the plan is '*positively prepared*' and '*effective*'.

This is an extremely risky strategy particularly in the light of the failure of this Council's previous attempts to adopt a Local Plan. In both instances the Inspectors have found the plans 'unsound' due to the lack of evidence of effective cooperation with neighbouring authorities.

The Council has published an Overarching Statement of Common Ground with this consultation, which summarises the cross-boundary issues but does not specify where parties agreed or disagree and ultimately how issues will be addressed moving forward. This is particularly important in relation to unmet need from neighbouring authorities, which is a point of discussion in the Sustainability Appraisal. It is highlighted that there is likely to be unmet need arising from Dacorum Borough Council, Welwyn Hatfield District Council, Watford City Council, Three Rivers District Council and Hertsmere Borough Council.

With the preparation of the South West Hertfordshire Joint Spatial Plan (JSP) coming forward slower than expected, and now lagging behind the St Albans Local Plan, it will not be adopted in time for this Plan to align with the JSP emerging strategy. Further DtC information will need to be submitted at Examination to confirm that appropriate cooperation has taken place on cross boundary matters in the absence of the JSP.

Local Plan Intervention

We have considerable concerns about the soundness of the Reg 19 Local Plan and given housing minister Matthew Pennycook's letter to the chief executive of the Planning Inspectorate (PINS)[2] stating that "pragmatism should not be used to address fundamental issues with the soundness of a plan, which would be likely to require pausing or delaying the examination process for more than six months overall" and the recent experience at North Lincolnshire and Elmbridge Local Plan examinations, it would be more expeditious to devise a robust Local Plan now.

South West Hertfordshire Joint Strategic Plan (JSP) and other Hertfordshire Local Plans

The St Albans Local Plan is being prepared in advance of the South West Hertfordshire Joint Strategic Plan as the JSP delivery has been delayed. The work on the JSP gave the platform to effectively cooperative on strategic matters such as unmet housing need within the SW Hertfordshire region. This would have provided the evidence to justify the effective cooperation with neighbouring authorities and therefore discharge the duty to cooperate, overcoming the issues that have held up previous iterations of the Plan at Examination.

Due to the acceleration of the timetable for St Albans the local plans in neighbouring authorities will be at different stages of the plan-making process. Therefore, making discussions about unmet need more challenging as plan periods and evidence will not align. On 17th October, Three Rivers District Council[3] made the decision to pause with the progress of its local plan, to take account of the proposed revisions to the standard method and increased housing targets proposed by the Government in the draft NPPF. There was also a recognition that the Council was proposing a severely reduced housing requirement, which would result in unmet need within the District and ultimately lead to the plan being found 'unsound' at Examination. The Three Rivers local plan is now going to be prepared under the new system with increased housing targets.

This raises concerns that there will be unmet need from Three Rivers District Council, which the St Albans Local Plan 2041 is unable to address or adequately consider, due to its hurried preparation.

In a full Council meeting on 15th October 2024, Dacorum Borough Council decided to move forward with the preparation of its Local Plan and undertake a Regulation 19 consultation starting on 4th November 2024. The published Sustainability Appraisal[4] outlines that the Council's preferred spatial strategy is to plan for its Local Housing Need (LHN) in full. There is, however, a similar discussion related to a justification for a higher growth scenario, given the unmet need arising from elsewhere in the region. There is a consistent recognition that there will be unmet housing needs in the SW Hertfordshire sub-region, which should be addressed through the effective cooperation of neighbouring authorities. The evidence of effective cooperation is however missing from both the Dacorum and St Albans Local Plan consultation documents.

Hertsmere Borough Council conducted a Regulation 18 consultation on their draft local plan in Aril 2024 and the Council has not yet decided on the timetable for the next stage of the preparation of its local plan. The Local Development Scheme[5] states that a Regulation 19 consultation will be conducted in November and December of 2024, with submission in June 2025.

We draw attention to the programmes for other Plans in Hertfordshire to emphasise how the hurried preparation of the St Albans Plan will not promote a co-ordinated approach to Planning for Housing across the County. It also ignores and undermines the purpose of preparing a SW Herts JSP and is contrary to the interests of strategic planning and of achieving an effective and meaningful Duty to Cooperate.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached representation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 7925 GB Review Report Final_[R].pdf
2. 7925_Windridge Farm_Reg 19 Representation_FINAL_[R].pdf
3. SW Herts JSP_Windridge Farm_Additional Information_[R].pdf
4. SW Herts JSP_Windridge Farm_Vision Document_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Spatial Strategy

Sustainability Appraisal – Local Housing Need

The Local Plan seeks to deliver 14,603 dwellings over a 17 year period and includes a 5% uplift to account for unaffordability. The Council's Sustainability Appraisal Report[6] in paragraphs 5.2.16 – 5.2.25 discusses the main reasons for considering a local housing need requirement higher than the standard method and concludes the subsequent affordable housing need is a lot higher than the present Reg 19 Plan is providing for.

Furthermore, the draft revised Standard Method outlined in the consultation on the draft NPPF has increased the weight afforded to affordability in the calculation. This results in a 74% increase in the housing targets for St Albans district, as referenced in Council papers[7]. The housing requirement would be 26,248 dwellings rather than 14,603 over the 17 year plan period. Given this increase, the higher figure is likely to be a more accurate representation of the actual housing needs within St Albans. **It would be a more effective and responsible strategy to plan for more growth than is required, in an attempt to address the severe under provision that has occurred for many years both for affordable housing and needs generally.**

In addition to local housing need there is also a discussion about the affordable housing needs of the district. The Local Housing Needs Assessment[8] identifies a need for 802 affordable homes per annum, which is a very high number relative to LHN of 885. Given that the PPG states that "an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes" it seems unachievable in the present version of the Plan to deliver the required affordable homes in the district given that the need figure is 90.6% of the total annual housing provision being planned for. This supports a higher growth scenario, as this will lower the proportion of affordable housing that needs to be delivered and increase the opportunity for affordable housing being provided for in cross-subsidy schemes with general market housing.

Finally, there is a discussion, in Box 5.1, about unmet housing need from the other authorities in the wider South West Hertfordshire sub-region and neighbouring authorities. The discussion points out that there is likely to be unmet need arising from Dacorum and Hertsmere Borough Councils and significant unmet need from Three Rivers District Council and Welwyn Hatfield District Council.

The discussion concludes that there is a 'high level case for exploring growth scenarios involving setting the housing requirement above the LHN, particularly given the latest understanding of unmet housing need within the sub region'. Why have St Albans chosen not to meet any of these unmet housing needs when it is clear from the SA that a higher level of growth could be accommodated without significant adverse effects? It is furthermore acknowledged that a higher growth level could unlock transport upgrades, which the region urgently requires. This is not a positive strategic, cross boundary planning and it is irresponsible for the Council to not bring forward an ambitious strategy that will more effectively address housing need and affordability across the district and the sub region.

Without the overarching presence of the JSP it is incumbent on the individual planning authorities in the South West Hertfordshire region to effectively cooperate in relation to unmet housing needs and this acknowledgement of their remaining unmet needs without proper evidence of effective engagement between authorities throws into question whether this Plan and other Local Plans across the sub region have been positively prepared. This puts much of the County of Hertfordshire at risk of having no adopted or up to date local plans if plans are found unsound and subsequently withdrawn from Examinations.

Sustainability Appraisal – Growth Scenarios

It is recognised within the SA that planning for 'higher growth at St Albans could unlock or facilitate the delivery of strategic transport infrastructure upgrades'. Later in the discussion it is highlighted that the A414 corridor needs upgrades in order to accommodate the higher level of traffic that will be generated from new development and to fix existing issues at strategic junctions. There is also a recognition that supporting strategic growth locations in the areas where housing is needed, such as St Albans City, would provide the opportunities to develop 'walkable neighbourhoods' through a master planning approach.

Increasing the number of homes being delivered on the urban edge of St Albans would improve the prospects of not only creating new 'walkable neighbourhoods' on allocated sites but also integrating with and improving the connectivity of existing communities to the city centre and new services and facilities.

It is highlighted that a factor for discussion regarding the higher growth option is '*that exporting unmet need may well lead to increased car-miles' (page 136)* however, there is no consideration within the appraisal of the impacts on the transport network of delivering a significant portion of homes across the plan period at Hemel Hempstead. Delivering approximately 38% of the District's growth remotely from its Tier 1 settlement will increase the number of car-miles between Hemel Hempstead and St Albans and will only increase pressure on the A414 corridor, which is the main route between the two settlements, as there is no train link between St Albans and Hemel.

This approach does not align with the objectives of the Local Plan to 'reduce greenhouse gas emissions' and 'prioritise and enable the safe and attractive use of active and sustainable means of transport and reduce the need for people to travel'. It is also contradictory to discounting a higher growth scenario with further allocations on the urban edge of St Albans City.

It is our view that the appraisal fails to highlight the opportunities that would be presented from planning for a higher growth scenario, such as:

- Increased developer contributions towards infrastructure to provide more school provision, health care facilities, highways upgrades and open space provision, all of which have been identified as being required through the Infrastructure Delivery Plan[9].
- Opportunities for biodiversity enhancements and contributing to the emerging Hertfordshire Local Nature Recovery Strategy[10].
- Increase delivery of housing, and affordable housing, increasing the supply of homes and improving affordability across the District.
- Contributing to the unmet needs of neighbouring authorities, helping to address housing delivery at a regional scale.

These additional benefits should be given more weight in the decision on the local housing requirement as the higher growth scenario could contribute significantly to alleviating several of the District's planning issues. **It is our view that the Council should be planning for a higher level of housing that the standard method LHN figure.**

Housing Trajectory

The Council sets out it's housing trajectory on page 26 of the draft Local Plan[11]. It is outlined that a stepped approach is being taken to 'allow for sufficient time for the significant uplift in housing delivery to be realistically delivered'. The stepped approach on housing delivery assumes that none of the allocated sites will deliver in the first 3 years after adoption of the Plan and that the housing requirements will be met through existing permissions and windfall development.

The stepped requirement sets out that the annual housing requirement will be 485 dwellings in the first 5 years of the plan, increasing to 1,255 dwellings in years 6-10 and 1,025 dwellings in years 11-15. The St Albans Housing Delivery Test Action Plan 2022[12] shows that since 1994 an average of 395 dwellings per annum have been delivered and of those years the maximum level of housing delivery was 624 dwellings in 2018/19. The Council should be identifying and allocating

sufficient amounts of deliverable sites to ensure that the annual housing requirement is met from the start of the plan period and to ensure that there is a sufficient supply of land from the point of adoption.

Furthermore, there is a requirement within the plan to deliver 885 dwellings per annum, which amounts to 4,425 dwellings over a five year period, with a 20% buffer, required by para 77 of the NPPF, this figure amounts to 5,310 dwellings over a 5 year period. The current stepped housing trajectory is wholly inadequate as it results in a 2,885 dwelling shortfall in housing delivery within the first 5 years of the plan. This is surely a completely unwanted outcome given the failure of planning for housing in St Albans over the last 30 years or more.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would therefore conclude that the Plan is not *effective* as it relies on a strategy that is inadequate over the plan period. Allocating additional broad locations and small to medium sites that are deliverable before year 6 in the plan period would increase the number of homes being delivered early in the plan and help to ensure a consistent five years supply from the point of adoption.

Phase one (Part A) of Land at Windridge Farm can be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could form a new well integrated urban boundary to St Albans with significant landscaping improvements and the creation of community spaces and new woodland. The scheme would be delivered consistently and help to achieve other policy objectives within the plan.

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We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Hemel Garden Communities (HGC)

The allocation of four housing and employment sites on the northern and eastern edge of Hemel Hempstead is a significant extension to the town that will deliver much needed housing in both Dacorum Borough and St Albans district, it is however inconsistent with the provision of sustainable development for St Albans. Allocating sites on the urban edge of Hemel Hempstead will contribute numerically to the housing requirements of St Albans but it does not align with the Local Plans strategic objectives to '*Prioritise and enable the safe and attractive use of active and sustainable means of transport and reduce the need for people to travel'*and '*Promote adaptation to and mitigation of the Climate Emergency'*by reducing carbon emissions. Nor does the allocation of these sites align with the LCWIP[13] long-term objectives of Climate and Sustainability, Clean Air and Healthy Lifestyles. These allocations will introduce more vehicles onto the A414 between Hemel, St Albans and Watford. Increasing congestion and increasing pollution.

In additional, a raft of highways improvement schemes[14] are identified to enable more effective travel by public transport and it is highlighted that there is no way to 'continuously travel by public transport' along the A414 corridor. It is acknowledged that this contributes to increased car use within the District. If the allocations at Hemel Hempstead are detrimental to the strategy of the draft Local Plan, then a more effective strategy would be to allocate sites to the south of St Albans that will generate contributions to the funding of upgrades to the A414/ North Orbital Road, or to the delivery of the Hertfordshire Essex Rapid Transit (HERT)[15] which is planned along the A414.

Furthermore, the allocation of sites in the south of St Albans could contribute to delivering the improvements to walking and cycling infrastructure identified in the LCWIP which would encourage the use of sustainable modes of transport between Hemel Hempstead and St Albans. The improvements identified in the LCWIP include a long-term aspiration for a segregated cycle route along Hemel Hempstead Road and traffic calming measures along King Harry Lane to provide a safer active travel route. These schemes could be part funded through developer contributions from additional sites allocations in the south of St Albans.

The Hemel Garden Communities are located within the 12.6km Recreational Zone of Influence (ZOI) for the Chilterns Beechwoods SAC which is considered within the Delivery Statement and Local Plan policy LG3 – Hemel Garden Communities Growth Areas Place Principles. The Green Network Vision sets out the creation of significant amounts of SANG and green spaces, and we support the delivery of multifunctional green infrastructure provision to facilitate this.

There is however a potential delivery issue associated with SANG at the HGC. The Council is legally required not to issue decisions within the recreational ZOI until appropriate mitigation is secured through a Mitigation Strategy. It is identified in the Habitats Regulations Assessment[16] that '*whilst not all allocations have a SANG strategy identified, those without a SANG solution in place are not to be occupied until at least year 6 of the Local Plan. The Council has confirmed that they are confident that appropriate SANG solutions will be delivered for all of the relevant sites within the Local Plan'*. If insufficient SANG is identified for all the allocations, then the Council will not legally be able to issue decision on applications submitted at HGC.

Another potential delivery issue is the boundary review of the Chilterns National Landscape[17] that is currently being undertaken by Natural England. Although there are no formal timeframes set out for the review, it is expected that a variation order is to be sought from the Secretary of State in Winter 2025. This could have implications for the housing numbers that can be delivered at the HGC as well as setting back the delivery as the impact of the allocations on the National Landscape are factored into the proposals.

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It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

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* No

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H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 5

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* Yes

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* No

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

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these sites align with the LCWIP[13] long-term objectives of Climate and Sustainability, Clean Air and Healthy Lifestyles. These allocations will introduce more vehicles onto the A414 between Hemel, St Albans and Watford. Increasing congestion and increasing pollution.

In additional, a raft of highways improvement schemes[14] are identified to enable more effective travel by public transport and it is highlighted that there is no way to 'continuously travel by public transport' along the A414 corridor. It is acknowledged that this contributes to increased car use within the District. If the allocations at Hemel Hempstead are detrimental to the strategy of the draft Local Plan, then a more effective strategy would be to allocate sites to the south of St Albans that will generate contributions to the funding of upgrades to the A414/ North Orbital Road, or to the delivery of the Hertfordshire Essex Rapid Transit (HERT)[15] which is planned along the A414.

Furthermore, the allocation of sites in the south of St Albans could contribute to delivering the improvements to walking and cycling infrastructure identified in the LCWIP which would encourage the use of sustainable modes of transport between Hemel Hempstead and St Albans. The improvements identified in the LCWIP include a long-term aspiration for a segregated cycle route along Hemel Hempstead Road and traffic calming measures along King Harry Lane to provide a safer active travel route. These schemes could be part funded through developer contributions from additional sites allocations in the south of St Albans.

The Hemel Garden Communities are located within the 12.6km Recreational Zone of Influence (ZOI) for the Chilterns Beechwoods SAC which is considered within the Delivery Statement and Local Plan policy LG3 – Hemel Garden Communities Growth Areas Place Principles. The Green Network Vision sets out the creation of significant amounts of SANG and green spaces, and we support the delivery of multifunctional green infrastructure provision to facilitate this.

There is however a potential delivery issue associated with SANG at the HGC. The Council is legally required not to issue decisions within the recreational ZOI until appropriate mitigation is secured through a Mitigation Strategy. It is identified in the Habitats Regulations Assessment[16] that '*whilst not all allocations have a SANG strategy identified, those without a SANG solution in place are not to be occupied until at least year 6 of the Local Plan. The Council has confirmed that they are confident that appropriate SANG solutions will be delivered for all of the relevant sites within the Local Plan'*. If insufficient SANG is identified for all the allocations, then the Council will not legally be able to issue decision on applications submitted at HGC.

Another potential delivery issue is the boundary review of the Chilterns National Landscape[17] that is currently being undertaken by Natural England. Although there are no formal timeframes set out for the review, it is expected that a variation order is to be sought from the Secretary of State in Winter 2025. This could have implications for the housing numbers that can be delivered at the HGC as well as setting back the delivery as the impact of the allocations on the National Landscape are factored into the proposals.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Hemel Garden Communities (HGC)

The allocation of four housing and employment sites on the northern and eastern edge of Hemel Hempstead is a significant extension to the town that will deliver much needed housing in both Dacorum Borough and St Albans district, it is however inconsistent with the provision of sustainable development for St Albans. Allocating sites on the urban edge of Hemel Hempstead will contribute numerically to the housing requirements of St Albans but it does not align with the Local Plans strategic objectives to '*Prioritise and enable the safe and attractive use of active and sustainable means of transport and reduce the need for people to travel'*and '*Promote adaptation to and mitigation of the Climate Emergency'*by reducing carbon emissions. Nor does the allocation of these sites align with the LCWIP[13] long-term objectives of Climate and Sustainability, Clean Air and Healthy Lifestyles. These allocations will introduce more vehicles onto the A414 between Hemel, St Albans and Watford. Increasing congestion and increasing pollution.

In additional, a raft of highways improvement schemes[14] are identified to enable more effective travel by public transport and it is highlighted that there is no way to 'continuously travel by public transport' along the A414 corridor. It is acknowledged that this contributes to increased car use within the District. If the allocations at Hemel Hempstead are detrimental to the strategy of the draft Local Plan, then a more effective strategy would be to allocate sites to the south of St Albans that will generate contributions to the funding of upgrades to the A414/ North Orbital Road, or to the delivery of the Hertfordshire Essex Rapid Transit (HERT)[15] which is planned along the A414.

Furthermore, the allocation of sites in the south of St Albans could contribute to delivering the improvements to walking and cycling infrastructure identified in the LCWIP which would encourage the use of sustainable modes of transport between Hemel Hempstead and St Albans. The

improvements identified in the LCWIP include a long-term aspiration for a segregated cycle route along Hemel Hempstead Road and traffic calming measures along King Harry Lane to provide a safer active travel route. These schemes could be part funded through developer contributions from additional sites allocations in the south of St Albans.

The Hemel Garden Communities are located within the 12.6km Recreational Zone of Influence (ZOI) for the Chilterns Beechwoods SAC which is considered within the Delivery Statement and Local Plan policy LG3 – Hemel Garden Communities Growth Areas Place Principles. The Green Network Vision sets out the creation of significant amounts of SANG and green spaces, and we support the delivery of multifunctional green infrastructure provision to facilitate this.

There is however a potential delivery issue associated with SANG at the HGC. The Council is legally required not to issue decisions within the recreational ZOI until appropriate mitigation is secured through a Mitigation Strategy. It is identified in the Habitats Regulations Assessment[16] that '*whilst not all allocations have a SANG strategy identified, those without a SANG solution in place are not to be occupied until at least year 6 of the Local Plan. The Council has confirmed that they are confident that appropriate SANG solutions will be delivered for all of the relevant sites within the Local Plan'*. If insufficient SANG is identified for all the allocations, then the Council will not legally be able to issue decision on applications submitted at HGC.

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The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

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* Yes, I wish to participate in hearing session(s)

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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they are confident that appropriate SANG solutions will be delivered for all of the relevant sites within the Local Plan'. If insufficient SANG is identified for all the allocations, then the Council will not legally be able to issue decision on applications submitted at HGC.

Another potential delivery issue is the boundary review of the Chilterns National Landscape[17] that is currently being undertaken by Natural England. Although there are no formal timeframes set out for the review, it is expected that a variation order is to be sought from the Secretary of State in Winter 2025. This could have implications for the housing numbers that can be delivered at the HGC as well as setting back the delivery as the impact of the allocations on the National Landscape are factored into the proposals.

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The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The site is a thin area of land to the west of Redbourn. The proposed quantum of development appears excessive given the shape of the site and the interfaces with existing built form and the M1, the latter of which is a noise and air quality constraint. There does not appear an appropriate location for a meaningful SANG on site.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

This site is located east of St Albans, close to an existing industrial estate. There are no ‘day to day’ shops in the vicinity and rather than walk through or around the industrial estate, future residents would no doubt rely upon the car. Despite it being a part-brownfield site, it does not appear spatially an appropriate location for residential units. The scale of development there (436 units) appears excessive in such a less-preferable location away from services and facilities.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

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* Yes, I wish to participate in hearing session(s)

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B7 - North West Harpenden, AL5 3NP

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The site assessment set out within Part B of the Local Plan highlights some constraints, including impact upon heritage assets, Tree Preservation Orders and historical flooding issues. The latter in particular is a concern given the requirement to create betterment. The ability to demonstrate this is achievable should be provided at this stage.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

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* Yes, I wish to participate in hearing session(s)

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The railway line separates the site from Watling Street and there is seemingly no connection to the built form to the south. As such, development would create an isolated development, where future occupiers would be reliant upon the car.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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3. SW Herts JSP_Windridge Farm_Additional Information_[R].pdf
4. SW Herts JSP_Windridge Farm_Vision Document_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The site has a grade II listed building located centrally within its boundaries. The scheme will need to respect its special character and historic setting, which has the potential to impact upon the quantum of development. Again, there are concerns regarding any leasing. Continued development of active employment sites will lead to further out-migration and does not represent sustainable development.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

Park Street is a Tier 5 Medium-Sized Village. As such, it has limited facilities. The 104 dwellings would be better placed in a more sustainable settlement such as St Albans. The long frontage along Watling Street also creates the impression of encroachment into the countryside, as highlighted by the Green Belt assessment. The site is also adjacent to a landfill area, and as such will require significant ground testing and remediation to ensure it is suitable for development.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

Chiswell Green is a Tier 5 Medium-Sized Village. As such, it has limited facilities. The 101 dwellings would be better placed in a more sustainable settlement such as St Albans. The private road running through the site will sever the site and require two unconnected development parcels. Spatially, there are serious concerns regarding how this site can provide an appropriately laid-out scheme. The site also has noise impact from the neighbouring land use which may impact upon the quantum of development and capacity of the site.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

As set out above, the site is a narrow strip of land at the western edge of St Albans. It is clearly constrained by tree planting, some of which is protected. This has the potential to impact upon the ability to achieve biodiversity net gain on the site. The site is identified as a Asset of Community Value.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M4 - North of Oakwood Road, Bricket Wood, AL2 3PT

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

Previous comments noted that access form the A405 may not be safe. The Part B comments accept this and note access must be from elsewhere. However, there are no alternatives available. The site is not therefore considered accessible and should be removed as an emerging allocation.

Noise from the M25 and A405 will no doubt require mitigation measures. Acoustic fencing would be inappropriate within a Green Belt location and therefore bunding should be provided. This will have an impact on land available for development given the area required to provide such a feature.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town

and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 23

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The River Ver runs along the middle of the site. This includes areas of flood zones 2 and 3. The NPPF seeks to direct development away from high risk areas. In line with paragraph 161, a sequential risk-based approach should be taken, which will demonstrate more appropriate sites exist within the District. The site will involve loss of trees, and the need to cross the river, which will bring significant cost.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this

new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M8 - Verulam Golf Club, St Albans, AL1 1JG

Comment Number: 24

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The site is well-treed and therefore there are concerns regarding habitat loss and the ability to achieve biodiversity net gain. The site is separated from built form by the existing industrial scheme to the northwest of the site. This will prevent connections being made and the inability to assimilate with existing built form. There are also clear heritage implications from the scheme.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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3. SW Herts JSP_Windridge Farm_Additional Information_[R].pdf
4. SW Herts JSP_Windridge Farm_Vision Document_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The site is a clear spur into the countryside. This is recognised within the Green Belt Review, where a '5' is scored for Purpose 3. Amwell Lane is very narrow and would require widening, in turn removing a significant hedgerow.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M10 - Tippendell Lane and Orchard Drive, How Wood, AL2 2QF

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

Park Street is a Tier 5 Medium-Sized Village. As such, it has limited facilities. The 51 dwellings would be better placed in a more sustainable settlement such as St Albans. The existing planting provides concerns regarding habitat loss and the ability to achieve biodiversity net gain.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M13 - North of Boissy Close, Colney Heath, AL4 0UE

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

Colney Heath is a Tier 6 Green Belt Village. As such, it has limited facilities. The 49 dwellings would be better placed in a more sustainable settlement such as St Albans. The access appears very narrow to serve an additional number of dwellings

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M15 - Bucknalls Drive, Bricket Wood, AL2 3YT

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The site is shown to have an indicative capacity of 44 dwellings. However, achieving this quantum would require significant tree removal.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

The supporting text in Part B confirms that Piggotshill Lane is narrow and cannot serve as a vehicle access, and there is no pedestrian provision. It is therefore unclear how this site can be safely accessed as there are no other connection points. The site is not therefore considered accessible and should be removed as an emerging allocation.

The remediation of the sewage works would also be costly and would likely take a significant time period. The trajectory does not allow for an assessment as to the timeframes proposed to bring this site forward.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

P1 - Smallford Works, Smallford Lane, AL4 0SA

Comment Number: 26

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

Smallford is a Tier 6 Green Belt Village. As such, it has limited facilities. The 58 dwellings would be better placed in a more sustainable settlement such as St Albans. There are concerns regarding the level of remediation required at the site and the neighbouring landfill, and the potential number of leases at the site. It is noted that an appeal (ref: Appeal Ref: APP/B1930/W/20/3260479) at the site refused consent for 100 dwellings and highlighted impacts upon the surrounding countryside.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

P2 - Land at North Orbital Road, AL2 1DL

Comment Number: 27

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, there are a number of draft allocations which raise concerns on consistency:

There are concerns regarding the timings for development at the site, given the level of built form on the site. The site also has the potential for significant noise disturbance from the A414 and will require appropriate mitigation (which may impact upon capacity). The existing access is sub-standard and links to east bound traffic only.

We have to conclude that not only does the Regulation 19 Plan fail to allocate sufficient sites for housing, or enough in the early stages of the Plan Period, but that Windridge Farm is a stronger contender than some sites the Plan does propose as allocations, even on the Council's terms.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is our view that the Plan should allocate more homes across the district to address the serial underdelivery, releasing more Green Belt land to increase the supply of deliverable sites and increase the supply of affordable homes. Site allocations should be increased at St Albans specifically as it is in the most sustainable location within the District, with employment opportunities, sustainable transport links and access to higher order services.

The first phase (Part B) of Land at Windridge Farm could be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could be home to a new community that could be successfully integrated into the existing fabric of the town and provide the opportunity to form a new urban boundary to St Albans with significant landscaping improvements, formation of community spaces and new woodland as a product of creating this new place. The scheme would be delivered consistently with other policies within the plan as well as help to achieve the objectives of the six pillars of the South West Hertfordshire Joint Strategic Plan.

The wider Phase 2 (Part A) land has potential to deliver housing in the medium term alongside new open space and community facilities.

Land at Windridge Farm has the potential to deliver significant levels of housing and affordable housing, to help overcome some of the issues related to housing within St Albans whilst supporting the Council in delivering enhancements to retained Green Belt land.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Sustainability Appraisal Note

Comment Number: 3

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Spatial Strategy

Sustainability Appraisal – Local Housing Need

The Local Plan seeks to deliver 14,603 dwellings over a 17 year period and includes a 5% uplift to account for unaffordability. The Council's Sustainability Appraisal Report[6] in paragraphs 5.2.16 – 5.2.25 discusses the main reasons for considering a local housing need requirement higher than the standard method and concludes the subsequent affordable housing need is a lot higher than the present Reg 19 Plan is providing for.

Furthermore, the draft revised Standard Method outlined in the consultation on the draft NPPF has increased the weight afforded to affordability in the calculation. This results in a 74% increase in the housing targets for St Albans district, as referenced in Council papers[7]. The housing requirement would be 26,248 dwellings rather than 14,603 over the 17 year plan period. Given this increase, the higher figure is likely to be a more accurate representation of the actual housing

needs within St Albans. **It would be a more effective and responsible strategy to plan for more growth than is required, in an attempt to address the severe under provision that has occurred for many years both for affordable housing and needs generally.**

In addition to local housing need there is also a discussion about the affordable housing needs of the district. The Local Housing Needs Assessment[8] identifies a need for 802 affordable homes per annum, which is a very high number relative to LHN of 885. Given that the PPG states that "an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes" it seems unachievable in the present version of the Plan to deliver the required affordable homes in the district given that the need figure is 90.6% of the total annual housing provision being planned for. This supports a higher growth scenario, as this will lower the proportion of affordable housing that needs to be delivered and increase the opportunity for affordable housing being provided for in cross-subsidy schemes with general market housing.

Finally, there is a discussion, in Box 5.1, about unmet housing need from the other authorities in the wider South West Hertfordshire sub-region and neighbouring authorities. The discussion points out that there is likely to be unmet need arising from Dacorum and Hertsmere Borough Councils and significant unmet need from Three Rivers District Council and Welwyn Hatfield District Council.

The discussion concludes that there is a 'high level case for exploring growth scenarios involving setting the housing requirement above the LHN, particularly given the latest understanding of unmet housing need within the sub region'. Why have St Albans chosen not to meet any of these unmet housing needs when it is clear from the SA that a higher level of growth could be accommodated without significant adverse effects? It is furthermore acknowledged that a higher growth level could unlock transport upgrades, which the region urgently requires. This is not a positive strategic, cross boundary planning and it is irresponsible for the Council to not bring forward an ambitious strategy that will more effectively address housing need and affordability across the district and the sub region.

Without the overarching presence of the JSP it is incumbent on the individual planning authorities in the South West Hertfordshire region to effectively cooperate in relation to unmet housing needs and this acknowledgement of their remaining unmet needs without proper evidence of effective engagement between authorities throws into question whether this Plan and other Local Plans across the sub region have been positively prepared. This puts much of the County of Hertfordshire at risk of having no adopted or up to date local plans if plans are found unsound and subsequently withdrawn from Examinations.

<u>Sustainability Appraisal – Growth Scenarios</u>

It is recognised within the SA that planning for 'higher growth at St Albans could unlock or facilitate the delivery of strategic transport infrastructure upgrades'. Later in the discussion it is highlighted that the A414 corridor needs upgrades in order to accommodate the higher level of traffic that will be generated from new development and to fix existing issues at strategic junctions. There is also a recognition that supporting strategic growth locations in the areas where housing is needed, such as St Albans City, would provide the opportunities to develop 'walkable neighbourhoods' through a master planning approach.

Increasing the number of homes being delivered on the urban edge of St Albans would improve the prospects of not only creating new 'walkable neighbourhoods' on allocated sites but also integrating with and improving the connectivity of existing communities to the city centre and new services and facilities.

It is highlighted that a factor for discussion regarding the higher growth option is '*that exporting unmet need may well lead to increased car-miles' (page 136)* however, there is no consideration within the appraisal of the impacts on the transport network of delivering a significant portion of homes across the plan period at Hemel Hempstead. Delivering approximately 38% of the District's

growth remotely from its Tier 1 settlement will increase the number of car-miles between Hemel Hempstead and St Albans and will only increase pressure on the A414 corridor, which is the main route between the two settlements, as there is no train link between St Albans and Hemel.

This approach does not align with the objectives of the Local Plan to 'reduce greenhouse gas emissions' and 'prioritise and enable the safe and attractive use of active and sustainable means of transport and reduce the need for people to travel'. It is also contradictory to discounting a higher growth scenario with further allocations on the urban edge of St Albans City.

It is our view that the appraisal fails to highlight the opportunities that would be presented from planning for a higher growth scenario, such as:

- Increased developer contributions towards infrastructure to provide more school provision, health care facilities, highways upgrades and open space provision, all of which have been identified as being required through the Infrastructure Delivery Plan[9].
- Opportunities for biodiversity enhancements and contributing to the emerging Hertfordshire Local Nature Recovery Strategy[10].
- Increase delivery of housing, and affordable housing, increasing the supply of homes and improving affordability across the District.
- Contributing to the unmet needs of neighbouring authorities, helping to address housing delivery at a regional scale.

These additional benefits should be given more weight in the decision on the local housing requirement as the higher growth scenario could contribute significantly to alleviating several of the District's planning issues. **It is our view that the Council should be planning for a higher level of housing that the standard method LHN figure.**

Housing Trajectory

The Council sets out it's housing trajectory on page 26 of the draft Local Plan[11]. It is outlined that a stepped approach is being taken to 'allow for sufficient time for the significant uplift in housing delivery to be realistically delivered'. The stepped approach on housing delivery assumes that none of the allocated sites will deliver in the first 3 years after adoption of the Plan and that the housing requirements will be met through existing permissions and windfall development.

The stepped requirement sets out that the annual housing requirement will be 485 dwellings in the first 5 years of the plan, increasing to 1,255 dwellings in years 6-10 and 1,025 dwellings in years 11-15. The St Albans Housing Delivery Test Action Plan 2022[12] shows that since 1994 an average of 395 dwellings per annum have been delivered and of those years the maximum level of housing delivery was 624 dwellings in 2018/19. The Council should be identifying and allocating sufficient amounts of deliverable sites to ensure that the annual housing requirement is met from the start of the plan period and to ensure that there is a sufficient supply of land from the point of adoption.

Furthermore, there is a requirement within the plan to deliver 885 dwellings per annum, which amounts to 4,425 dwellings over a five year period, with a 20% buffer, required by para 77 of the NPPF, this figure amounts to 5,310 dwellings over a 5 year period. The current stepped housing trajectory is wholly inadequate as it results in a 2,885 dwelling shortfall in housing delivery within the first 5 years of the plan. This is surely a completely unwanted outcome given the failure of planning for housing in St Albans over the last 30 years or more.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would therefore conclude that the Plan is not *effective* as it relies on a strategy that is inadequate over the plan period. Allocating additional broad locations and small to medium sites that are deliverable before year 6 in the plan period would increase the number of homes being delivered early in the plan and help to ensure a consistent five years supply from the point of adoption.

Phase one (Part A) of Land at Windridge Farm can be delivered early in the plan period and provide circa 450 homes, 180 of which could be affordable. It's location means that it could form a new well integrated urban boundary to St Albans with significant landscaping improvements and the creation of community spaces and new woodland. The scheme would be delivered consistently and help to achieve other policy objectives within the plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 7925 GB Review Report Final_[R].pdf
2. 7925_Windridge Farm_Reg 19 Representation_FINAL_[R].pdf
3. SW Herts JSP_Windridge Farm_Additional Information_[R].pdf
4. SW Herts JSP_Windridge Farm_Vision Document_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We object to this current iteration of the Local Plan, and we believe it is wholly inadequate. Given the lack of strategic planning in the wider region, this plan is not sufficiently ambitious, and falls a long way short of addressing the severe shortage of market or affordable housing within the District.

We challenge the way in which the Council has move forward the local plan and tried to rush it to examination, as well as challenging the site selection process and the spatial strategy which we feel is inadequate.

It is our view that the draft St Albans Local Plan in its current form is unsound and it should therefore not continue to Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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194 - Stonebond Properties Ltd (Gustard Wood)

Submission Number: 194 Submission Date: 07/11/24 16:05

Respondent: Bidwells Mr Mark Harris

On Behalf Of Stonebond Properties Ltd (Gustard Wood) :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 3

Type:

* Policy

Number:

Whole Plan

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

General comments

Stonebond have noted that the at its full Council meeting on October 16th SADC gave approval to submit the Local Plan for examination. This is three weeks prior to the end of the consultation period on the 8th of November. Stonebond have a concern that approval has been given with no consideration of any comments that have been made through the consultation. Whist the committee report sets out that should a show-stopper emerge from the consultation then the decision will return to full Council, Stonebond consider that it is for all members of the Council to properly consider the comments made and make their own determinations on this matter and the soundness of the Local Plan before making a decision to vote for its submission. The decision suggests that SADC will submit the Local Plan for examination regardless of the comments made by representors and as such have predetermined the outcome of the Reg 19 consultation. The approach taken by SADC to effectively beat the transitional arrangements under the new NPPF, consulted on earlier in the year, therefore runs a high risk of legal challenge and Stonebond consider the decision to submit should be made once the consultation has ended and the responses made can be reported to all members of the Council.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Stonebond welcome recognition at paragraph 1.31 of the draft Local Plan that there is a clear need for more homes because of the national situation and that there is a need for more local people to live and work where they were brought up.

They also welcome recognition that there is a need to prioritise the redevelopment of brownfield land, whilst recognising that the scale of the housing crisis both locally and nationally requires the development of greenfield sites and the release of land for the Green Belt.

The Housing Requirement

The latest affordability ratio (Ratio of median house price to median gross annual workplace-based earnings) for St Albans (2023) sits at 17.61. This makes St Albans the fourth least affordable place to live in the country behind the London Boroughs of Kensington and Chelsea, Westminster and Richmond upon Thames. This highlights the drastic need to provide opportunities for new housing locally, particularly given the lack of any new planning policy for the District since 1994.

Policy SP1 (the Spatial Strategy for St Albans) sets out the Council will identify land to delivery at least 885 dwellings per annum in the period from October 2024 to March 2041 – a total of 14,603. As per paragraph 61 of the NPPF (December 2023), this figure should be informed by a local housing needs assessment, utilising the standard method, and provides an '*advisory starting point'* for establishing a housing requirement for the area.

Paragraph 61 goes on to state that there can be exceptional circumstances where an alternative approach could be utilised, which should take into account future demographic trends and market signals, with the Planning Practice Guidance (ID: 2a-010-20201216) going on to state that '*there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates'* and that *'an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes'* (Reference ID: 2a-024-20190220).

These matters are addressed in an updated Housing Needs Assessment (NHA) that covers St Albans and the other South West Hertfordshire Local Authorities. Whilst it is agreed that the economic drivers and infrastructure investment do not indicate a higher level of need, it is abundantly clear that there is a significant affordability issue in St Albans and that the level of affordable housing need (802 dwellings per year) justifies an increase in the overall housing figure to enable a greater proportion of this affordable need to be met.

This point is analysed in the HNA (from paragraph 7.120) without giving a clear answer. Whilst it is explained that there is a complicated relationship with the existing population and that the 802 home figure does not relate solely to new homes, by simply looking at the affordability ratio for the area, it can be concluded that there is a significant affordability issue that justifies an increase in the housing requirement to help deliver a greater proportion of the affordable housing need of the area. Stonebond cannot see where any consideration has been given to this point by SADC.

In addition to this point, the NPPF sets out that the test of soundness on consistency with national policy requires plans to '*enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant'.*

The Written Ministerial Statement of Angela Rayner on 30th July 2024 is therefore a statement of national policy and it needs to be considered if the draft Local Plan is consistent with it.

Although the transitional arrangements are clear that a local plan can be examined in accordance with the NPPF (December 2023) provided it is submitted prior to the publication of the revised NPPF, this does not takeaway from the fact that the Written Ministerial Statement makes it clear that there is a direction of travel in terms of the increased level of housebuilding that is expected nationally, the robustness of the current standard method and the approach to Green Belt release (which is covered in separate representation on other parts of the draft Local Plan).

Stonebond do not believe that SADC have given due regard to the intent of the changes set out in the Written Ministerial Statement and therefore the draft Local Plan fails the test of Soundness on consistency with national policy.

This position can only be remedied by undertaking a review of the draft Local Plan and ensuring updates are provided which seek to maximise housing delivery in line with the intention of national policy, which will clearly require areas such as St Albans to increase the level of homes they plan for. This could be achieved by allocating suitable sites such as The Slype, Gustard Wood which have been unjustifiably removed from the Local Plan.

<u>The Settlement Hierarchy</u>

At Regulation 18 stage, Stonebond made representations that Gustard Wood was rightly identified as a tier 6 settlement. Although the village itself has a limited range of services and facilities, it's functional relationship with the higher order settlements mean it is a sustainable location for growth. The settlement has access to public transport as well as a range of active travel connections which make it a suitable location for some residential development.

Stonebond note that Blackmore End, which is effectively the northern half of the settlement in North Hertfordshire, is inset into the Green Belt, unlike Gustard Wood. This position appears to be inconsistent across the two authorities and indicates that the approach taken by SADC is potentially overly cautious in terms of the assessment of washed over settlements and the conclusion that it is necessary to keep them permanently open.

The fact that North Hertfordshire have inset Blackmore End reinforces the limited contribution the built-up area makes to the purposes of the Green Belt and reinforces the Stonebond's position that sites in the area could be suitable to help meet the development pressures of the area.

although Stonebond understand why Gustard Wood is identified as a Teir 6 Settlement due to the level of access to services and facilities, the fact that Blackmore End in North Hertfordshire to the north is insert from the Green Belt highlights the inconsistency in the approach to taken between the authorities in considering the need for built up areas to be washed over by the Green Belt.

At the moment, all Teir 6 Settlements are washed over by the Green Belt, which effectively implies a link between openness and the sustainability of settlements, which is the other main consideration in the settlement hierarchy. This is not always the case. Stonebond suggest that if openness is to be a consideration in the settlement hierarchy, there should be a consistent approach to the matter across the boundaries with neighbouring authorities. If this were to be the case, it is suggested that the settlement hierarchy would need to be adjusted to ensure that Gustard Wood is referred to as a settlement inset from the Green Belt, consistent with the approach to the neighbouring authority.

This may require further adjustment of the overall settlement hierarchy and how the settlements are organised into the tiers but is necessary to ensure an effective and coherent strategy across the area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Increase the housing requirement to take account of the clear need to uplift the housing figure to respond to local affordability issues and the direction of travel set out in the Written Ministerial Statement of 3oth July,

Update the Settlement Hierarchy to be consistent with the approach of North Hertfordshire which insets Blackmore End (adjoined to Gustard Wood) into the Green Belt.

Re-consider the Settlement Hierarchy in the contest of the unjustified link between openess and and sustainability.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss concerns regarding the approach of the Council in setting the housing requirement.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Type:

* Paragraph

Number:

3.18-319, policy SP3, housing trajectory

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The Green Belt Assessment

In searching for sites, the approach of the Council has been to look at sites within a buffer around settlements. This is clarified in section 4.2.1 of the Green Belt Assessment (2023) where it is stated '*the GBR Stage 2 feeds directly into SACDC's site selection process. It was therefore appropriate to undertake a more spatially focussed piece of work. The initial area of search was defined by applying a buffer around each settlement inset from the green belt, which would assist in encouraging sustainable pattern of development accessible to existing settlements and maintain the integrity of the Green Belt. This approach ensured a proportionate and focused study.'*

On page 21, it is set out that '*it was agreed that the character of the urban settlements and the approach for a finer grain assessment leant itself to a 400m buffer for the main settlements while a 250m buffer was considered reasonable buffer for lower order settlements (Table 4.1, Figure 4.2). These buffers indicate the likely maximum extent of sustainable development and vary accordingly to the position of the built-up area in the settlement hierarchy'.*

Whilst Stonebond have some concern with this approach and its consistency with national policy, particularly the lack of consideration of access to public transport set out at paragraph 147, they recognise the positive steps that SADC have taken to identify areas within the Green Belt that may be suitable to accommodate development.

There is clearly merit in reviewing the edge of settlements to see if there are appropriate small sites that do not meet the purposes of the Green Belt and could be utilised to meet local development needs as part of the Green Belt review process. In the case of Gustard Wood, this includes looking within 200m of the settlement boundary – but only because of the classicisation on Blackmore End to the north which, as set out above, is inset from the Green Belt. Stonebond support the approach of the Council in utilising the relationship with Balckmore End, but would

point out that the search area would be widened if Gustard Wood was inset in the Green Belt as suggested above. If this change were made, it would reinforce the location of a site they control (north of the Slype, Gustard Wood – HELAA reference WH-10-18) as lying well within the 250m buffer zone used to identify potential sites.

The Green Belt Assessment concludes that the site is recommended for further consideration. Stonebond do not seek a change to the Green Belt Assessment with regards to site WH-10-18, with the points above made for context. However, the do seek a change in response to how the Site Selection process has been made which has led to the non-allocation of their site

Site Selection in the Green Belt

As note above site WH-10-18 is noted in the Green Belt Assessment as being suitable for further consideration. This led to the proposed allocation of the site within the Regulation 18 consultation, with no other issues raised that would precede the allocation of the site. To back up this conclusion, Stonebond have prepared further technical work in the form of a Transport Statement (prepared by Motion) and Landscape Visual Impact Technical Note (prepared by Ramboll) which confirm how emerging development proposals on the site can be sustainably delivered without adverse impacts on the landscape or highway network.

Despite this positive position, the site has been taken out of the draft Local Plan at Regulation 19 stage with the revised Site Assessment Work noting '*Technical work undertaken by Natural England, regarding the characteristics of land that meets their criteria for an extension to the Chilterns National Landscape into St Albans City & District, includes this site'.* A number of other sensitives have been identified with the site, but Stonebond would note that these were all known at Regualtion18 stage and were not considered to justify not taking the site forward to allocation.

The tests of soundness are clear that the preparation of Local Plans sound be based on proportionate evidence. However not one piece of evidence has been published by SADC to support their position and inform those with an interest in the development of the Local Plan how they have come to their conclusion. The revised Site Assessment Report does not reference a particular report to back up the position taken by SADC and there is no visibility of any of the work that has been undertaken to inform the boundary review. Therefore, there is no way of being able to say that the approach adopted by SADC meets the test of being informed by a proportionate evidence base.

The approach of SADC effectively pre-empts the outcome of a statutory process. There is no way of SADC knowing what the outcome of the process will be, making the decision to remove the site premature.

According to the FAQs paper prepared by Natural England (attached), there is still extensive work and consultation to be undertaken. As of July 2024, the FAQs note the dates for of '*identifying proposed boundary changeswere yet to be confirmed'*. The June 2024 update to the Planning Policy Committee confirmed that Officers were *'aware that the general extent of the Natural England recommended National Landscape Extension is in the northern part of the District'*. This information is not published anywhere and is not publicly available.

What is publicly available is the Regulation 18 response of Natural England to SADC in September 2023 which sets out that 22 sites lie within the proposed area of search that they are considering for a *'possible'* variation to the Chilterns Area of Outstanding Natural Beauty. Given this position, it is not clear why only four sites have been removed as draft allocations since the Regulation 18 consultation, suggesting an inconsistency in the approach of SADC.

Within their response, Natural England are very clear on the position with regard to these sites and what work the SADC need to do to inform their Local Plan. The letter states:

Although the assessment process does not confer any additional planning protection, the impact of the proposal on the natural beauty of this area may be a material consideration in the determination of the development proposal. Natural England considers the Chilterns to be a valued landscape in line with paragraph 174 of the National Planning Policy Framework (NPPF). Furthermore, paragraph 176 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies.

An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issue of the designation order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.

From this response, it is clear the ongoing assessment process does not give any protection to sites identified as being in the area of search. This would only be the case from the point a Variation Order is made by Natural England. What is relevant is the fact that Natural England consider the area to be a valued landscape and therefore require an assessment of the landscape and the visual impacts of proposals on the area.

This process would allow opportunities to minimise impacts on the landscape and possibly secure enhancements. From a review of the evidence base prepared by the Council, this has only happened (after site selection has already taken place) for the 12 broad locations identified for development in the draft Local Plan and therefore backs up the position of Stonebond that the evidence base to justify their draft Local Plan is deficient and the Local Plan fails the test of soundness.

The FAQs provided by Natural England reaffirm the relationship between the planning process and the variation process, setting out '…*if land has been identified in an adopted local plan or if there is a planning proposal has been submitted, then this would most likely result in the land not being proposed for designation.'* This indicates that the Local Plan process should continue in advance of any review, rather than the review unduly impacting on the plan making process until it is sufficiently advanced.

To inform their position, Stonebond have instructed Ramboll to prepare a Landscape and Visual Technical Note for their site at Gustard Wood, which is submitted with this representation. This assessment concludes that the site:

- Does not display the special qualities that have been identified for the Chilterns National Landscape
- Does not adversely affect the purposes of the Green Belt
- Can be delivered without adversely affecting the valued landscape character of the area
- Can accommodate the proposed development of c.50 dwellings through appropriate massing, material use and landscape screening

On this basis, Stonebond do not believe that a landscape assessment of the site would justify the non-allocation of Site WH-10-18. Without SADC undertaking this work as part of the Site assessment process, the approach of the Council is flawed and the plan cannot be considered sound. Stonebond consider that this can only be resolved by revisiting the Site Assessment Process.

Related to this point, Stonebond note that paragraph 145 of the NPPF sets out that when Green Belt boundaries are to be redrawn, the boundary should be able to be '*endure beyond the plan period'.* Paragraph 148 goes on to state that *'plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the Plan period'.*

In the St Albans case, it is known that there will need to be an early review of the Local Plan to meet the transitional arrangements for plan making set out in the recent consultation on the NPPF. Although weight cannot be given to the proposed revisions to the NPPF, the consultation document and Written Ministerial Statement, which are material planning considerations, clarify the position meaning SADC are going ahead with the Local Plan in the knowledge that they will have to carry out an early review to meet a significantly higher housing number which will inevitably lead to further Green Belt release.

Given this context and the requirement in the current NPPF for Green Belt boundaries to have longevity, Stonebond do not believe that the approach of SADC meets the soundness test of compliance with national policy. This can be addressed through a more evidence-based assessment of all alternative sites to allow all suitable Green Belt sites to be identified and allocated for development.

Housing Trajectory

SADC have included a stepped housing trajectory in their draft Local Plan. Whilst Stonebond do not disagree that an element of 'stepping' in the trajectory given the number of strategic sites and their likely lead in times, the PPG (Reference ID: 68-021-20190722) is clear that '*strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period'*

The only justification for the stepped trajectory is that it is necessary to *'allow sufficient time for the significant uplift in housing delivery to be realistically delivered'.* This does not constitute the necessary evidence to satisfy the PPG requirements.

Stonebond also believe the approach taken by SADC unnecessarily delays the delivery of housing by not identifying all suitable small/medium sites for allocation, the development of which could be realised sooner in the plan period. Stonebond's site at Gustard Wood (WH-10-18) is an example of such a site.

Further, the trajectory does not show any scope for slippage in the supply of sites, with the backloading of delivery of major sites in the plan period. Whilst an allowance has been made for the lead in times to commence development on major sites, there is only a very small contingency on the supply side (295 dwellings – equivalent to 2% of the requirements) to account for any unforeseen delays in delivery.

It is standard practice for at least a 10% buffer in the supply of sites to made allowed in the development of Local Plans to allow for unforeseen delays in delivery. This would suggest a buffer in supply of closer to 1,460 dwellings should be allowed making a shortfall in identified supply of 1,165 dwellings (notwithstanding later points made in relation to sites).

The nature of the proposed allocations means that there is no scope to realise the development of sites sooner in the plan period. It is therefore essential for the soundness of the Local Plan that additional small/medium sized sites such as WH-10-18 are identified for delivery in the earlier years of the Plan period, otherwise it is highly unlikely that the planned housing need will be delivered as required, making the plan ineffective. Such sites could be introduced as main modifications to the draft Local Plan.

Windfall

Stonebond note that there is no proper explanation to justify the 145-dwelling windfall allowance shown in the trajectory. The NPPF (paragraph 72) sets out that 'w*here an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends'.*

SADC have prepared an updated paper (Housing Land Supply, Windfall and Housing Capacity Evidence Paper, September 2024) which includes a section on windfall. This sets out that a reduced windfall requirement of 145 dwellings per annum is now included in the housing trajectory, down from 180 at Regulation 18 stage. This is because of a review of the previous report to take account of latest completion rates.

However, at no point is there any proper analysis of the trends in supply and whether the past rate of development, which is what the windfall allowance is solely based on, is likely to continue going forward. Without this analysis, it cannot be said that there is 'compelling evidence' that the windfall will continue to provide a reliable source of supply in the future as required by national policy. This is particularly the case given the 45-dwelling reduction from Regulation 18 stage, which implies a falling rate of windfall completions.

Further, it is unclear whether there is double counting within the allowance. Although it was made clear at paragraph 3.56 of the 2020 HELAA (where the previous windfall figure was justified) that Green Belt sites were excluded from the windfall allowance based on the fact such sites are to be allocated, paragraph 3.56 went on to state that '*Previously Developed Land (PDL) in the Green Belt has been included in the windfall calculations because the evidence demonstrates it consistently makes up part of annual completions in the District'*. The limited analysis in the new Windfall Paper does not make this point clear as there is no proper analysis of the figures.

This suggests a clear double counting in supply given Part B of the Local Plan clearly allocates brownfield sites in the Green Belt for development.

It is also unclear how the contribution that other small/medium allocations will make to future land supply has been factored in the assessment of windfall. The draft Local Plan includes a number of brownfield sites within settlements that could reasonably be expected to be realised as windfall development if the Local Plan were not to be adopted. We would have expected to see a discussion around this point in Windfall Paper and without it, it cannot be concluded if the contribution of allocated sites within the draft Local Plan has effectively been double counted.

Therefore, Stonebond consider that the windfall allowance shown in the housing trajectory is neither justified nor compliant with national policy and needs to be amended to make the Local Plan sound. This is likely to lead to a position where there is a shortfall in housing land supply within the Local Plan to meet the minimum housing need of the area. This is a particular issue in the early years of the Plan where there is a high reliance on the delivery of windfall sites to meet the housing needs. This issue could be resolved by identifying more housing allocations on Small and Medium sites such as MH-10-18. Without further justification, it is not clear where these windfall development sites will be located as following the adoption of the Local Plan, the development of new Green Belt sites through windfall is unlikely.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Update the Green Belt assessment to reflect the role of the existing area of Gustard Wood as part of the higher order settlement Blackmore End.

Prepare landscape assessment work to inform the site selection process for Green Belt sites in line with the advice of Natural England at regulation 18 stage.

Amend the site selection process to remove the potential for sites to possible be included within a revised national landscape designation as a reason to rule sites out. This appears contrary to Natural England advice on the status of the ongoing review.

Publish any evidence that justifies the identification of sites within a potential expansion of the Chilterns National Landscape area.

Carry out a thorough review of the Green Belt boundary in the context of the known increase in housing need to allow the boundary to endure beyond the plan period.

Provide additional site specific information and justification for the Housing Trajectory,

Make additional small/medium sized allocations to address the shortfall in short term delivery, reducing the need for an unnecessary stepped trajectory.

Provide additional housing sites to add to the buffer in supply, which is too small to be effective.

Provide additional justification for the windfall allowance, specifially ruling out any double counting as a resutl of the allcoation of brownfield sites in the Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Landscape Green Belt note - Gustard Wood _[R].pdf
2. Natural England - Reg_ 18 Response_[R].pdf
3. File_corrupted_and_cannot_be_opened_[R].pdf
4. R01-stslyp-Transport Statement 2024-11-06 [Final]_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss significant evidential issues with the Council and the Inspector

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 4

Type:

* Policy

Number:

Part B Generally

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Stonebond do not believe that enough housing allocations have been identified to meet the current and growing need of the District. The removal of sites such as WH-10-18 are not justified. SADC should be identifying more housing allocations, in addition to all of those previously draft allocated at the Regulation 18 stage.

As set out in relation to other areas of the draft Local Plan, Stonebond are of the view that there is:

1. a) insufficient land identified to meet housing need over the plan period;
2. b) the windfall analysis is not justified; and
3. c) there is a lack of contingency in the supply of sites to ensure the housing requirements of the area can be met.

These factors indicated that there is a need to add additional sites, specifically deliverable small and medium sized sites, to the Local Plan to make it sound.

Whilst not objecting to the proposed allocations in Part B of the draft Local Plan, there are a number of specific observations that Stonebond wish to make in relation to sites, or groups of sites.

<u>Car Parks</u>

A number of sites identified in Part B of the draft Local Plan are car parks, including those in use by the public. A number of these car parks are still in use and it is stated that they will need a parking survey before any proposal is approved. It is therefore unclear whether the sites are actually available for development or what the impact on their redevelopment would be on the areas in which they sit (e.g. in terms of availability of parking, economic impacts etc.…).

A number of the sites are also noted as lying within or adjacent to Conservation Areas, meaning they are sensitive in nature. Given this constraint, it is highly likely that the number of homes that have been assumed on some of the sites will not be realised, particularly given the high densities assumed (e.g. UC2 has a density of 126 dwellings per hectare despite being in the Conservation Area and close to a number of Listed and Locally Listed Buildings).

This sort of uncertainty highlights the need for a greater buffer in the land supply to ensure sufficient homes can be delivered over the plan period to meet local needs. Without additional sites added via main modification, it is not considered that the Local Plan can be considered effective and therefore sound.

Previously Developed Sites in the Green Belt

As note earlier in this representation, the 2020 HELAA was clear that brownfield sites in the Green Belt form part of the brownfield allowance. This point is not addressed in the new Windfall Assessment but Stonebond consider that the inclusion of these sites as housing allocations likely to be a double counting of housing numbers.

In the context of a likely shortfall in land supply to meet the minimum housing requirements, to make the Local Plan sound, as addressed in relation to the Green Belt Assessment and site selection process, the Council need to revisit the assessment of sites and include suitable sites in Part B of the Local Plan as allocations.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Provide additioal justification for the inclusion of car parks as residential allocations, including the availability of parking and the impact on the local economy.

Clarify the relationship between allocated brownfield sites and the windfall allowance. Identify additional small medium sites to increase the supply of land in the area, reflecting comment of other aspects of the Local Plan

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss the shortfall in the supply of small and medium sized sites and concerns about those sites identified in the Local Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

195 - The owners of land at Piggottshill Lane

Submission Number: 195 Submission Date: 07/11/24 16:35

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Piggottshill Lane :

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Site M19 – Land at Piggottshill Lane, Harpenden

- The Regulation 19 draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref M19. This proposal is **strongly supported** by the owners of this site. As is set out elsewhere in this report, the land is suitable for development and should be allocated in the Local Plan.
- A total of 29 dwellings is indicatively proposed for the site and this level of provision is supported at this stage of plan-making.
- The policy allocating this site refers to “key development requirements”, which are repeated below, along with a brief commentary on behalf of the landowner:

1. *Piggottshill Lane is narrow and cannot serve as the vehicle access route due to the scale of development and nature of the lane and there is currently no pedestrian provision. Suitable access and design across land to the west of the site, including for pedestrians and cyclists, will need to be agreed with the County Council.*

The limitations of Piggottshill Lane in providing vehicular access for a site of this scale are recognised. The planning application made on this site recently (ref. 5/22/2616) established that vehicular access for up to 6 dwellings down Piggottshill Lane was acceptable, subject to various mitigation works in the form of passing places, and this forms part of the context for considering access to a larger number of dwellings. Discussions have taken place with the owners of the land west of this site (St Albans City and District Council) with a view to providing vehicular access from Waldegrave Park to serve development on site M19 alongside potential development of the adjacent site UC47, as envisaged in Policy M19.

2. *Access including for pedestrians and cycles to the allocated site to the west (Site UC47) must be facilitated.*

The agreement on access would cover both access from Waldegrave Park to the west through site UC47 and access from Piggottshill Lane through site M19.

3. *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*

The Local Highway Authority would seek a section 106 contribution towards sustainable travel, which would address contributions to wider transport schemes.

4. *Contributions to wider active travel routes including to the Town Centre and train station should be considered and could include crossing and junction improvements along Crabtree Lane as well as footway improvements along Aldwickbury Crescent / Dalkeith Rd (all as per LCWIP).*

As above, this would be addressed at planning application stage, although the scale of the site is likely to mean that contributions are limited.

5. *In accordance with adopted Waste Local Plan Policy 5: Safeguarding of Sites, the nearby safeguarded Sewage Treatment Works must be considered in the design to ensure no unreasonable restrictions are placed upon the facility and the proposal does not prejudice its current or future operation. The Waste Planning Authority must be involved in scheme Design and will be directly consulted on any planning application at the site.*

Noted, the presence of the Sewage Treatment Works needs to be considered at the design stage but is not expected to be a constraint.

6. *Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 3; Historic Landfill.*

A Phase One Desk Study has been undertaken on the site by JNP Group. This report identified a number of issues that would need further exploration at planning application stage but none that would prevent the allocation of the site.

- In summary, we consider Policy M17 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Piggottshill Lane - November 2024 FIN_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M19 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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196 - The owners of land at Piggottshill Lane

Submission Number: 196 Submission Date: 07/11/24 16:37

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Piggottshill Lane :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Piggottshill Lane - November 2024 FIN_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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197 - The owners of land at Piggottshill Lane

Submission Number: 197 Submission Date: 07/11/24 16:40

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Piggottshill Lane :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG4 – Large, Medium and Small sites

- Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.
- As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a "considered approach to development" (criterion a) and "Excellence in design, energy efficiency and water management" (e). Other aspects of LG4 don't need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.
- We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the "effectiveness" soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.
- Notwithstanding our high-level concerns about Policy LG4, it contains a number of requirements that have viability implications for new development, such as the requirement for affordable housing, self- or custom-build housing, highway improvements and tree planting. The viability consequences of these aspects are considered in the Council's viability assessment prepared by BNP Paribas.
- Section 5.0 of this report outlines our concerns in respect of the Council's viability appraisal and these are not repeated here but, in summary, we have concerns that the cumulative impact of the proposed policy requirements is not fully considered and that the actual viability impacts of the draft Local Plan are likely to be higher than anticipated.

- For clarity, we are not making a case that the policy requirements of the draft Local Plan render development at the report site unviable. The report site is a greenfield site with a low alternative use value. Rather, it is a question of making sure that the proposed policy obligations are reasonable and meet the soundness tests. At this stage, it does not appear that the draft Local Plan is based on sufficient evidence and, as such, would struggle to meet the "justified" soundness test. The viability appraisal should be updated with a more accurate assessment of the likely costs involved.
- In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Piggottshill Lane - November 2024 FIN_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M19 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised."

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

198 - The owners of land at Piggottshill Lane

Submission Number: 198 Submission Date: 07/11/24 16:42

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Piggottshill Lane :

LG6 - Green Belt Compensatory Improvements

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG6 – Green Belt Compensatory Improvements

- Policy LG6 is the Council's response to paragraph 147 of the NPPF, which encourages Local Plans to consider *"ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land"*.
- Part a) of this policy requires a Green Belt compensation strategy to be provided for those Part B allocations facilitated by a Green Belt boundary change. The degree to which sites are able to facilitate compensation will vary depending on the specifics of the site and surroundings. Many of the Broad Locations propose significant new areas of open space or country parks and these are exactly the sort of policy measures encouraged by the NPPF. However, on smaller sites or where sites do not adjoin existing rights of way, opportunities are likely to be limited.
- In our view, the improvements to the environmental quality and accessibility of the remaining Green Belt proposed at the Broad Locations is sufficient to discharge paragraph 147 of the NPPF. Applying the obligation to smaller sites is not necessary and could delay much-needed new housing.
- Criteria b) to e) appear to be a rehash of policy requirements that are already set out elsewhere in the draft Plan. Specifically:

1. Part b) of this policy reiterates the requirements of policy NEB1 and should be deleted as unnecessary repetition.
2. Part c) of this policy reiterates the requirements of policies NEB5 and NEB12 and should be deleted as unnecessary repetition.
3. Parts d) and e) of this policy reiterate the requirements of policies TRA1 and SP10 and should be deleted as unnecessary repetition.

- There does not appear to be any specific or unique obligations on the Part B sites that would not apply to other proposed development on the edge of the Green Belt. It would avoid confusion and repetition if these elements of the policy were deleted.
- Part f) of Policy LG6 requires development of Part B sites to *"Provide woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside"*. This appears to be an attempt to limit the impact on the views from existing dwellings. We have two concerns with this. Firstly, protecting individual views is not typically the role of the planning.
- Secondly, this requirement could impact on overall site capacity. The requirement for "woodland buffer planting" suggests a depth of planting, rather than a single line of trees. How deep would this planting need to be to be considered "woodland"? This could be achievable on larger sites but on small sites adjacent to the urban area, the loss of a 10m strip to woodland planting could seriously impact the capacity of the site as a whole, and therefore threaten the Council's overall housing target.
- Furthermore, the report site is adjacent to "established urban areas" on three sides – north, west and south. To the west is non-residential development, while to the north is residential development that is set at 90 degrees to the site so the property does not overlook the site. To the south, the rear of residential properties does face towards the site but a belt of existing trees separates any views and these trees would remain.
- The need for buffer planting should be considered on a case-by-case basis at the planning application stage, particularly given the context of this site. A blanket policy requirement is not appropriate.
- In summary, we consider Policy LG6 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness test.** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Piggottshill Lane - November 2024 FIN_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of site M19 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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199 - The owners of land at Piggottshill Lane

Submission Number: 199 Submission Date: 07/11/24 16:44

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of The owners of land at Piggottshill Lane :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

- The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.
- Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".
- In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Piggottshill Lane - November 2024 FIN_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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200 - Lawes Agricultural Trust

Submission Number: 200 Submission Date: 07/11/24 16:49

Respondent: Montagu Evans Mr Amran Nagra

On Behalf Of Lawes Agricultural Trust :

CE2 - Renewable and Low Carbon Energy

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Lawes Agricultural Trust supports the principles of Policy CE2 in supporting the transition to a low-carbon energy network, however, does not feel that the opportunities available are fully reflected and further work is required to make this effective if it is to be considered Sound.

We note the updated draft plan does make additional reference to solar panels, specifically at point d) which states *'To maintain the public benefits of renewable power, proposals which overshadow existing solar panels should be avoided and / or mitigated'.*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

However, in our view, the policy wording could still go further, specifically, by discussing the role of solar farms and supporting infrastructure such as Battery Energy Storage Systems (BESS) has in moving to a more sustainable future. Part c) i of the emerging policy remains the only reference to the use of solar power solely through the inclusion of panels, thermal-heaters and passive heating on south-facing designs.

We maintain our recommendation that the policy should discuss solar farms and the associated benefits. As currently worded, this is a notable omission from the Policy, and if the Council are to meet this sustainability objective the policy should be developed further to include reference to

solar farms. We would also take the opportunity to reiterate that this amendment would assist in the implementation of Strategic Policy SP3 which specifically makes reference to renewable and low carbon energy generation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 Rothamsted Research Reg 19 Representations FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We note the previous iteration of the draft local plan allocated part of the Rothamsted Campus site for the delivery of circa 55 residential units (Allocation M11). It was highlighted that release of the land from the Green Belt should be for inclusion within the Rothamsted Campus for the development of scientific buildings.

We offer further comments on the Allocation separately but would like to express our support for the omission of Allocation M11. This decision by the Council acknowledges that the site will not be brought forward for residential development, which would have contributed to the Housing Trajectory for "other green belt site allocations."

Instead, the site is now allocated under 'other sites' OS3 and OS4—specifically, the "Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ." These new allocations ensure that the proposals will provide the anticipated increase in employment floorspace outlined in Policy SP3 without negatively impacting the Green Belt.

This change is supported and considered sound as it ensures that other policies of the plan (i.e. those relating to Rothamsted Research) will be effective in their application.

With regard to the Council's housing approach, however, we do believe that the Plan does not go far enough to ensuring the delivery of a suitable supply of homes across the District.

Policy SP3 identifies the minimum residential need be delivered over the life of the plan, targeting 14,603 homes to 31 March 2041. This is 3,795 homes above the total number of residential sites identified in Part B – Local Plan Sites, with 2,103 (55%) of this shortfall to be delivered via the windfall allowance (Table 3.2 – Housing Trajectory).

We are of the opinion that the Council is in a position to be reducing this reliance on the windfall allowance by allocating additional sites for development. This approach is especially pertinent to the soundness of the plan given the track record on housing delivery (scoring only 69% in the 2022 Housing Delivery Test), and the reduction in capacity of the allocated sites by 971 homes that has already taken place between the Regulation 18 and 19 stages of the Plan. Allocating additional sites as an alternative strategy will help to provide surety of delivery and the effective delivery of the plan.

It is also noted that under the emerging NPPF, housing need could increase to 1,544 homes per annum. Whilst the transitional arrangements for the NPPF are noted, this significant increase in housing need identifies that the Council should be doing all it can to maximise housing delivery at this point to assist with future supply and plan making which would have to respond to further undersupply.

For the plan to be sound, therefore, every effort should be taken to maximise housing delivery through a proactive plan-led approach. LG1 – Broad Locations also makes reference to "unallocated windfall development at this scale" (being over 250 homes), indicating that the Council are expecting larger development opportunities to come forward. This is not a sound approach as it indicates that the Council are aware of such sites and, in which case, should be releasing land from the green belt / allocating them for development. This is especially pertinent given the new "grey belt" definition coming forward in the new NPPF, thus identifying these sites now would assist with housing delivery by reducing complexity in the planning process.

There are also exceptional circumstances to the release of land at Redbourn as it will directly support the long-term investment into the Rothamsted Campus. The scenario where this land is allocated not only supports housing delivery, but also the Council's objectives around the continuing work of Rothamsted Research as per Policies EMP1 and EMP4.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

At present the plan is unsound as it is not based upon the most appropriate strategy for housing delivery to meet the minimum (and anticipated) housing needs. Additional sites should be allocated, including the land at Redbourn to reduce the reliance on windfall sites and to ensure policies for Rothamsted Research and housing delivery remain effective.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 Rothamsted Research Reg 19 Representations FINAL_[R].pdf

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* Yes, I wish to participate in hearing session(s)

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Emerging Policy LG5 seeks to protect the Green Belt in line with national policy and includes scenarios where the principle of development is supported and/or there is an acceptance that a “very special circumstance” (“VSC”) for development can be made to support proposals that may otherwise been seen as inappropriate development.

The Lawes Agricultural Trust encourages the inclusion of part a) iii which provides in principle support for productive and sustainable farming within the Green Belt.

We had previously written that in line with comments made on the effectiveness of Policy EMP4, the Lawes Agricultural Trust would welcome scope of LG5 expanded to highlight the role and function of the institution and the very special circumstances surrounding the research undertaken. Specifically, it was suggested that this could be achieved through an amendment to Part B of the policy to make reference to “research and development” activities as those which demonstrate very special circumstances.

The rationale for this amendment is grounded in the fact that a significant portion of the landholding is situated within the Green Belt, necessitating operational development that supports agricultural research. This encompasses not only research farm buildings and worker accommodations but also security measures, scientific monitoring equipment, and the development of future technologies or research buildings aimed at advancing sustainable farming techniques.

We maintain therefore that Incorporating recognition of VSC for these types of developments within the policy wording would help minimise potential conflicts during the application stage of Policies LG5 and EMP4. We would urge the Council to consider this addition for the Plan to be effective and sound.LG7 – Affordable Housing Development in the Green Belt (rural exception sites)

The Regulation 19 version of the policy still fails to clarify that not all rural exception sites are for affordable housing, as there is need to deliver accommodation for workers associated with surrounding land uses such as agriculture and farming.

The wording of emerging Policy LG7 does not include an allowance for such forms of development to come forward as rural exception sites, as the policy requires accommodation to be secured as social rented housing through a legal agreement. Consistent with our regulation 18 representations, we maintain that this approach does not align with agricultural tenancies as these would not be managed by a registered provider.

It is also noted that there is a specific need for housing for those in the scientific community who are unable to qualify for affordable housing / need specialist locations. These too represent a need that has to be met and presents very special circumstances for development in the green belt and should be recognised.

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We still contend therefore, for the Local Plan to be effective and ensure that housing comes forward to meet housing requirements, Policy LG7 be revised to make specific reference to affordable accommodation in the green belt for agricultural and scientific workers if this plan is to be effective in supporting housing need and the ongoing work for Rothamsted Research.

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I would like to be notified about the adoption of the Local Plan:

* Yes

LG7 - Affordable housing in the Green Belt (rural exception sites)

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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I would like to be notified about the adoption of the Local Plan:

* Yes

LG9 - Extension or Replacement of Buildings in the Green Belt

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Under our regulation 18 representations, we had requested that to support the application of Policy LG5, the wording of Policy LG9 be revised to include reference to the ability for Very Special Circumstances to be put forward to support the extension or replacement of buildings in the Green Belt.

Notwithstanding the requirements of Policy HE1, we wish to reiterate the importance of recognising designated heritage assets which may require extensions and adaptions to buildings (including outbuildings) to secure a viable long-term future.

As worded both in the regulation 18 and 19 versions of the Local Plan, this policy reads as though its application is focused on domestic residential dwellings within the green belt and does not account for the various building typologies that may need to be extended and/or replaced.

The Regulation 19 publication confirms that emerging Policy LG9, specifically Table 3.3, has been updated to distinguish between ‘moderate’ and ‘well’ performance against the criteria in points b) and c). However, we maintain that the policy adopts a binary approach to extensions that does not allow for adequate consideration of their effects on the Green Belt, especially in cases where a VSC argument is relevant.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Therefore, we believe the policy could be improved by more explicitly acknowledging the potential for VSC in the evaluation of proposals, particularly in relation to the application of Table 3.3, if this policy is to be effective in a development management scenario. Without this, the policy is considered unsound.

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I would like to be notified about the adoption of the Local Plan:

* Yes

EMP1 - Protected Employment Areas

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Rothamsted Campus is allocated through Policy EMP1 and Table 5.1 as a Protected Employment Area (Site ref PEA16). We appreciate the updates to Table 5.1 which now reflect the proposed allocation OS3 and OS4, both of which relate to the 'Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ'.

Below we set out the respective development requirements for allocations OS3 and OS4.

OS3 Development requirements:

1. *Development should be of employment use associated in character with the adjacent research facilities.*
2. *Connectivity to the Public Rights of Way adjacent to the site.*
3. *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs.*
4. *The eastern part of the site lies within Harpenden Conservation Area and adjacent to Locally Listed Buildings. Development proposals should minimise any harm to, and where possible enhance, the setting and significance of these heritage assets.*
5. *Development proposals must take account of the existing trees on / adjacent to the site.*

OS4 Development requirements:

1. *Development should be of employment use associated in character with the adjacent research facilities, with new buildings in the eastern half of the site only.*
2. *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs.*
3. *Connectivity to the Public Rights of Way adjacent to the site. To support improvements to Harpenden Bridleway 011 (Coach Lane) to enable use by people working at this site for active travel to access the town and train station.*
4. *Good quality access for all modes to key routes and relevant enhancement of schemes in the LCWIP will be necessary –for example, the A1081 corridor and improved access to the Rights of Way network.*
5. *Development proposals have the potential to impact the setting of the Grade I Listed Rothamsted Manor and associated Grade II Listed buildings. Development proposals should minimise any harm to, and where possible enhance, the setting and significance of these heritage assets. Development proposals must take account of the existing trees on / adjacent to the site.*

Part b emerging Policy EMP1 states that the use class for protected sites will "normally" fall within Classes B2, B8, or E(g). Additionally, Part c of the policy references ancillary uses that support employment activities.

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The Rothamsted Campus site features various primary and ancillary buildings and functions that are essential for delivering scientific work. We previously expressed concerns that the policy's wording could be overly restrictive by only referencing “creche or café.” We welcome the inclusion of references to B2, B8, or E(g) uses, as this revision enhances flexibility and better encapsulates the diverse range of ancillary facilities and services necessary to support employment activities. However, as per the comments on policy LG7 – Affordable Housing Development in the Green Belt (rural exception sites), there is also a need for housing to be available for scientific workers in the area and in rural locations. This should also be reflected in the recognised list of ancillary uses under Policy EMP1(b) to fully support the work of Rothamsted Research as envisaged by the Plan.

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I would like to be notified about the adoption of the Local Plan:

* Yes

EMP4 - Hertfordshire Innovation Quarter (Herts IQ)

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraphs 5.5, 5.24-5.26 of the draft Local Plan provides a discussion on the Herts Innovation Quarter and mentions the Rothamsted Campus as one of 3 core locations for knowledge-based research and development activities. These are also reflected within draft Policy EMP4 – Hertfordshire Innovation Quarter (Herts IQ).

We welcome the support for the Rothamsted Campus, particularly the release of land to the south from the Green Belt to facilitate future expansion, ensuring it maintains its status as a centre of excellence for agricultural science.

We endorse the inclusion of employment allocations (Refs: OS3 and OS4) for the extension of the research facility and view these as integral to deliver new facilities required to secure the long-term successful operation of Rothamsted Research. While we acknowledge that the draft employment allocations referenced in Policy EMP4 will support development proposals for additional facilities and spin-off companies, we believe the supporting text could provide further commentary. Specifically, it should emphasise the importance of clustering research and business activities in this location, which is vital for the success of the scientific work and the creation of a world-class campus environment.

The amendments to Policy EMP4 in the Regulation 19 publication do not adequately reflect the facility's national and international significance or the nature of the work conducted there. As stated in our previous representation, we urge the Council to include more detailed information on the role and function of Rothamsted Research to ensure a robust policy framework that enables future proposals to advance. The Trust would be happy to provide any further input required to support this process.

Furthermore, we note that the revised policies map published under Regulation 19 does not delineate the full extent of the Lawes Agricultural Trust landholding beyond the core campus. Given that the majority of this land falls within the Green Belt, we believe this represents a missed opportunity in the latest Local Plan publication. Clearly demarcating the entire landholding on the policy map and linking it to emerging Policy EMP4 would create a strong Very Special Circumstances case to support future operational development and the effective application of Policy LG5.

While we appreciate the references to new employment allocations at OS3 and OS4, we recommend that these allocations be updated to encompass the entirety of the landholding and identify the various areas designated for development and operational work supporting the scientific facilities. As we noted in our Regulation 18 representations, this approach would help resolve inconsistencies between emerging Policies EMP4, which supports the development of Rothamsted Research and the Rothamsted Campus, and Policy LG5 (Green Belt), which restricts development within the Green Belt without further amendments.

Finally, to adequately reflect the significance of the Rothamsted Campus, we feel there is merit in the Council collaborating with site owners to prepare a supplementary planning document aimed at supporting the long-term vision for the site.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HE1 - Designated heritage assets

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HE1 seeks to ensure that development that could affect designated heritage assets or their setting are appropriately assessed and controlled. Part b of the policy relates to listed buildings, noting works that will be supported where they preserve the building.

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As currently worded in the Regulation 19 publication of the Local Plan, Policy HE1 still does not acknowledge that the long term viability of designated heritage assets, in accordance with the NPPF and emerging Policy HE7, may, in some instances, depend on the advancement of other forms of development. We reiterate our previous recommendations to update Policy HE1 to incorporate language that reflects this important consideration.

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* Yes

Part B - Local Plan Sites

Comment Number: 5

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

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The Rothamsted Campus, encompassing Rothamsted Research and a number of UK and international commercial tenants, is an important ecosystem that provides specialist research, development and innovation of national and international importance. We welcome the updates incorporated into the latest version of the draft Local Plan however, as set out above, we remain of the view that a number of the draft policies could be progressed further still to support for the long-term aims and ambitions of the institution.

Furthermore, we kindly request that Officers consider the connection between forthcoming development proposals on land north of Redbourn and the need for securing investment to ensure the continued operation of the Rothamsted Research facility. We recommend the subsequent release of this land from the Green Belt and its allocation for residential development within the St Albans District Local Plan. Such actions would not only safeguard the future of Rothamsted Research Centre but also promote a synergistic relationship between residential development and economic innovation.

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I would like to be notified about the adoption of the Local Plan:

* Yes

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Lawes Agricultural Trust supports the release of land from the Green Belt under Allocation OS4 and is pleased to see the land uses updated from the former release for market housing which would not have been delivered on a research campus.

The Lawes Agricultural Trust fully supports the proposed allocations OS3 and OS4 as part of the research campus, and the inclusion will be important for the long-term development of the research campus .

However, we would recommend that the entire site boundary shown in the HELAA map, along with the additional release, be identified for the development of the Rothamsted Campus. This would facilitate a clear and effective application of the other policies in the plan. For reference, a plan illustrating this area is included with these representations. This would be a reasonable alternative approach for land here, supporting the effectiveness of the policies in the plan which support the future of Rothamsted Research.

The Trust also supports the allocation of site M7, Land at Townsend Lane, with this being a logical green belt release and delivery for housing.

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* Yes

OS3 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* No

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* No

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* Yes

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The Lawes Agricultural Trust fully supports the proposed allocations OS3 and OS4 as part of the research campus, and the inclusion will be important for the long-term development of the research campus .

Paragraphs 5.5, 5.24-5.26 of the draft Local Plan provides a discussion on the Herts Innovation Quarter and mentions the Rothamsted Campus as one of 3 core locations for knowledge-based research and development activities. These are also reflected within draft Policy EMP4 – Hertfordshire Innovation Quarter (Herts IQ).

We welcome the support for the Rothamsted Campus, particularly the release of land to the south from the Green Belt to facilitate future expansion, ensuring it maintains its status as a centre of excellence for agricultural science.

We endorse the inclusion of employment allocations (Refs: OS3 and OS4) for the extension of the research facility and view these as integral to deliver new facilities required to secure the long-term successful operation of Rothamsted Research. While we acknowledge that the draft employment allocations referenced in Policy EMP4 will support development proposals for additional facilities and spin-off companies, we believe the supporting text could provide further commentary. Specifically, it should emphasise the importance of clustering research and business activities in this location, which is vital for the success of the scientific work and the creation of a world-class campus environment.

The amendments to Policy EMP4 in the Regulation 19 publication do not adequately reflect the facility's national and international significance or the nature of the work conducted there. As stated in our previous representation, we urge the Council to include more detailed information on the role and function of Rothamsted Research to ensure a robust policy framework that enables future proposals to advance. The Trust would be happy to provide any further input required to support this process.

Furthermore, we note that the revised policies map published under Regulation 19 does not delineate the full extent of the Lawes Agricultural Trust landholding beyond the core campus. Given that the majority of this land falls within the Green Belt, we believe this represents a missed opportunity in the latest Local Plan publication. Clearly demarcating the entire landholding on the policy map and linking it to emerging Policy EMP4 would create a strong Very Special Circumstances case to support future operational development and the effective application of Policy LG5.

While we appreciate the references to new employment allocations at OS3 and OS4, we recommend that these allocations be updated to encompass the entirety of the landholding and identify the various areas designated for development and operational work supporting the scientific facilities. As we noted in our Regulation 18 representations, this approach would help resolve inconsistencies

between emerging Policies EMP4, which supports the development of Rothamsted Research and the Rothamsted Campus, and Policy LG5 (Green Belt), which restricts development within the Green Belt without further amendments.

Finally, to adequately reflect the significance of the Rothamsted Campus, we feel there is merit in the Council collaborating with site owners to prepare a supplementary planning document aimed at supporting the long-term vision for the site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The amendments to Policy EMP4 in the Regulation 19 publication do not adequately reflect the facility's national and international significance or the nature of the work conducted there. As stated in our previous representation, we urge the Council to include more detailed information on the role and function of Rothamsted Research to ensure a robust policy framework that enables future proposals to advance. The Trust would be happy to provide any further input required to support this process.

Furthermore, we note that the revised policies map published under Regulation 19 does not delineate the full extent of the Lawes Agricultural Trust landholding beyond the core campus. Given that the majority of this land falls within the Green Belt, we believe this represents a missed opportunity in the latest Local Plan publication. Clearly demarcating the entire landholding on the policy map and linking it to emerging Policy EMP4 would create a strong Very Special Circumstances case to support future operational development and the effective application of Policy LG5.

While we appreciate the references to new employment allocations at OS3 and OS4, we recommend that these allocations be updated to encompass the entirety of the landholding and identify the various areas designated for development and operational work supporting the scientific facilities. As we noted in our Regulation 18 representations, this approach would help resolve inconsistencies between emerging Policies EMP4, which supports the development of Rothamsted Research and the Rothamsted Campus, and Policy LG5 (Green Belt), which restricts development within the Green Belt without further amendments.

Finally, to adequately reflect the significance of the Rothamsted Campus, we feel there is merit in the Council collaborating with site owners to prepare a supplementary planning document aimed at supporting the long-term vision for the site.

However, we would recommend that the entire site boundary shown in the HELAA map, along with the additional release, be identified for the development of the Rothamsted Campus. This would facilitate a clear and effective application of the other policies in the plan. For reference, a plan illustrating this area is included with these representations. This would be a reasonable alternative approach for land here, supporting the effectiveness of the policies in the plan which support the future of Rothamsted Research.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 Rothamsted Research Reg 19 Representations FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

OS4 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Lawes Agricultural Trust supports the release of land from the Green Belt under Allocation OS4 and is pleased to see the land uses updated from the former release for market housing which would not have been delivered on a research campus.

The Lawes Agricultural Trust fully supports the proposed allocations OS3 and OS4 as part of the research campus, and the inclusion will be important for the long-term development of the research campus .

Paragraphs 5.5, 5.24-5.26 of the draft Local Plan provides a discussion on the Herts Innovation Quarter and mentions the Rothamsted Campus as one of 3 core locations for knowledge-based research and development activities. These are also reflected within draft Policy EMP4 – Hertfordshire Innovation Quarter (Herts IQ).

We welcome the support for the Rothamsted Campus, particularly the release of land to the south from the Green Belt to facilitate future expansion, ensuring it maintains its status as a centre of excellence for agricultural science.

We endorse the inclusion of employment allocations (Refs: OS3 and OS4) for the extension of the research facility and view these as integral to deliver new facilities required to secure the long-term successful operation of Rothamsted Research. While we acknowledge that the draft employment allocations referenced in Policy EMP4 will support development proposals for additional facilities and spin-off companies, we believe the supporting text could provide further commentary. Specifically, it should emphasise the importance of clustering research and business activities in this location, which is vital for the success of the scientific work and the creation of a world-class campus environment.

The amendments to Policy EMP4 in the Regulation 19 publication do not adequately reflect the facility's national and international significance or the nature of the work conducted there. As stated in our previous representation, we urge the Council to include more detailed information on the role and function of Rothamsted Research to ensure a robust policy framework that enables future proposals to advance. The Trust would be happy to provide any further input required to support this process.

Furthermore, we note that the revised policies map published under Regulation 19 does not delineate the full extent of the Lawes Agricultural Trust landholding beyond the core campus. Given that the majority of this land falls within the Green Belt, we believe this represents a missed opportunity in the latest Local Plan publication. Clearly demarcating the entire landholding on the policy map and linking it to emerging Policy EMP4 would create a strong Very Special Circumstances case to support future operational development and the effective application of Policy LG5.

While we appreciate the references to new employment allocations at OS3 and OS4, we recommend that these allocations be updated to encompass the entirety of the landholding and identify the various areas designated for development and operational work supporting the scientific facilities. As we noted in our Regulation 18 representations, this approach would help resolve inconsistencies between emerging Policies EMP4, which supports the development of Rothamsted Research and the Rothamsted Campus, and Policy LG5 (Green Belt), which restricts development within the Green Belt without further amendments.

Finally, to adequately reflect the significance of the Rothamsted Campus, we feel there is merit in the Council collaborating with site owners to prepare a supplementary planning document aimed at supporting the long-term vision for the site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The amendments to Policy EMP4 in the Regulation 19 publication do not adequately reflect the facility's national and international significance or the nature of the work conducted there. As stated in our previous representation, we urge the Council to include more detailed information on the role and function of Rothamsted Research to ensure a robust policy framework that enables future proposals to advance. The Trust would be happy to provide any further input required to support this process.

Furthermore, we note that the revised policies map published under Regulation 19 does not delineate the full extent of the Lawes Agricultural Trust landholding beyond the core campus. Given that the majority of this land falls within the Green Belt, we believe this represents a missed opportunity in the latest Local Plan publication. Clearly demarcating the entire landholding on the policy map and linking it to emerging Policy EMP4 would create a strong Very Special Circumstances case to support future operational development and the effective application of Policy LG5.

While we appreciate the references to new employment allocations at OS3 and OS4, we recommend that these allocations be updated to encompass the entirety of the landholding and identify the various areas designated for development and operational work supporting the scientific facilities. As we noted in our Regulation 18 representations, this approach would help resolve inconsistencies between emerging Policies EMP4, which supports the development of Rothamsted Research and the Rothamsted Campus, and Policy LG5 (Green Belt), which restricts development within the Green Belt without further amendments.

Finally, to adequately reflect the significance of the Rothamsted Campus, we feel there is merit in the Council collaborating with site owners to prepare a supplementary planning document aimed at supporting the long-term vision for the site.

However, we would recommend that the entire site boundary shown in the HELAA map, along with the additional release, be identified for the development of the Rothamsted Campus. This would facilitate a clear and effective application of the other policies in the plan. For reference, a plan illustrating this area is included with these representations. This would be a reasonable alternative approach for land here, supporting the effectiveness of the policies in the plan which support the future of Rothamsted Research.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 Rothamsted Research Reg 19 Representations FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

201 - DLA Town Planning Ltd

Submission Number: 201 Submission Date: 07/11/24 17:01

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of DLA Town Planning Ltd :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG4, intends to consolidate requirements for allocated sites, however, the policy risks causing confusion due to its vague language and redundancy with other policies in the draft Local Plan. By including ambiguous terms (e.g., “considered approach to development” and “excellence in design”) and repeating standards covered elsewhere, LG4 lacks clarity and fails the “effectiveness” test for soundness. Additionally, its requirements for affordable housing, custom-build homes, and infrastructure improvements may have underestimated viability impacts, potentially falling short of the “justified” soundness test. Therefore, we recommend deleting Policy LG4 to enhance the plan’s clarity and effectiveness.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Representing a range of landowners across the District.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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202 - DLA Town Planning Ltd

Submission Number: 202 Submission Date: 07/11/24 17:04

Respondent: DLA Town Planning Mr James Fitzpatrick

On Behalf Of DLA Town Planning Ltd :

LG6 - Green Belt Compensatory Improvements

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG6 addresses NPPF paragraph 147, aiming to offset Green Belt land loss with environmental improvements, but its application is problematic. The policy's requirement for a Green Belt compensation strategy, while feasible for larger sites, is impractical for smaller sites, potentially delaying housing delivery. Criteria (b) to (e) merely repeat other policies, adding unnecessary redundancy, while Part (f) calls for woodland buffer planting, which may impact site capacity and overall housing targets—particularly on smaller sites. Policy LG6 is legally compliant but unsound due to lack of effectiveness, and deleting it would improve clarity and reduce redundancy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represent a number of landowners across the District

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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203 - Hertfordshire Constabulary

Submission Number: 203 Submission Date: 07/11/24 17:06

Respondent: Hertfordshire Constabulary Mrs Kerry Macdonald

On Behalf Of Hertfordshire Constabulary :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 3

Type:

* Table

Number:

1.2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Response to Table 1.2

Object

Plan is not positively prepared

Hertfordshire Constabulary have reviewed the Local Plan and are of the view that not enough consideration has been given to the impact growth could have on emergency services.

We have looked through the plan and note the significant increase in households proposed in St Albans. Over the next 16.5 years 14,603 additional homes are to be built, with the largest concentration being adjacent to Hemel Hempstead, in Harpenden, St Albans and London Colney. Taking an average of 2.5 people per household, this could see an increase of 36,507 in the population of the St Albans district.

The 2021 census showed a population of 148,200, although this increased by approximately 7,500 people (5.4%) from 2011. The estimated increase in population by 36,507, based on the proposed developments in the Local Plan is a 24.6% increase.

It is therefore essential that that the new Local Plan recognises the impact this could have on emergency servicing. We therefore request that Table 1.2 is amended to take account of the following:

Infrastructure- Safety & Security Emergency Services needs to be referred to as safety and security of the district will be compromised if they are not included.

With a 24.6% increase in population, both fire and police services will be significantly under resourced.

Healthy Places and High Quality Design– Need to mention safe and secure within the design requirements – The Police can provide security and design advice for safer neighbourhoods.

Unless amendments are made, Hertfordshire Constabulary are of the view that the plan cannot be found sound as it has not been positively prepared in accordance with paragraph 35 of the NPPF (2023).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that Table 1.2 is amended to take account of the following:

Infrastructure- Safety & Security Emergency Services needs to be referred to as safety and security of the district will be compromised if they are not included. With a 24.6% increase in population, both fire and police services will be significantly under resourced.

Healthy Places and High Quality Design– Need to mention safe and secure within the design requirements – The Police can provide security and design advice for safer neighbourhoods.

Reason:

Unless amendments are made, Hertfordshire Constabulary are of the view that the plan cannot be found sound as it has not been positively prepared in accordance with paragraph 35 of the NPPF (2023).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1- Examples of Appeal Decisions Supporting the Police_[R].pdf
2. Appendix 2 - Example Funding Calculation HC_[R].pdf
3. Representation Form St Albans Local Plan - Hertfordshire Constabulary.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 1

Type:

* Table

Number:

3.1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Table 3.1 – Broad Locations

Object

Plan is not positively prepared and Justified

Hertfordshire Constabulary have reviewed the Local Plan and are of the view that not enough consideration has been given to the impact growth could have on emergency services.

We currently have a main response base located at St Albans Police Station, and a Safer Neighbourhood Team located at Harpenden. Additionally, there are community police hubs in Redbourn and Wheathampstead within the parish and community halls. The proposed increase in population (see our response to Table 1.2) is significant enough to require a new larger police station to cover Hemel Hempstead and St Albans, to replace the existing ones. (Dacorum also has a potential population increase of 24% to 2040 with the number of proposed new homes).

It is noted in the Infrastructure Delivery Plan (July 2023) that:

“Additional housing provision in SADC has implications for police services, with the number of staff and facilities needed to police an area based on criminality rather than population. This is influenced by housing, population density, and whether there is a stable population. This makes it difficult to assess future demand for policing services as a result of housing growth”.

The Hertfordshire Constabulary would like full consideration to be given to the provision of a replacement police station in the St Albans area considering the large increase in housing in the area and the increased population. The current Police station is at full capacity in terms of size, and a large facility will be required in the city. This is at early planning stages and further analysis needs to be undertaken to identify the scale of redevelopment, costings, phasing and other critical information.

On the basis of the above, as part of the Joint Planning – South West Hertfordshire Joint Strategic Plan and Hemel Garden Communities,we would be looking for both St Albans District Council and Dacorum Borough Council to allocate appropriate land for a new police station, potentially in a community hub providing a doctor’s surgery, library and fire service facilities also.

It is important to acknowledge that in accordance with paragraph 98 of the draft NPPF (2024), a new amendment is proposed as follows:

“Significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.”

Whilst it is acknowledged that this Local Plan is likely to be examined against the December 2023 NPPF, this proposed amendment clearly emphasises that there is a need for local planning authorities to consider public service infrastructure both at the plan making and decision-making stages.

We therefore request that Table 3.1 in respect of the North and East Hemel Hempstead allocations, include provision for land for a new police station.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modification requested to Table 3.1:

The Hertfordshire Constabulary request that Table 3.1 in respect of the North and East Hemel Hempstead allocations, include provision for land for a new police station.

Reason:

The Hertfordshire Constabulary would like full consideration to be given to the provision of a replacement police station in the St Albans area considering the large increase in housing in the area and the increased population. The current Police station is at full capacity in terms of size, and a large facility will be required in the city. This is at early planning stages and further analysis needs to be undertaken to identify the scale of redevelopment, costings, phasing and other critical information.

Please note - we could only add one comment on Chapter 3- we have another comment to make on SP3 but the portal only allows a comment on one part of the chapter. We will email this comment separately.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1- Examples of Appeal Decisions Supporting the Police_[R].pdf
2. Appendix 2 - Example Funding Calculation HC_[R].pdf
3. Representation Form St Albans Local Plan - Hertfordshire Constabulary_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This applies to SP3 but could not make 2 comments under the same green belt heading so have put comment here.

Strategic Policy SP3 – Land at the Green Belt

Object

Plan is not positively prepared

Hertfordshire Constabulary have reviewed the Local Plan and are of the view not enough consideration has been given to the impact growth could have on emergency services.

In accordance with the PPG (009 Reference ID:53-009-20190722):

Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.

In this regard, Policy SP3 should be amended to make reference to the vital role police and fire services make as follows:

Growth must be supported by suitable supporting infrastructure, including:

- *Schools*
- *Healthcare and ambulance facilities*
- ***Police and fire services***

- *Transport - facilities for walking, cycling and public transport in particular*
- *Parks, play areas, allotments and other green spaces*
- *Extensive tree planting*
- *Sports and leisure facilities*
- *Renewable and low carbon energy generation.*

Unless the above amendment is made, Hertfordshire Constabulary are of the view that the plan cannot be found sound as it has not been positively prepared in accordance with paragraph 35 of the NPPF (2023).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modification requested to **Strategic Policy SP3 – Land at the Green Belt**

Policy SP3 should be amended to make reference to the vital role police and fire services make as follows:

Growth must be supported by suitable supporting infrastructure, including:

- *Schools*
- *Healthcare and ambulance facilities*
- ***Police and fire services***
- *Transport - facilities for walking, cycling and public transport in particular*
- *Parks, play areas, allotments and other green spaces*
- *Extensive tree planting*
- *Sports and leisure facilities*
- *Renewable and low carbon energy generation.*

Reason for modification:

Hertfordshire Constabulary have reviewed the Local Plan and are of the view not enough consideration has been given to the impact growth could have on emergency services.

In accordance with the PPG (009 Reference ID:53-009-20190722):

Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.

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2. Appendix 2 - Example Funding Calculation HC_[R].pdf
3. Representation Form St Albans Local Plan - Hertfordshire Constabulary_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

LG5 - Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This applies to SP3 but could not make 2 comments under the same green belt heading so have put comment here.

Strategic Policy SP3 – Land at the Green Belt

Object

Plan is not positively prepared

Hertfordshire Constabulary have reviewed the Local Plan and are of the view not enough consideration has been given to the impact growth could have on emergency services.

In accordance with the PPG (009 Reference ID:53-009-20190722):

Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.

In this regard, Policy SP3 should be amended to make reference to the vital role police and fire services make as follows:

Growth must be supported by suitable supporting infrastructure, including:

- *Schools*
- *Healthcare and ambulance facilities*
- ***Police and fire services***
- *Transport - facilities for walking, cycling and public transport in particular*
- *Parks, play areas, allotments and other green spaces*
- *Extensive tree planting*
- *Sports and leisure facilities*
- *Renewable and low carbon energy generation.*

Unless the above amendment is made, Hertfordshire Constabulary are of the view that the plan cannot be found sound as it has not been positively prepared in accordance with paragraph 35 of the NPPF (2023).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modification requested to **Strategic Policy SP3 – Land at the Green Belt**

Policy SP3 should be amended to make reference to the vital role police and fire services make as follows:

Growth must be supported by suitable supporting infrastructure, including:

- *Schools*
- *Healthcare and ambulance facilities*
- ***Police and fire services***
- *Transport - facilities for walking, cycling and public transport in particular*
- *Parks, play areas, allotments and other green spaces*
- *Extensive tree planting*
- *Sports and leisure facilities*
- *Renewable and low carbon energy generation.*

Reason for modification:

Hertfordshire Constabulary have reviewed the Local Plan and are of the view not enough consideration has been given to the impact growth could have on emergency services.

In accordance with the PPG (009 Reference ID:53-009-20190722):

Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

Chapter 7 - Community Infrastructure

Comment Number: 4

Type:

* Policy

Number:

SP7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Response to Policy SP7 – Community Infrastructure

Object

Plan is not positively prepared and Justified

Hertfordshire Constabulary have reviewed the Local Plan and are of the view not enough consideration has been given to the impact growth could have on emergency services.

Policy SP7 is supported by the Infrastructure Delivery Plan which identifies new infrastructure requirements. This recognises that there may be a need for a new police station.

Further work undertaken by the Constabulary has determined a new police station will be required.

As noted in our response to Table 1.3,we would be looking for both St Albans District Council and Dacorum Borough Council to allocate appropriate land for a new police station, potentially in a community hub providing a doctor's surgery, library and fire service facilities also.

Paragraph 100 of the NPPF states "*To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted* (emphasis added)*."*

In addition to a new police station, Hertfordshire Constabulary also request that funding is obtained through Section 106 payments by developers for the new police station and the increased overall police service required in all areas as a result of a 24.6% increase in the population.

It is important to emphasise at the outset that our approach to Section 106 requests to proposed residential developments is wholly in accordance with national best practice recommended by the National Police Chiefs' Council (NPCC). It has been tested at numerous public inquiries nationally and found to be in accordance with the statutory Community Infrastructure Levy (CIL) Regulation tests. A comprehensive list of appeal decisions supporting the principle of developer contributions towards policing is attached as **Appendix 1.**

This document includes 44 planning appeal decisions supporting police Section 106 contributions and represents a continuous positive legal precedent spanning over 11 years to the present day. Most recently, the case for policing contribution was assessed by the Secretary of State in the allowed appeal for the major development at Wisley Airfield (Guildford). In paragraph 473 the inspector concluded:

"There is a financial contribution of £339,798 for staffing and equipment cost and other infrastructure relating to policing. There would also be an on-site office space of at least 24m2 plus dedicated WC facilities within the community building along with associated parking for the use of Surrey Police. This would comply with the Infrastructure Schedule and policy ID1 in the LPSS. An extremely detailed letter was submitted to the inquiry on behalf of the Police and Crime Commissioner for Surrey. This made clear the demands that a new development of this size would make on police resources and that these demands could not all be met by public funding. The contribution would be paid in four tranches with 50% before the commencement of the first residential unit. The final 10% would be paid prior to the occupation of the 1,600th residential unit. Whilst this would be quite late in the development there would remain sufficient value in the site to ensure that this final payment would be made".

Furthermore, the national policy position to support our request exists in the National Planning Policy Framework (NPPF) (December 2023). Paragraphs 8, 26 and 96 together confirm that sustainable development means securing a safe environment through the delivery of social infrastructure needed by communities. In this respect, paragraph 20 specifically states policies should deliver development that makes sufficient provision for security infrastructure. Paragraphs 16, 26, 29 and 38 collectively envisage this being delivered through joint working by all partners concerned with new developments.

This is expanded on by paragraph 96, which states planning policies and decisions should promote public safety and security requirements by using the most up-to-date information available from the police, who are essential local workers providing frontline services to the public, according to Annex 2 of the NPPF.

The PPG also recognises the role that planning can play in preventing crime and malicious threats. It is noted that (009 Reference ID:53-009-20190722):

Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.

Section 17 of the Crime and Disorder Act 1998 (as amended) *requires all local, joint and combined authorities (as well as National Parks, the Broads Authority and the Greater London Authority) to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. Crime for these purposes includes terrorism.*

The above policy requirements are included because the NPPF and PPG seek environments where crime and disorder and the fear of crime do not undermine quality of life, the health of communities and community cohesion (NPPF paragraphs 96 and 135). Planning policies and decisions are expected to deliver this.

To ensure there is a full understanding of the scale of what comprises police infrastructure by developers, and an acknowledgement of the need to provide it through new developments, we would ask that the Local Plan is updated. We would welcome further discussions and input to ensure that the required increase in Police service can be funded. Central government and local funding has decreased, meaning the Police are reliant on developer contributions (S106/CIL) to mitigate the impact on policing of housing growth.

In this respect, policy SP7 will require developers to make agreed contributions to accommodate additional demands arising from new developments. Sufficient provision for security infrastructure should be made through using the most up-to-date information available from the police and involves direct investment in addition to any passive measures achieved through advisory design services (Secured by Design Initiatives).

The Police and Crime Commissioner for Hertfordshire is a major budget holder within the County and is dependent upon a precept on the Council Tax to maintain the level of existing policing. This level of support can only be provided for additional development if the appropriate infrastructure is in place,funded by developer contributions through section 106 and CIL payments. Without this policing for Hertfordshire as a whole will be compromised.

With the above context in mind, we have provided in Appendix 2 information based on the 11,000 homes originally planned in 2019. We have justified these against the tests of the statutory CIL Regulations. We will be submitting formal Section 106 requests for the larger planning applications once submitted.

Unless amendments are made, Hertfordshire Constabulary are of the view that the plan cannot be found sound as it has not been positively prepared in accordance with paragraph 35 of the NPPF (2023).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modification requested to: **Policy SP7 – Community Infrastructure**

More consideration needs to be given to the impact growth could have on emergency services.

As noted in our response to Table 1.3,we would be looking for both St Albans District Council and Dacorum Borough Council to allocate appropriate land for a new police station, potentially in a community hub providing a doctor's surgery, library and fire service facilities also.

In addition to a new police station, Hertfordshire Constabulary also request that funding is obtained through Section 106 payments by developers for the new police station and the increased overall police service required in all areas as a result of a 24.6% increase in the population.

Reason:

The Police and Crime Commissioner for Hertfordshire is a major budget holder within the County, and is dependent upon a precept on the Council Tax to maintain the level of existing policing. This level of support can only be provided for additional development if the appropriate infrastructure is in place, funded by developer contributions through section 106 and CIL payments. Without this policing for Hertfordshire as a whole, will be compromised.

2 appendices - could not attach- will email.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1- Examples of Appeal Decisions Supporting the Police_[R].pdf
2. Appendix 2 - Example Funding Calculation HC_[R].pdf

3. Representation Form St Albans Local Plan - Hertfordshire Constabulary_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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204 - Stonebond Properties Ltd (Smallford)

Submission Number: 204 Submission Date: 07/11/24 17:07

Respondent: Bidwells Mr Mark Harris

On Behalf Of Stonebond Properties Ltd (Smallford) :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 4

Type:

* Policy

Number:

Whole Plan

Do you consider the St Albans Local Plan to be legally compliant?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Stonebond have noted that the at its full Council meeting on October 16th SADC gave approval to submit the Local Plan for examination. This is three weeks prior to the end of the consultation period on the 8th of November. Stonebond have a concern that approval has been given with no consideration of any comments that have been made through the consultation. Whist the committee report sets out that should a show-stopper emerge from the consultation then the decision will return to full Council, Stonebond consider that it is for all members of the Council to properly consider the comments made and make their own determinations on this matter and the soundness of the Local Plan before making a decision to vote for its submission. The decision suggests that SADC will submit the Local Plan for examination regardless of the comments made by representors and as such have predetermined the outcome of the Reg 19 consultation. The approach taken by SADC to effectively beat the transitional arrangements under the new NPPF, consulted on earlier in the year, therefore runs a high risk of legal challenge and Stonebond consider the decision to submit should be made once the consultation has ended and the responses made can be reported to all members of the Council.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Stonebond welcome recognition at paragraph 1.31 of the draft Local Plan that there is a clear need for more homes because of the national situation and that there is a need for more local people to live and work where they were brought up.

They also welcome recognition that there is a need to prioritise the redevelopment of brownfield land, whilst recognising that the scale of the housing crisis both locally and nationally requires the development of greenfield sites and the release of land for the Green Belt.

<u>The Housing Requirement</u>

The latest affordability ratio (Ratio of median house price to median gross annual workplace-based earnings) for St Albans (2023) sits at 17.61. This makes St Albans the fourth least affordable place to live in the country behind the London Boroughs of Kensington and Chelsea, Westminster and Richmond upon Thames. This highlights the drastic need to provide opportunities for new housing locally, particularly given the lack of any new planning policy for the District since 1994.

Policy SP1 (the Spatial Strategy for St Albans) sets out that the Council will identify land to deliver at least 885 dwellings per annum in the period from October 2024 to March 2041 – a total of 14,603. As per paragraph 61 of the NPPF (December 2023), this figure should be informed by a local housing needs assessment, utilising the standard method, and provides an 'advisory starting point' for establishing a housing requirement for the area.

Paragraph 61 goes on to state that there can be exceptional circumstances where an alternative approach could be utilised, which should take into account future demographic trends and market signals, with the Planning Practice Guidance (ID: 2a-010-20201216) going on to state that '*there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates'* and that *'an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes'* (Reference ID: 2a-024-20190220).

These matters are addressed in an updated Housing Needs Assessment (NHA) that covers St Albans and the other South West Hertfordshire Local Authorities. Whilst it is agreed that the economic drivers and infrastructure investment do not indicate a higher level of need, it is abundantly

clear that there is a significant affordability issue in St Albans and that the level of affordable housing need (802 dwellings per year) justifies an increase in the overall housing figure to enable a greater proportion of this affordable need to be met.

This point is analysed in the HNA (from paragraph 7.120) without giving a clear answer. Whilst it is explained that there is a complicated relationship with the existing population and that the 802 home figure does not relate solely to new homes, by simply looking at the affordability ratio for the area, it can be concluded that there is a significant affordability issue that justifies an increase in the housing requirement to help deliver a greater proportion of the affordable housing need of the area. Stonebond cannot see where any consideration has been given to this point by SADC.

In addition to this point, Stonebond would also note that there does not appear to give any consideration to the unmet needs from other areas, which should be subject to discussion under the Duty to Co-operate. This includes likely unmet need from Hertsmere and Three Rivers, with both Authorities most recent consultations suggesting an under allocation of land to meet minimum needs, as well as from London, where housing requirements have consistently been undershot. Whilst the Duty to Cooperate is a legal issue for more general discussion, the implications for the housing requirement need to be noted.

Finally, the NPPF sets out that the test of soundness on consistency with national policy required plans to '*enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant'.*

The Written Ministerial Statement of Angela Rayner on 30th July 2024 is therefore a statement of national policy and it needs to be considered if the draft Local Plan is consistent with it.

Although the transitional arrangements are clear that a local plan can be examined in accordance with the NPPF (December 2023) provided it is submitted prior to the publication of the revised NPPF, this does not takeaway from the fact that the Written Ministerial Statement makes it clear that there is a direction of travel in terms of the increased level of housebuilding that is expected nationally, the robustness of the current standard method and the approach to Green Belt release (which is covered in separate representation on other parts of the draft Local Plan).

Stonebond do not believe that SADC have given due regard to the intent of the changes set out in the Written Ministerial Statement and therefore the draft Local Plan fails the test of Soundness on consistency with national policy.

This position can only be remedied by undertaking a review of the draft Local Plan and ensuring updates are provided which seek to maximise housing delivery in line with the intention of national policy, which will clearly require areas such as St Albans to increase the level of homes they plan for. This could be achieved by allocating sites such as Stonebond's site at Notcutts Garden Centre which could make a positive contribution to the supply of housing land in the early years of the new Local Plan.

<u>The Settlement Hierarchy</u>

At Regulation 18 stage, Stonebond made representations that Smallford should be a higher order settlement in the Settlement Hierarchy. This point does not appear to have been addressed in the draft Local Plan, with the Settlement still classified as a tier 6 Green Belt Village.

To reiterate the points made at Regulation 18 stage, Stonebond do not think this is an accurate reflection of the status of the site, with the Settlement Hierarchy Paper failing to consider:

- All local facilities, such as the convenience store at the petrol station, or the employment opportunities offered by the garden centre.
- The accessibility of the location and proximity of the Settlement to St Albans and Hatfield.
- The fundamental change that will take place in the area as a result of the proposed Glinwell development.

Stonebond consider that Smallford should be classified as a Teir 5, medium sized Village given that it has a good range of key services, has good public transport connections and has a clear functional relationship with St Albans. Indeed, there is an argument that the changes proposed in the Local Plan, specifically the allocation of land at Glinwell to the southwest, will effectively make Smallford a part of St Albans itself. This is demonstrated by the fact that Smallford adjoins St Albans on the polices map.

This distinction is important as it has knock on impacts on the way that the suitability of sites for Green Belt release (covered in later representations) has been considered by SADC. The failure to accurately recognise the sustainability of Smallford means that clear opportunities to allocate sustainable sites for development has been missed, such as Stonebond's site at Notcutts Garden Centre. .

On this basis, Stonebond do not believe that the draft Local Plan is justified, with a review of the Settlement Hierarchy and subsequent update to other evidence base papers, including the Green Belt Assessment, necessary to ensure soundness.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Review the housing requirement to ensure that it addressees the acute affordability issue in St Albans which will not be addressed by the current strategy, as well as picking up unmet needs from other areas, which has not been properly considered.

Review the housing requirement to reflect the need to give consideration to the direction of travel for national policy set out in the Written Ministerial Statement of July 2024.

Review the Settlement Hierarchy Assessment to accurately reflect the sustainability of Smallford.

Reclassify Smallford as a Tier 5 settlement, reflective of it's relative sustainability, or make it part of St Albans given the impact of the proposed allocations in the Local Plan and their removakl of any sepetaion between the settlement boundaries.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss matters around the methodology for categorising sites within the settlement hierarchy.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Type:

* Table

Number:

3.2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

SADC have included a stepped housing trajectory in their draft Local Plan. Whilst Stonebond do not disagree that an element of 'stepping' in the trajectory given the number of strategic sites and their likely lead in times, the PPG (Reference ID: 68-021-20190722) is clear that '*strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period'*

The only justification for the stepped trajectory is that it is necessary to *'allow sufficient time for the significant uplift in housing delivery to be realistically delivered'.* This does not constitute the necessary evidence to satisfy the PPG requirements.

Stonebond also believe the approach taken by SADC unnecessarily delays the delivery of housing by not identifying all suitable small/medium sites for allocation, the development of which could be realised sooner in the plan period. Stonebond's site at Notcutts Garden Centre is an example of such a stie.

Further, the trajectory does not show any scope for slippage in the supply of sites, with the backloading of delivery of major sites in the plan period. Whilst an allowance has been made for the lead in times to commence development on major sites, there is only a very small contingency on the supply side (295 dwellings – equivalent to 2% of the requirements) to account for any unforeseen delays in delivery, or indeed sites not coming forward at all.

It is standard practice for at least a 10% buffer in the supply of sites to made allowed in the development of Local Plans to allow for unforeseen delays in delivery. This would suggest a buffer in supply of closer to 1,460 dwellings should be allowed making a shortfall in identified supply of 1,165 dwellings (notwithstanding later points made in relation to sites).

The nature of the proposed allocations means that there is no scope to realise the development of sites sooner in the plan period. It is therefore essential for the soundness of the Local Plan that additional small/medium sized sites are identified for delivery earlier in the Plan period, otherwise it is highly unlikely that the planned housing need will be delivered as required, making the plan ineffective. Such sites could be introduced as main modifications to the draft Local Plan, Plan such as Stonebond's site at Notcutts Garden Centre.

Finally, Stonebond note that the approach to grouping sites in broad categories means that it is difficult to fully assess the robustness of the trajectory. To allow proper consideration by the Inspector, we would expect more detail and supporting evidence to be provided by SADC, otherwise there is a risk the approach is not justified.

Windfall

Stonebond note that there is no proper explanation to justify the 145-dwelling windfall allowance shown in the trajectory. The NPPF (paragraph 72) sets out that 'w*here an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends'.*

SADC have prepared an updated paper (Housing Land Supply, Windfall and Housing Capacity Evidence Paper, September 2024) which includes a section on windfall. This sets out that a reduced windfall requirement of 145 dwellings per annum is now included in the housing trajectory, down from 180 at Regulation 18 stage. This is because of a review of the previous report to take account of latest completion rates.

However, at no point is the any proper analysis of the trends in supply and whether the past rate of development, which is what the windfall allowance is solely based on, is likely to continue going forward. Without this analysis, it cannot be said that there is 'compelling evidence' that the windfall will continue to provide a reliable source of supply in the future as required by national policy. This is particularly the case given the 45-dwelling reduction from Regulation 18 stage, which implies a falling rate of windfall completions.

Further, it is unclear whether there is double counting within the allowance. Although it was made clear at paragraph 3.56 of the 2020 HELAA (where the previous windfall figure was justified) that Green Belt sites were excluded from the windfall allowance based on the fact such sites are to be allocated, paragraph 3.56 went on to state that '*Previously Developed Land (PDL) in the Green Belt has been included in the windfall calculations because the evidence demonstrates it consistently makes up part of annual completions in the District'*. The limited analysis in the new Windfall Paper does not make this point clear as there is no proper analysis of the figures.

This suggests a clear double counting in supply given Part B of the Local Plan clearly allocates brownfield sites in the Green Belt for development.

It is also unclear how the contribution that other small/medium allocations will make to future land supply has been factored in the assessment of windfall. The draft Local Plan includes a number of brownfield sites within settlements that could reasonably be expected to be realised as windfall development if the Local Plan were not to be adopted. We would have expected to see a discussion around this point in Windfall Paper and without it, it cannot be concluded if the contribution of allocated sites within the draft Local Plan has effectively been double counted. This is particularly the case if the Spatial Strategy leaves 'no stone unturned' in the search for housing allocations, which would leave only very limited windfall completions if true.

Therefore, Stonebond consider that the windfall allowance shown in the housing trajectory is neither justified nor compliant with national policy and needs to be amended to make the Local Plan sound. This is likely to lead to a position where there is a shortfall in housing land supply within the Local Plan to meet the minimum housing need of the area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Provide additional site specific information and justification for the Housing Trajectory,

Make additional small/medium sized allocations to address the shortfall in short term delivery, reducing the need for an unnecessary stepped trajectory.

Provide additional housing sites to add to the buffer in supply, which is too small to be effective.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss details around the trajectory and role of windfall and the implications for the delivery of the overall housing requirement in the plan period.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Whilst SADC have proposed releasing some land from the Green Belt to meet its housing need, there are a number of issues with the approach taken which need to be remedied before the Local Plan can be found sound.

As noted in relation to Spatial Strategy, Stonebond have an issue with the way that the settlement of Smallford has been categorised in the settlement hierarchy. This has led to the process of identifying all sustainably located brownfield sites not being identified for allocation in the draft Local Plan, such as Stonebond's site at Notcutts Garden Centre.

Setting this point aside, the fundamental issue with the Green Belt assessment, which Stonebond raised at Regulation 18 stage, and which was raised on page 9 of the Inspector's letter of April 2020, is that it fails to properly search for land opportunities in accordance with the requirements of the NPPF which sets out '*Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport*' (paragraph 147).

In searching for sites, the approach of the Council has been to simply look at sites within a buffer around settlements. This is clarified in section 4.2.1 of the Green Belt Assessment (2023) where it is stated '*the GBR Stage 2 feeds directly into SACDC's site selection process. It was therefore appropriate to undertake a more spatially focussed piece of work. The initial area of search was defined by applying a buffer around each settlement inset from the green belt, which would assist in encouraging sustainable pattern of development accessible to existing settlements and maintain the integrity of the Green Belt. This approach ensured a proportionate and focused study.'*

Section 4.2.1 (page 20) of the Green Belt Assessment goes on to state that*'Sites that were not adjacent to existing urban areas (or the buffers) were thus excluded for the assessment on the basis that their release would (a) not contribute to a sustainable pattern of development; and (b) undermine the integrity of the Green Belt by creating hole(s) within its fabric.*

Further it states that*'The identification of a buffer should not be taken as an indication that this land is necessarily the most sustainable, suitable or deliverable option for any future development.'*

On page 21, it is set out that '*it was agreed that the character of the urban settlements and the approach for a finer grain assessment leant itself to a 400m buffer for the main settlements while a 250m buffer was considered reasonable buffer for lower order settlements (Table 4.1, Figure 4.2). These buffers indicate the likely maximum extent of sustainable development and vary accordingly to the position of the built-up area in the settlement hierarchy'.*

This approach fundamentally fails to address the key requirements of paragraph 147 of the NPPF that the first area of search should be brownfield sites and/or those well served by public transport. Although it provides a step towards prioritising sustainably located sites, it simply assumes that proximity to a settlement is an indication of sustainability which is not always the case.

Whilst there is merit in reviewing the edge of settlements to see if there are appropriate small sites that do not meet the purposes of the Green Belt and could be utilised to meet local development needs, this is not the same as identifying sites in accordance with the priorities of the NPPF.

If a robust approach had been taken to assessing opportunities in a way which was compliant with the NPPF, and which responded to the comments of the Inspector of the previous Local Plan, it would have looked first at sites along bus routes and close to railway stations and this would have included land outside the 250/400m buffers utilised in the Green Belt assessment, such as within Smallford. Taking this more robust approach would have meant sites such as that promoted by

Stonebond to the rear of Notcutts Garden Centre, would have fallen within the parameters of the assessment and likely been allocated for development given the lack of contribution made to the purposes of the Green Belt. This point is covered off in more detail in the accompanying report prepared by Ramboll which considers the role the Garden Centre site in meeting the purposes of the Green Belt and wider landscape implications.

Stonebond therefore do not believe that the approach to assessing the suitability of land in the Green Belt for possible development accords with National Policy and the overall strategy for the release of sites form the Green Belt is not justified.

This could be addressed by carrying out a proper review of sites in the vicinity of public transport routes and identifying further appropriate sites for Green Belt release to meet housing need – which as set out in response to the housing trajectory below, and in relation to the site allocations, Stonebond believe is necessary.

Further to this point, Stonebond would also point out that the NPPF sets out that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the LPA should first make sure as much use as possible is made of suitable brownfield sites and underutilised land.

Part of Stonebond's site at Notcutts Garden Centre is brownfield with the remainder forming a surplus part of the garden centre site. Although within the Green Belt, national policy is clear that even before SADC took the correct decision to review Green Belt boundaries (an inevitable consequence of the level of housing need and the extent of Green Belt constraint) their site should have been identified for development. This would be the case even if the settlement of Smallford was to remain washed over by the Green Belt – an option open to the Council.

This furthers Stonebond's position that the approach taken to reviewing the Green Belt and assessing sites does not accord with national policy and needs to be reviewed before the Local Plan can be considered sound.

Finally, Stonebond note that paragraph 145 of the NPPF sets out that when Green Belt boundaries are to be redrawn, the boundary should be able to be '*endure beyond the plan period'.* Paragraph 148 goes on to state that *'plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the Plan period'.*

In the St Albans case, it is known that there will need to be an early review of the Local Plan to meet the transitional arrangements for plan making set out in the recent consultation on the NPPF. Although weight cannot be given to the proposed revisions to the NPPF, the consultation document and Written Ministerial Statement, which are a material planning consideration, clarify the position meaning SADC are going ahead with the Local Plan in the knowledge that they will have to carry out an early review to meet a significantly higher housing number which will inevitably lead to further Green Belt release.

Given this context and the requirement in the current NPPF for Green Belt boundaries to have longevity, Stonebond do not believe that the approach of SADC meets the soundness test of compliance with national policy. This can be addressed through a more thorough review of Green Belt sites in accordance with national policy requirements, as addressed above.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Review the role of Smallford in the Settlement Hierarchy, as discussed in relation to the Spatial Strategy.

Carry out a full review of the Green Belt Assessment to ensure that it complies with paragraph 147 of the NPPF and the need to fist look at brownfield sites and sites well related to public transport, with consequential amendments/additions to housing allocations and the Green Belt boundary, specifically around Smallford.

Review the Green Belt Assessment and amendments to the Green Belt to ensure all justifiable changes and allocations are picked up to reflect the need for the the Green Belt boundary to endure beyond the plan period - which will require a early review given the updated LHN figure that is generated by the revised standard method.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Landscape Green Belt Note - Notcutts_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss to fundamental concerns with the Green Belt Assessment and the knock on impacts on the site assessment/allocation process.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 3

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Stonebond do not wish to object to the identification of any of the sites within the Draft Local Plan. It is clear that there is a significant need for housing in the area and SADC should be allocating sufficient land to meet this need over the plan period and beyond. This means not removing sites from the proposed supply unless necessary.

However, as set out in relation to other areas of the draft Local Plan, Stonebond are of the view that there is:

1. a) insufficient land identified to meet housing need over the plan period;
2. b) the windfall analysis is not justified and
3. c) there is a lack of contingency in the supply of sites to ensure the housing requirements of the area can be met.

These factors indicated that there is a need to add additional sites, specifically deliverable small and medium sized sites, to the Local Plan to make it sound, such as Stonebond's site at Notcutts Garden Centre.

Whilst not objecting to the proposed allocations in Part B of the draft Local Plan, there are a number of specific observations that Stonebond wish to make in relation to sites, or groups of sites.

Car Parks

A number of sites identified in Part B of the draft Local Plan are car parks, including those in use by the public. A number of these car parks are still in use, and it is stated that they will need a parking survey before any proposal is approved. It is therefore unclear whether the sites are actually available for development or what the impact on their redevelopment would be on the areas in which they sit (e.g. in terms of availability of parking, and economic impacts on business uses (retail and office) that rely on the use of those parking areas).

A number of the sites are also noted as lying within or adjacent to Conservation Areas, meaning they are sensitive in nature. Given this constraint, it is highly likely that the number of homes that have been assumed on some of the sites will not be realised, particularly given the high densities assumed (e.g. UC2 has a density of 126 dwellings per hectare despite being in the Conservation Area, close to a number of Listed and Locally Listed Buildings with a height limit on development).

This sort of uncertainty highlights the need for a greater buffer in the land supply to ensure sufficient homes can be delivered over the plan period to meet local needs. Without additional sites added via main modification, it is not considered that the Local Plan can be considered effective and therefore sound.

B5 Glinwell

Stonebond support the identification of site B5, Glinwell, in the draft Local Plan. As referred to within comments on the Spatial Strategy, the implication of the proposed allocation is that the washed over settlement of Smallford will effectively be connected to St Albans. This has not been reflected in the draft Local Plan and Stonebond believe this is an omission which has affected the way that the potential site allocations have been assessed and considered.

Whilst not directly related to the soundness of the draft Local Plan, Stonebond would point to the fact that the 'Key Development Requirements' related to site B5, Glinwell, would reinforce their position that the area around the site is well connected from a sustainable transport point of view – a position that will be enhanced as a result of the Glinwell redevelopment.

Previously Developed Sites in the Green Belt

As noted earlier in this representation, the HELAA is clear that brownfield sites in the Green Belt form part of the brownfield allowance. Therefore, the inclusion of these sites as housing allocations is a clear double counting of housing numbers.

Whilst Stonebond don't disagree with their inclusion in the draft Local Plan given the significant need for housing in St Albans, they would highlight one of the sites (P3, Friends Meeting House near Leverstock Green) as an example of the lack of proper thought which has gone into ensuring the draft Local Plan will deliver sustainable development.

Site P3 is identified for allocation as just 1% of it lies within the 400m Green Belt buffer around Hemel Hempstead. This buffer is supposed to allow the identification of 'sustainable sites'. Yet the site lies on a narrow rural road with no footpaths making it clearly reliant on the car. Whilst the site could be made more sustainable through the development of the East of Hemel site, this is not likely to happen in the short-term meaning the site would in all likelihood be developed in isolation.

On the other hand, Stonebond's site at Notcutts (which is partially brownfield) lies immediately adjacent to a range of services and facilities and, as prioritised by national policy, a key public transport route. It also benefits from public footpaths into St Albans. However, the site is not identified for allocation due to the approach taken to the Green Belt assessment, which Stonebond consider to be flawed and inconsistent with national policy. If the correct approach was taken, sites such as that to the rear of Notcutts would be identified for allocation in addition to those sites which meet the existing criteria of simply being in proximity to a settlement despite their sustainability credentials.

In the context of a likely shortfall in land supply to meet the minimum housing requirements, to make the Local Plan sound, as addressed in relation to the Green Belt Assessment, a proper Green Belt assessment which satisfies national policy needs to be undertaken and suitable sites included in part b of the Local Plan as allocations.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In line with comments on the evidence base and site assessment process, identify additional small and medium sized sites to provide sufficient housing land to meet ongoing short term need and the minimum requirement over the plan period.

Review car park allocations to check the impact in terms of parking provision and impact on the local economy.

Check brownfield allocations against the windfall allowance to check for double counting of supply.

Review evident base to ensure all suitable brownfield and underutilised sites are identified as allocations and include them in the Local Plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To discuss the need for additional sites to be included in the Local Plan as small/medium allocations as a result of errors in the assessment process, referred to in comments on other sections of the Local Plan, and the likely shortfall in deliverable land identified.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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205 - Jarvis Homes

Submission Number: 205 Submission Date: 07/11/24 17:08

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report

Strategic Policy SP3 – summary

- In summary, additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken.
- The land adjacent to the Jarvis Homes site has been inappropriately excluded from the Local Plan on the basis of a possible extension of the National Landscape for which there is no evidence in the public domain and very little confidence on the possible timescales. This site should be reinstated.
- The Jarvis Homes site has been inappropriately excluded from the Local Plan on the basis of a Green Belt Review that did not consider the specific site-specific consequences of development on this site but rather combined the site with a much larger area, making the findings for the whole largely irrelevant to the Jarvis Homes site.

Strategic Policy SP3 – Housing target

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. While this is supported, it should be seen as a minimum level of supply and any opportunity to increase the level of provision within the context of the overall strategy should be explored.
- The Council has chosen to accelerate the Local Plan timescale to enable examination under the current NPPF, rather than address the potential 75% increase in housing target likely to be brought about by the new NPPF expected to be published early in 2025. While this decision is understandable, given the age of the current Local Plan and the need for a strategic

framework of some sort, the wider context suggests that if additional sites are available now that could sit within the overall framework set by the draft Local Plan, then those opportunities should be taken.

Strategic Policy SP3 – Approach to the Green Belt

- We set out concerns at Regulation 18 stage about the approach taken in the Council's Green Belt Review to the definition of parcels and what that meant for the level of granularity and precision in the findings. Section 6.0 of this report outline those concerns. These issues have not been addressed; indeed no changes have been made to the 2023 Green Belt Review.
- The weaknesses in the Green Belt Review should be addressed and this is likely to lead to a small number of additional sites being identified for potential release from the Green Belt, one of which is the land at Beesonend Lane. The addition of this site will help ensure the overall housing target is met and specifically help boost the supply of accommodation suitable for older people (see comments on Policy HOU3).

Strategic Policy SP3 – Immediate plan review

- This Local Plan is not perfect. There are parts of it that are not sound. Some of these issues are relatively minor and can be addressed through modest changes that sit comfortably within the framework published by the Council.
- However, other changes would require a more fundamental change in approach – issues such as the plan period being inadequate and concerns over compliance with the Duty to Cooperate. These issues cannot be addressed at this stage and would require the Plan to be withdrawn and resubmitted. In our view, the need to secure an updated Plan is more important and outweighs any concerns about the strategy as a whole.
- We therefore propose a two-pronged approach – any minor soundness aspects that can be addressed quickly should be addressed now. Any wider concerns that would delay the Plan should be considered through an immediate review of the Plan.
- For the Inspector to have confidence that a Plan Review is an appropriate response to concerns with the strategy, there needs to be a firm commitment within the Plan itself to the Review. There needs to be a specific policy that commits the Council to the principle of a Review and a timetable set out that provides clarity for all parties on how that review will be undertaken.

Strategic Policy SP3 – Housing delivery

- We consider that there is a clear case for additional housing sites to be included within the draft Plan. The reasons for this include:
- Strategic cooperation over wider housing needs
- Overoptimistic site capacity and density assumptions
- Deliverability of proposed urban sites
- Overoptimistic windfall allowance

- In addition to these concerns about the overall scale of housing, there is a clear issue with the timing of delivery – a five-year supply is only possible through the use of a stepped trajectory.

- However, addressing these issues in a systematic and comprehensive way would require extensive updates to the evidence base and cannot be done within the context of a Local Plan Examination. We therefore do not advocate that these issues are fully addressed now but are instead picked up through the immediate Plan Review.
- Nevertheless, the need for more homes – particularly delivered early in the Plan period – is such that where opportunities exist to include new sites that are consistent with the overall strategy and can be included based on existing evidence, these opportunities should be taken.

Strategic Policy SP3 – Land at Beesonend Lane, Harpenden

- The land being promoted by Jarvis Homes at Beesonend Lane is the type of site that can be included in the Local Plan to boost supply in the early years of the Plan period and that would not require the evidence base to be reformulated.
- At Regulation 18 stage, land adjacent to the Jarvis Homes site was proposed as housing allocation M14. This allocation was based on the Green Belt Review recommendations. This site does not feature in the Regulation 19 Local Plan and the reason provided in the Council's Site Selection Proforma is as follows:

"Technical work undertaken by Natural England, regarding the characteristics of land that meets their criteria for an extension to the Chilterns National Landscape into St Albans City & District, includes this site."

- This is the only reason provided. There is no technical evidence published alongside the Regulation 19 Local Plan to explain the background. There is currently no information whatsoever in the public domain to indicate the areas involved in any potential extension of the National Landscape.
- The potential extension of the National Landscape has been a possibility for some time, it last being discussed in 2013. However, the areas of land involved and the timings for any potential extension are very much unknown at this stage. The latest available minutes of the Chilterns Conservation Board meeting (from 20 June 2024) record an update from the Chair that stated:

"The pace has slowed on the Boundary Review due to resource issues with Natural England and the need for additional work. The report to the Secretary of State was planned for winter 2024 but will now be winter 2025 and the public consultation will take place this winter. The upcoming general election may push this back again."

- The potential delay was also picked up in the Board's risk register, which stated:
- *"Issue: Uncertainty over status of all National Landscape strategic programmes with the new Government and risk of progress being derailed by new national priorities.*
- *Risk: Public and formal consultation on Boundary Review now scheduled for winter 2024/25. Potential for further work following consultation risks pushing programme back further.*
- *Risk: Potential for delay or harm to integrity of Boundary Review proposals due to legal issue with Burnham Beeches being excluded from designation."*
- The Conservation Board's website has the following update:

"Due to the need for additional assessment work, the project timeline has been extended. Natural England now anticipates that the statutory and public consultation will take place in winter 2024/25. If fully resourced, they aim to seek a variation order from the Secretary of State in winter 2025. The next steps include finalising the Desirability Report, followed by the boundary setting stage. We will publish further information around the public consultation dates as soon as this has been confirmed."

- It is clear that this project has already been substantially delayed. Previous attempts to extend the National Landscape a decade or so ago did not progress. At this stage, there can be little confidence that the proposals will progress to timetable.
- A Local Plan must be sound at the point of submission. That means evidence needs to be available to justify the plan at that point and that evidence ought to have been published at Regulation 19 stage for interested parties to comment. As things stand, there is no evidence to support the proposed deletion of the previously proposed allocation M14. It should therefore be reinstated.
- The lack of evidence means there is no explanation of why this particular piece of land adjacent to a suburban housing development is considered to meet the relevant legislative tests and to constitute a landscape of national The site is over 5.5km from the current National Landscape boundary so cannot be said to affect the setting of the Chiltern Hills.
- The land adjacent to the Jarvis Homes site should be reinstated due to the lack of supporting evidence for its exclusion. The Jarvis Homes site itself should also be included in the draft Local Plan but for different reasons related to the evidence base.
- By way of background, the Jarvis Homes site was recommended for consideration in the Council's 2013 Green Belt Review by SKM. Methodological changes since 2013 meant that the Arup report only recommended the land adjacent and not the Jarvis Homes site itself.
- The Arup Green Belt review considered the site as part of a much larger sub-area, SA-12, whereas the adjacent site was considered on its own as SA-11. The adjacent site was then recommended for further consideration in isolation, as RA-7. Sub-area SA-12 is 73.55ha in size, whereas the Jarvis Homes site is 4ha.
- It is clear from Figure 5 below that the subject site has far more in common, geographically, with SA-11 than with SA-12. Very few of the conclusions reached in terms of SA-12 would be valid if the subject site were considered in isolation.

Figure 5: Arup sub areas (see report)

- We understand that from a practical perspective the Council will need to draw the line somewhere and cannot keep re-assessing ever smaller pieces of Green Belt. However, given that the report site is being promoted separately from the rest of the parcel, it is important that the specific Green Belt implications of this site are identified, as distinct from the wider parcel.
- The need for a detailed assessment of the report site is heightened because of the conclusions of the Stage 1 Green Belt Review carried out by SKM in 2013/14. These conclusions remain part of the Local Plan evidence base and have not been superseded by the Arup report.
- The Stage 1 Review by SKM recommended the report site as a small-scale sub-area (SA-SS5) – see Figure 6 below. SKM's conclusion reads:

"Land south of Harpenden enclosed by Beesonend Lane to the south and settlement edge to the north and east (SA-SS5) when assessed in isolation the land makes a limited or no contribution towards checking sprawl, preventing merging, preserving setting or maintaining local gaps."

- The methodology adopted by Arup is set out in section 3 of the Stage 2 report.

"This Stage 2 GBR takes a more comprehensive and granular approach to identifying potential subareas to assess within the Green Belt. Not only does it re-consider the weakly performing strategic sub-areas and small-scale sub areas identified in the SKM Stage 1 GBR but also opportunities for potential release in the wider Green Belt."

Figure 6: weakly performing sub-areas, SKM Stage 1 Green Belt Review, as replicated in the Stage 2 Green Belt Review (Arup) (see report)

- The Stage 2 report needed to address the criticisms of the Stage 1 report and add further granularity. However, the Stage 2 report's analysis of the report site is actually less detailed and granular than the Stage 1 report. The Stage 1 report recognises that *"some land at settlement edges is more enclosed due to localised landscape features / hedgerows and is bound by urban development land, such as at Beesonend Lane"*. However, there is no corresponding analysis in Stage 2.
- This is not just a question of one set of consultants disagreeing with another. The level of detail of the assessment needs to be greater at Stage 2 than at Stage 1 and, as things stand, it is less detailed.

- To help remedy this lack of evidence, a site-specific assessment of the subject site (termed sub-area 12A) is contained at Appendix 1. This concludes that the site, in isolation and in combination with SA11, makes a limited contribution to purposes and can be considered for further assessment/release.
- It is acknowledged that the site would have a potentially weak Green Belt boundary to the west. However, this could be easily strengthened via structural landscaping associated with any development proposal.

- A further reason for allocating the Jarvis Homes site for development is that it could provide access to the adjoining site via Prospect Lane. Vehicular access was identified as a key constraint for site M14 at Regulation 18 stage, as such access cannot be taken from Beesonend Lane.
- The location of the report site means that access could be taken from Prospect Lane through to site M14.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The land at Beesonend Lane should be allocated for development and removed from the Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Beesonend Lane - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of the land at Beesonend Lane and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

This report responds to the draft St Albans Local Plan 2041 Regulation 18 Consultation published by St Albans City and District Council in July 2023. The representations are made on behalf of Jarvis Homes, who are promoting land between Beesonend Lane and Prospect Lane for development.

The Beesonend Lane site has been excluded as a housing allocation in the draft Local Plan and Jarvis Homes object to this exclusion as the site promoter.

In summary, additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken.

The land adjacent to the Jarvis Homes site has been inappropriately excluded from the Local Plan on the basis of a possible extension of the National Landscape for which there is no evidence in the public domain and very little confidence on the possible timescales. This site should be reinstated.

The Jarvis Homes site has been inappropriately excluded from the Local Plan on the basis of a Green Belt Review that did not consider the site-specific consequences of development on this site but rather combined the site with a much larger area, making the findings for the whole largely irrelevant to the Jarvis Homes site.

The site is immediately available for development and is deliverable. There are no overriding constraints as confirmed by the HELAA.

The aspiration is to develop the site for a retirement village including dwellings for older residents and a nursing care home. Jarvis has entered into partnership with a retirement village provider, Amber, to bring forward development proposals for the site.

An indicative site layout has been prepared and is shown at Figure 7 below. This shows a scheme a 66-bed care home, 49 bungalows and 9 town houses. Associated facilities such as a village green and bowls club would be provided along with a community hub. These facilities could be made available to residents of the surrounding area.

This layout demonstrates that the site can be brought forward in an acceptable way for the quantum of development proposed, and in a way which respects the character of the surrounding area. For example, the care home provides a frontage to prospect lane, and the choice of bungalows as the majority house type reflects the site's location on the edge of an urban area and adjacent to a low-density housing estate. Structural landscaping, particularly to the west, can be incorporated.

As an alternative form of development, the site could be built out for conventional market and affordable housing. As a site of around 3.7ha, approximately 125 homes could be accommodated.

The draft Local Plan makes inadequate provision to meet the accommodation needs of older people. New sites should be allocated specifically for this type of development and specifically that can deliver early in the plan period.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Jarvis Homes site at Beesonend Lane is both suitable and deliverable as a site for older persons accommodation. It can be brought forward quickly and will have limited impact on the Green Belt. In doing so, it can also deliver a vehicular access to the Council's previously proposed site M14 on the eastern boundary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Beesonend Lane - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of the land at Beesonend Lane and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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206 - Jarvis Homes

Submission Number: 206 Submission Date: 07/11/24 17:11

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Jarvis Homes :

HOU3 - Specialist Housing

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU3 – Specialist Housing

- Strategic Policy SP4 seeks to provide good quality housing that meets the needs of all parts of society, including the provision of specialist accommodation to meet the needs of older people and people with disabilities. This reflects national policy and guidance in the NPPF and NPPG, as acknowledged by the Local Plan.
- The plan acknowledges that accommodation for the elderly is evolving towards more flexible forms of provision including a range of accommodation types to suit different needs. Paragraph 4.14 outlines the approach to meeting the "demand" for specialist housing.

"4.14 Specialist housing is allocated at sites listed in Appendix 1. Planning applications by specialist housing providers on ad hoc sites and on HCC land will deliver additional units of accommodation across the Plan period. Taken together, these sources should meet demand for specialist housing."

- Policy HOU3 then specifies that in total, 1,963 specialist housing units are needed in the plan period comprising 1,154 units of housing with support and 809 units of housing with care. In addition, 377 bed spaces for nursing care (C2) are needed.
- In terms of allocations, 800 retirement/extra care units and 250 care home beds are allocated. This represents 41% and 66% of the HOU3 policy requirement respectively. There is also an emphasis on larger sites to deliver these specialist units. These will inevitably take longer to masterplan, obtain planning permission and develop, meaning that provision of specialist housing for the elderly will be backloaded in the plan period.
- Paragraph 4.14 of the Local Plan quoted above seems to suggest that ad hoc developments will fill the gap. This is a fairly broad assumption which appears to rely heavily on windfall development. This is considered to be a high-risk approach in a heavily constrained District such as St Albans. It also risks blocking the housing market at the "top" due to a lack of

appropriate specialist accommodation, limiting downsizing and further exacerbating the problem with housing supply in the District. This situation will be further compounded by the reliance on large sites which will take longer to come forward.

- In summary, while we do not object to the principles of Policy HOU3, we object to the proposed implementation in terms of the lack of sufficient allocated sites and, in particular, the reliance on large strategic sites to deliver suitable accommodation for older people. The Beesonend Lane site should be allocated for older persons accommodation to help meet need in the short term.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Beesonend Lane site should be allocated for older persons accommodation to help meet need in the short term.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Beesonend Lane - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of the land at Beesonend Lane and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

207 - Bellway Homes (North London) Limited

Submission Number: 207 Submission Date: 07/11/24 17:11

Respondent: Bellway Homes (North London) Limited (C/O Savills) Miss Dorothy Tsang

On Behalf Of Bellway Homes (North London) Limited :

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

All appendices, tables, figures and footnotes can be found in the attached file

Settlement hierarchy and approach to green belt release (Policy SP1)

2.15 We do not consider that the spatial strategy and the approach to the distribution of development is

supported by up an up to date evidence base. The reason for this is two-fold, firstly that St Alban District Council's (SADC) approach to Green Belt, which has been informed by the Green Belt Assessment[1] prepared by Arup, has not been positively prepared and the methodology is brought into question.

2.16 Without undertaking a detailed review of all Green Belt sites at a more local level, it is not effective in

informing the Local Plan with correct number of suitable sites for development across the Borough. This, in the context that the majority of the Borough is Green Belt (81%).

2.17 Given that there is a limited supply of readily developable brownfield sites in the Borough, we recognise

that this provides a significant constraint on the delivery of housing, as demonstrated by the proposed housing numbers. There is no doubt that the housing targets cannot be accommodated solely on brownfield land within the borough and, as such, there is a demonstrable need for Green Belt release to facilitate sustainable development, which will contribute to meeting the established housing need in the Borough.

2.18 Table 1.3 of the DRLP defines a settlement hierarchy based on 7 tiers with Tier 1, being Cities and large

towns and Tier 7 being Hamlets, with the respective classification of various settlements within the borough predicated on their population size, accessibility to services and connectivity in the form of public transportation. Colney Heath which lies approximately 6 miles from St Albans town centre is classified as Tier 6 – Green Belt Village which is classified as a settlement 'washed over by the green belt' with functional connection to settlements in the higher tiers, services and reasonable levels of accessibility to modes of public transportation. We would query the categorisation of Colney Heath as a Tier 6 settlement given that some of the settlements included in Tier 5 namely Bricket Wood (4.1k population), How Wood (3.5k population), Park Street (6.7k population) and Chiswell Green (2.8k population), are not materially larger than Colney Heath by demographic base as evidenced by census data. Notably the Colney Heath parish has a population of net.6.3k[2], of which anecdotal evidence places the population of the Colney Heath settlement, inclusive of the arm off Roestock Lane at approximately 2-3k[3]. This differs from the census record, which appears to be an error based on the fact that this omits the northern arm of the settlement[4].

2.19 The population of the Colney Heath settlement is not materially different to the settlement at Chiswell Green and others. Notably, the settlement has a similar level of accessibility to a range of services, employment opportunities, medical facilities and public transportation as these other sites. Given the scale of the settlement and the wider parish it is considered that further consideration should be paid to the need to plan for incremental growth across the plan period.

2.20 The census data for the Colney Heath Parish had reported a 9% growth (2001-2011)(net +513

dwellings) and further 5% growth within the period from 2011-2021 (net. +311 dwellings). If similar trends are forecast into the future it is apparent that requirement for growth within the parish will far exceed housing delivery of 95 dwellings within Colney Heath over the next 17 years which equates to 5 dpa, all of which will be delivered within the first 5 years of the plan period. It is assumed that these are being delivered from the Bullens Green lane development, if this is the case the projections on delivery timescales do not align with progression on site. If it is not reliant on the aforementioned, it is unclear how, if any of these dwellings will be delivered. More importantly, the plan trajectory in the sustainability appraisal (2023) makes no provision for delivery of housing within the latter period period. Application of a no-growth approach for the period from 2032 to 2041 will result in the strangulation of the settlement in the long term, which will have knock on impacts for the vitality and viability of the wider settlement.

2.21 The Green Belt Review updated report prepared by Arup (June 2023) has informed the draft site

allocations which necessitate release of green belt land and consequential compensation.

2.22 As set out in NPPF Paragraph 140, *"Once established, Green belt boundaries should only be altered*

where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans".

2.23 The Methodology and Assessment to the Green Belt Review (Arup), states that "*it is anticipated that*

weakly performing Local Areas and Local Area for potential sub-division will be considered further by St Albans District Council in terms of whether there are 'exceptional circumstances' for such amendments to the Green Belt."

2.24 Whilst the Draft Local Plan has acknowledged that the housing need cannot be satisfied solely from

brownfield development and greenbelt release as outlined in our Reg.18 representations and reiterated in these representations we would question the validity of the approach which has been implemented by St Albans District Council and Arup in the failure to undertake granular level analysis of the green belt parcels as part of the Stage II review.

2.25 The Green Belt parcels within Arup's Green Belt Assessment were so large and included varied

characteristics within, that it was not possible for potential sites to be fully examined (for example the Land to the North of Roestock Lane) comprises 5 ha of greenfield land within a parcel which covers 419 ha (Parcel 34).

2.26 Further, the Stage II assessment fails to pay meaningful consideration to Parcel 34 which is identified

as only satisfying two of the core principles for green belt land namely, contribution towards safeguarding the countryside and maintenance of the existing settlement pattern, with the remaining criteria adjudged to be at partial or limited contribution.

- Figure 7.1 – Contribution towards checking urban sprawl – Limited or no contribution
- Figure 7.2 – Contribution towards preventing merging – partial contribution
- Figure 7.3 – Contribution towards safeguarding the countryside – significant contribution
- Figure 7.5 – Contribution towards preserving setting – partial contribution
- Figure 7.7 – Contribution towards maintaining the settlement pattern – significant contribution

2.27 The 2013 Stage 1 review identifies that the whilst the parcel is predominantly open character the

north and eastern portion of Sub parcel GB34 is characterised by built form in villages to the north and east of the parcel, around Colney Heath, Bullens Green and Roestock Lane. The Stage 1 review is flawed in that it does not adequately undertake a macro level analysis of Parcel GB34. This has resulted in inaccurate conclusions where the specifics of individual land parcels have been overlooked; we would anticipate that SADC would be able to demonstrate Exceptional Circumstances on a number of additional sites had the methodology in the initial Green Belt Assessment allowed it, given that the character of Parcel GB34 and its function in preserving the openness of the green belt varies significantly across this parcel. This approach is therefore **not justified.**

2.28 The Stage II review prepared by ARUP (June 2023) classifies Colney Heath as a settlement which

is considered to contribute moderately to the 'open character of the green belt' and in light of this contribution should be retained as a washed over green belt site. The green belt review fails to take into consideration the committed development for land at Bullens Green Lane for delivery of net. 100 residential dwellings. It is understood that following the grant of reserved matters approval, construction is commencing on the delivery of the site. The green belt assessment should be updated to reflect the infill to the settlement as a result of the delivery of the Bullens Green Lane development.

2.29 The green belt review makes no consideration to the prospect of growth occurring within the

settlement, in the form of additional housing to meet local need to foster the long term sustainability of the village. This approach results in the prohibition of housing development in any form in this location and will detrimentally impact on the vitality and viability of the settlement. This approach is not appropriate and should be reconsidered, as we consider Bellway's site could deliver housing in a sustainable manner without having a detrimental impact on the Green Belt purposes. We would query the validity of the green belt assessment as the development on Bullens Green Lane

links two of the key parcels on site, has altered the character of these parcels and the assessment should be reviewed on this basis. As outlined within the Reg.18 representations, progression of the Local Plan without a finer analysis of the parcels is innapropriate

2.30 It is notable that the Uttlesford Local Plan advocated a similar approach to release of green belt sites

with a focus on a smaller number of larger strategic sites and garden city style extensions with a limited buffer in the form of small and medium sized green belt sites. In January 2020, the Inspector wrote to Uttlesford District Council outlining that they deemed the SLP to be unsound on a number of grounds, not limited to but including a failure to allocate a sufficient supply of deliverable green belt sites to meet the future housing needs of smaller settlements across the plan period:

However, the scale of the need for housing for the next plan period is currently unknown and uncertain. We are concerned that the Council's chosen strategy would mean that other sites in the district would not be developed or permitted for a significant period of time in the future. This would be likely to ***adversely affect the vitality and viability of services in 7 existing towns and villages and result in a lack of housing choice in the market****. It would also be* ***difficult to accommodate changes in demand for certain types of development/services required over the very long period being committed to within the current strategy*** (Para 31, Letter from Inspector Elaine Worthington to Uttlesford District Council, **Appendix 3**)

2.31 Application of a similar approach for the washed over villages within the green belt would adversely

impact on the vitality and viability of the smaller settlements in the borough. This approach is therefore **not justified.**

2.32 SADC recognise the housing need in the Borough and therefore it is important that more housing

sites should be included in the Plan, rather than just the bare minimum, to provide greater flexibility in terms of delivery. Without this, it will **not be effective**, and the objectives of Policy SP1 and SP3 cannot be delivered in full.

2.33 Table 3.2 of the Reg 19 Draft Local Plan identifies that 9,750 residential units are planned to be

delivered on sites which are currently in the Green Belt, with delivery across 12 broad locations which have been demarcated for strategic level development in excess of 1000 units and large sites (100249 units) and medium / small sites (5-99 units). The housing trajectory over relies on the delivery of the Hemel Hempstead Garden Extension and the Broad Location sites to meet the housing need across the plan period, with this equating to 78% of deliverable sites on green belt land and 58% of the overall housing need across the plan period. We would query whether the figures reflected in the Local Plan spatial strategy area and draft allocations are accurate as the housing trajectory is currently based on the delivery of net 4077 dwellings from the broad locations. It is noted that release of these strategic green belt sites necessitates delivery of appropriate green belt compensation in the form of wildlife reserves and nature conservation areas. The requirement to deliver appropriate compensation and deliver a masterplan led approach to delivery of these strategic sites will inevitably result in delays to the housing trajectory, which are not mitigated for through allocation of a greater proportion of green belt sites.

2.34 It is requested that further consideration is paid to the release of land at Roundhouse Farm, to the

north of Roestock Lane as a site allocation within the draft Local Plan as a site which could be brought online early in the plan period to provide resilience to the housing targets and trajectory set forth in the draft Local Plan. As outlined on the illustrative masterplan included in **Appendix 2** delivery of this site would have a minimal effect on the openness of the site beyond reducing the overall harm.

2.35 This section of GB Parcel 34 makes a very limited contribution to the purposes of including land in

the Green Belt in paragraph 134 of the Framework. It is essentially "captured" land that was included within the Green Belt along with large swathes of Hertfordshire at the time the boundaries were first defined, with little, if any, consideration given to the actual contribution it makes to the Green Belt purposes.

2.36 This specific site is situated within Colney Heath. Colney Heath itself is bordered very closely to the

east by the A1(M). There is a virtually nil likelihood any coalescence with any settlement beyond the A1(M), nor any capacity for Colney Heath itself to 'sprawl' out in this direction and thereby contribute poorly to GB purposes.

2.37 This particularly so given that in between the A1(M) to the east and the site, as well as to the south of the site, there is very dense woodland which inherently limits the visual openness of views outward - even if we were to ignore the A1(M) further beyond.

2.38 As detailed in preceding sections, the site is perfectly bordered to the south, east, west and 50% of

the north edge by existing residential development, formalised open space and other built development including two former pubs, a scrap yard, a hairdressers, an ex-coffee shop/ now bathroom shop, a former timber yard, a second hand car dealership and is wrapped by roads on three sides'. In essence, development of this tract of land forms a very logical and assuredly reasonable expansion of Colney Heath which has experienced virtually non-existent levels of growth in recent decades.

2.39 It is a settlement that within the draft Local Plan will be left to stagnate as the failure to plan in a

proactive manner to facilitate the longevity of the settlement will exacerbate the housing affordability crisis and could result in key workers moving away from the settlement to find housing. As aforementioned, it is captured land that has inhibited natural growth of the surrounding rural settlement. Few sites within the Green Belt bordering Green Belt settlements can claim to be readily integrated within said rural settlements that invariably define them.

2.40 The Site is enclosed by settlement on three and a half sides and development of it would therefore

effectively be 'infill' development. Development would be well contained by the landscape and there would be no harm to any qualities which contribute to the distinct identity of Colney Heath. Development of the Site could be accommodated without giving rise to a perception of excessive encroachment into the wider countryside.

2.41 The Proposed Development would provide a new settlement edge which would be complementary

to the existing situation and defensible in landscape terms, separating the Site from the wider countryside, arguably securing it from further encroachment in the future. In the determination of application LPA ref. 2022/2736 for redevelopment of land at Roestock Lane the landscape officers

comments dated 10th August 2023 indicated that the landscape officer was content with the landscaping and visual mitigation strategy for the proposed development, subject to final details at reserved matters stage:

"In conclusion the Parameter Plans now work harder to protect the important existing site features and their buffer zones, and deliver the mitigation assumed in the LVIA. There are still some outstanding concerns with regards to open space provision and landscaping throughout the development parcels however suggest this can be addressed at the next stage".

2.42 The new permanent, defensible boundary would be defined by a physical feature – a reinstated field

boundary marked by a native hedgerow – which would be readily recognisable and permanent, as required in paragraph 143 of the NPPF, and would provide a clear distinction between 'town' and 'country'.

2.43 In terms of the effects of development on the Green Belt Purposes, the Site is located on the edge of a settlement, which wraps around the Site on three and a half sides. Development of the Site would not therefore result in unrestricted sprawl. The settlement boundary would not be extended beyond the existing boundary and, as a relatively enclosed parcel of land, development would not significantly encroach on the wider countryside and delivery of the proposed scheme would not affect the setting of any historic towns.

2.44 The Site is considered to currently make a weak contribution to Green Belt purposes and

development of it should not weaken the integrity of adjacent Green Belt land and the contribution of the neighbouring land would not be weakened were the Site to be developed.

2.45 Development would affect the openness of the Site but not of the wider Green Belt. The Site is

contiguous with the settlement boundary and development of it would not have an impact on openness or a significant increase in urbanising influences and would not diminish the extent to which the adjacent Green Belt would be considered countryside

2.46 Visual openness is relevant to a consideration of openness. The visibility of the proposed scheme

has been assessed in a Landscape and Visual Impact Appraisal (LVIA) prepared by Liz Bryant supporting the submitted Outline application (**Appendix 4**) which concludes that from the wider area there would be limited to no visual effects resulting from development of the Site. Where there would be views of built form, it would be experienced within the context of the existing settlement. It is considered that the Site currently makes a weak contribution to Green Belt purposes as defined in the NPPF. It is concluded that development of the Site could be compatible in terms of design, form, scale and appearance with the character of the surrounding area and would not result in unacceptable harm to the contribution made by the wider Green Belt to Green Belt purposes. In the determination of the current application LPA ref. 2022/2736 it had been noted that the visual impacts generated from the release of the site to the wider impact would be very limited and the mitigation delivered in the form of the landscaped buffer to the northern boundary of the site should be sufficient to address concerns on the visual impact of the proposed development. The landscape officers comments dated 10th August 2023 indicated that the landscape officer was content with the landscaping and visual mitigation strategy for the proposed development

2.47 As noted in the sustainability appraisal dated September 2024, the application for land to the north

of Roestock Lane is currently live and being determined by officers at SADC. In October 2024 and following engagement with officers additional information had been presented to officers which responds to the comments that had been received from HCC querying the sustainability credentials of the proposed scheme. A copy of the updated highways response has been appended to these representations **(Appendix 5)** and are summarised below for completeness.

2.48 The highways technical response prepared by Ardent demonstrates that the site is accessible to a

range of educational facilities, medical facilities and local amenities servicing occupants of the development.

2.49 The proposed site is within 2km (25min) walking distance of the recently completed Highview Rise shopping precinct where residents will have access to a new doctors surgery, a NHS dentist and a pharmacy, all accessible via good quality pedestrian routes. Additionally, as part of the review of the scheme the applicant has consulted the Integrated Care Board. At a meeting on the 17th July 2024, it had been confirmed verbally that the healthcare network in the surrounding area had capacity to accommodate the delivery of 155 residential dwellings on this site.

2.50 Whilst it has been demonstrated through the new evidence contained within the transport note

(Appendix 5) that the site is within walking distance of medical facilities an audit has been undertaken of the accessibility of the site to other medical facilities via public transport, including those accessible via the 305 route. As evidenced in Section 3, the 305 bus route provides access to 9 no. GP surgeries (including both those in and out of catchment currently accepting new patients as per NHS website info), 6 x Dentists (currently accepting new patients in this catchment as per NHS website info) & St Albans City Hospital making the route a suitable option providing direct access to a range of medical facilities. Our site lies within walking distance of bus stops on Roe Hyde Way (routes 602,614,644 and 653), or via cycle to the Forum at Hertfordshire University where service (635, 341, 641, 610/12 & X10) routes which provide access to a range of medical facilities. In totality, the evidence set forth within Section 3 demonstrates that the site is accessible via walking, or a combination of walking, cycling and public transport to 14 x GP facilities, 8 x dentist and 5 x hospitals in the local area. The evidence set forth within this updated technical note demonstrates that the site has suitable accessibility to a range of medical facilities with capacity to accommodate occupants of the development.

2.51 A concern which had been raised in the determination of the application was the accessibility of the

site to primary and secondary schools in the locality. Evidence has been provided of a new audited route providing access to the Samuel Ryder Academy that is segregated from public highway once it passes Colney Heath Lane. Whilst we consider that this route is serviceable to meet the cycling needs from the development consideration has also been paid to alternatives. An alternative route which utilises Nightingale Lane that has been audited by Ardent could be viable for cyclists during the majority of the year. HCC have been ‘advised’ that Samuel Ryder Academy is currently the allocated school for the site’s catchment area and so this Technical Note provides further details on safe and suitable cycling routes to this school in particular.

2.52 The Academy have also expressed support for the proposals and potential future improvements to

the cycling route to the school, as evidenced in their recent representations on the planning application. In addition, it is important to note that this allocation is not set in perpetuity and other schools are likely to come forward in the future as the allocated Secondary School for the site’s catchment. Therefore, in this Technical Note we have evidenced that 11 (eleven) Secondary schools from the site are within the 8km Cycle Isochrone, including same sex schools (Loretto College, Verulam School, St Albans Girls School) and Faith schools (Nicholas Breakspear School)

offering a number of alternative options for future residents.. The evidence set forth within this technical response demonstrates that the site has accessibility via active travel and public transport modes to 12no. secondary schools, 2 no. higher education facilities and 1 no. University. It is considered that the site has a good level of connectivity to education facilities to facilitate delivery of the site, offering a genuine choice of sustainable travel options.

2.53 Additionally, officers at HCC had queried the suitability of the walking routes to local amenities and therefore, Ardent have previously undertaken an audit of the key pedestrian routes in the immediate vicinity of the site in Colney Heath itself, as provided in earlier submissions.

2.54 In the previous versions of the report we had provided evidence that it was possible to walk to a

Convenience Store/Post Office, local takeaway, Hair Salon, Coffee Shop) Public House, Car Sales, Village Hall, Colney Heath School and Nursery, Colney Heath Football Club & 305 Bus Stops. All which had been accepted by previous Inspectors as sufficient. In the determination of the cojoined appeals for Chiswell Green Lane the Inspectorate and the Secretary of State had been minded to consider that walking distances of 800m to amenities is not an absolute and walking distances of up to 2km to amenities represent a 'realistic option' in place of car based journeys, for locations outside of London.

2.55 Taking the advice within Manual for Streets and the principles established under the Chiswell Green

Lane appeal decision, we have identified that the recently completed Highview Rise Shopping Precinct lies within an acceptable walking distance from the site (this is new evidence not previously submitted to HCC). Within a 2km walking distance it is possible to access the following amenities:

- New Doctor Surgery
- New NHS Dentist
- Pharmacy
- 2nd Post Office
- Barbers
- Launderette
- 10 x retail shops including a Tesco Express, hardware store, takeaway/restaurants.
- Community facilities including a Public House and the Jim Macdonald Community Centre

2.56 The range of amenities accessible from the site and within the walking distances prescribed under

the Manual for Streets and cited in the Chiswell Green Lane appeal decision are far superior to those accessible in the aforementioned scheme. Details of the walking route to these amenities have been included in the appendices of this report. We trust that the information provided demonstrates that the site has suitable access via pedestrian route to a range of amenities necessary to service the development and is acceptable in planning terms.

2.57 With regard to wider sustainability we provide additional information that demonstrates that the

development site has accessibility to a range of active travel and public transport modes of travel including but not limited to the 305 route. It has been demonstrated in the additional response that there is access to a further 10 bus routes providing Transport options for employment, leisure, education & retail to (but not exclusively) St Albans, Radlett, Bushey, Watford, Barnet, Hatfield, Welwyn Garden City & Edgware. Hitchin, Watford, Stevenage, Hatfield, Ware, Hareford, Luton (inc. Luton Airport), Cockfosters & Potters Bar. Due to the site's location in close proximity to The University of Hertfordshire, which facilitates journeys for 32,000 students and over 3,000 employees daily the proposed development site arguably has access to the largest concentration of Public Bus Transportation in the district offering routes to an array of destinations.

2.58 It is considered that the site has a suitable level of access to a range of amenities and services via active travel and public transportation modes of travel. In the determination of the scheme for land at Tollgate Road HCC had been minded to attribute weight to a financial contribution for the enhancement of the 305 Bus service for a period of 3 years.

2.59 Bellway and EDIT Land are open to negotiate with HCC on mirroring the S106 commitment agreed

in the Tollgate Rd application to increase the frequency of the 305 Bus Service for a period of 3 years. This TTN provides evidence that the 305 Bus Route is a highly sustainable route providing access to many of the key local facilities that local residents may need to reach, offering a genuine alternative to the private car for many of these destinations.

2.60 The commitment to increase the frequency of this route will not only benefit the Colney Heath

residents but all persons along the route making the option of Public Transport a more reliable, accessible and attractive option. As with the SoS stance on the Chiswell Green Appeal the improved bus service potentially sets a precedent to be considered as a positive weight in the decision making.

2.61 It is also important to reiterate, that as has been evidenced it is possible to access 4 (four) train

stations from the site which is highly unique. The stations provide access to three separate train lines providing transport routes to major employment area including London, Watford, Cambridge and other major destinations further afield. In Section 5 of this report it is detailed how Welham Green is not, and will not be for future residents, the primary choice for commuters as overall journey times, along with more frequent and direct trains available at the Primary hub of Hatfield Station will provide a quicker overall journey time into London at only 45mins. This report provides evidence that the proposed site has access to a Public Bus Network of 11 (Eleven) bus routes as well as 4 (Four) Train Stations, 2 of which are considered primary transport hubs in St Albans City Thameslink and Hatfield Stations. This should be afforded significant weight in the deliberations on the sustainability of the development site and the potential for the inclusion of the site as an allocated site within the emerging Local Plan.

2.62 The Draft Local Plan fails to pay regard to recently consented schemes located within the 'Washed

over villages' such as the land at Bullens Green Lane and the contribution that delivery of these sites makes to the provision of housing to meet established local need to sustain and enhance the longevity of these settlements[5].

2.63 In summary, it is not considered that the Plan has been positively prepared, is not justified and it will

not be effective. The spatial strategy and the approach to the distribution of development (namely disregarded sustainable Green Belt sites) has not been justified. It is therefore concluded, by taking into account the St Albans District Council Green Belt Review that the Site's conflict with these purposes is limited and the site offers sustainable opportunities for development whilst maintaining a defined green belt boundary to the north of the site.

2.64 Bellway Homes Limited considers that strong exceptional circumstances exist to justify the release of Land at Roundhouse Farm, to the north of Roestock Lane. This is summarised as below:

- The heavily constrained nature of the Borough (SPA, SSSI and flooding);

- Housing need – need for open market housing and affordable housing to address significant historic shortfall in delivery which is cataclysmic;
- The unavailability of suitable brownfield sites and underutilised land within settlement boundaries (on the basis of SADC's own evidence), necessitating release
    - Moderate performing Green Belt when assessed in isolation, with limited contribution to the Green Belt when consider on the basis of the emerging proposals and controls by policy. The emerging proposals or the site have positive consequential effects on character and perceived openness;
    - Provision of employment benefits;
    - Opportunity for Sustainable Development well served by public transport;
    - Surrounded by development on 3 sides, site is in a truly sustainable location.

2.65 Other surrounding authorities which have recently been through new Development Plan documents

include Welwyn Hatfield BC. The key exceptional circumstances identified in the various Inspector's Reports can be summarised as:

- Inability for Unmet Need to be accommodated elsewhere in the Borough;
- Alternative Sites – Brownfield;
- Alternative Sites – Greenfield Non Green Belt;
- Overall Scale of Under-provision if only non-Green Belt Land utilised;
- Other Landscape Constraints e.g. AONB;
- Recent Under-delivery of Housing; Employment need.

2.66 Bellway Homes Limited assert that the spatial settlement hierarchy implemented by St Albans District

Council and Arup set forth in the Reg.18 draft local plan and its evidence base is fundamentally flawed and has been shown to be unsound in previous examination of a now withdrawn Local Plan in Uttlesford.

2.67 The Extant Local Plan dates back to 1994 and is the oldest Local Plan in the country. Through a

paralysis in leadership within St Albans the Council have failed to adopt a replacement Local Plan. When paragraph 33 of the NPPF states that Local Plans are meant to be reviewed every 5 Years, the St Albans Local Plan effectively expired 22 years ago. It is comprised of policies which have been un-reviewed since they were adopted in 1994.

2.68 As outlined in the evidence put forth in the Chiswell Green Appeal scheme there have been four

unsuccessful attempts taken by the St Albans District Council to replace the extant Local Plan. The most recent attempt had been found unlawful and withdrawn following the inspectors determination that the council had failed to adhere to the requirements for the 'duty to cooperate' and adequately plan for release of green belt land to contribute to achieving the boroughs housing need. The absence of a joined up strategic vision for the borough has contributed to the dire housing crisis present in the borough, a failure to deliver a robust spatial strategy will further exacerbate this problem.

The current version of the Local Plan is exhibiting the same key flaws that had rendered previous iterations unsound. The authority are still failing to plan in a pro-active manner and seek to promote delivery of necessary sites to meet their housing need. As outlined in the representations our client has reservations on the suitability of the current housing trajectory, which is based on the current standard methodology. It is considered that St Albans District Council should be making provision

for delivery of a broader range of smaller and medium scale housing allocations to provide contingency and a delivery buffer to accommodate the requirements of the emergent NPPF and standard methodology.

2.69 It is requested that further consideration is paid to the need for incremental growth within the washed

over villages to enable long term sustainability of these communities. It is considered that the landholding which Bellway are promoting for the reasons set forth in this statement could make a tangible contribution to the delivery of new housing in this location to meet the evolving needs of the settlement, whilst appropriately mitigating its impact on the wider green belt.

Grey Belt and the Revised NPPF

2.70 The Draft NPPF makes reference to potential for sites within the green belt that provide limited

contribution to the core purposes of the green belt and are located in sustainable areas could be considered appropriate for release for housing, or other forms of development, as summarised below:

"In addition to the above, housing, commercial and other development in the Green Belt should not be regarded as inappropriate where:

1. *The development would utilise grey belt land in sustainable locations, the contributions set out in paragraph 155 below are provided, and the development would not fundamentally undermine the function of the Green Belt across the area of the plan as a whole; and*
2. *The local planning authority cannot demonstrate a five year supply of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 76) or where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years; or there is a demonstrable need for land to be released for development of local, regional or national importance.*
3. *Development is able to meet the planning policy requirements set out in paragraph 155" (Para 152 of the Draft NPPF July 2024)*

2.71 With regards to Part a) of Para 152, it has been evidenced through the material provided as part of

the representations and as part of the twin tracked application (LPA ref. 2022/2736) that development could constitute grey belt. The core justification on how this position has been arrived at are set out below:

Assessment against the core purposes of the Green Belt

2.72 The Planning Statement and Green Belt Statement included within the submission for (LPA ref.

2022/2736) includes an assessment of the proposed scheme against the core purposes of the Green Belt. The section below summarises the core

1. ***to check the unrestricted sprawl of large built-up areas;***
2. ***to prevent neighbouring towns merging into one another;***
3. ***to assist in safeguarding the countryside from encroachment;***

2.73 As outlined in the green belt statement and landscape and visual impact assessment prepared by

Liz Bryant, it can be demonstrated that the settlement of Colney Heath is locationally distinct from the wider agglomeration of St Albans and the neighbouring large settlements; and as such it has been demonstrated that the release of land at Roestock Lane will not impact purposes a), b) and c).

2.74 The release of land to the north of Roestock Lane will not result in the expansion of built form beyond
the confines of the wider settlement of Colney Heath. The site is enclosed on three and a half sides, with the landscape mitigation strategy in the form of delivery of new enhanced structural landscaping to the northern boundary, a new permanent edge to the settlement will be established which will prevent further expansion. It has been evidenced that officers at SADC are content that the structural mitigation strategy is sufficient to offset the impact of the development.

- ***) to preserve the setting and special character of historic towns; and***

1. ***to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.***

2.75 As outlined in the green belt statement and landscape and visual impact assessment prepared by

Liz Bryant, purposed d) and e) are not applicable to this site. Delivery of a residential scheme on this site will not impact these core purposes.

2.76 Development would affect the openness of the Site but not of the wider Green Belt. The Site is

contiguous with the settlement boundary and development of it would not have an impact on openness or a significant increase in urbanising influences and would not diminish the extent to which the adjacent Green Belt would be considered countryside

2.77 Visual openness is relevant to a consideration of openness. The visibility of the proposed scheme

has been assessed in a Landscape and Visual Impact Appraisal (LVIA) prepared by Liz Bryant supporting the submitted Outline application (**Appendix 4**) which concludes that from the wider area there would be limited to no visual effects resulting from development of the Site. Where there would be views of built form, it would be experienced within the context of the existing settlement. It is considered that the Site currently makes a weak contribution to Green Belt purposes as defined in the NPPF.

2.78 It is concluded that development of the Site could be compatible in terms of design, form, scale and

appearance with the character of the surrounding area and would not result in unacceptable harm to the contribution made by the wider Green Belt to Green Belt purposes. In the determination of the current application LPA ref. 2022/2736 it had been noted that the visual impacts generated from the release of the site to the wider impact would be very limited and the mitigation delivered in the form of the landscaped buffer to the northern boundary of the site should be sufficient to address concerns on the visual impact of the proposed development. The landscape officers comments dated 10th August 2023 indicated that the landscape officer was content with the landscaping and visual mitigation strategy for the proposed development.

2.79 As outlined in Section 2.46 – 2.60 of this statement, it has been demonstrated that the site has good connectivity to a range of public transportation connections, medical facilities, education facilities and local amenities. It is considered that development in this location could represent a sustainable form of development.

2.80 In line with Para 152, of the Draft NPPF an assessment has been made against the current scheme

based on the provisions of Para 155, as outlined below:

155 *Where major development takes place on land which has been released from the Green Belt through plan preparation or review, or on sites in the Green Belt permitted through development management, the following contributions should be made:*

156 *In the case of schemes involving the provision of housing, at least 50% affordable housing [with an appropriate proportion being Social Rent], subject to viability;*

157. *Necessary improvements to local or national infrastructure; and*

158 *The provision of new, or improvements to existing, green spaces that are accessible to the public. Where residential development is involved, the objective should be for new residents to be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.*

2.81 With regards to **Part a)** of Para 155 of the revised NPPF, the submitted application LPA ref.

2022/2736 delivers 45% affordable housing and 5% custom build housing, which is well in excess of the requirements of the adopted development plan, and the affordable housing threshold set within the emergent Local Plan.

2.82 With regards to **Part b)** the scheme will deliver a significant package of financial and nonfinancial

contributions to SADC and HCC to facilitate enhancements to infrastructure in the locality to offset impacts generated from the development. The section below outlines the contributions which have been sought from the development, based on the requirements of SADC and HCC guidance and the relevant care and education boards:

- Medical facilities contribution: £200,600
- Ambulance contribution: £57,491
- Transport contribution: £1,058,000
- Leisure and cultural facilities contribution: £107,659
- Primary education contribution: £1,120,500
- Secondary education contribution: £1,216,633
- Childcare services contribution: £1,256
- Special education needs and disabilities contribution: £156,035
- Library service contribution: £31,280
- Youth service contribution: £32,529
- Waste service recycling centre contribution: £44,800
- Waste transfer contribution: £9,123

2.83 In addition to the contributions that had been requested from the development the applicant is liaising

with HCC Highways team on potential for enhancements to bus services in the locality as part of the mitigation strategy for the development.

2.84 Under Part c), the scheme will deliver new open space and child play space provision as part of the scheme servicing the requirements of end user of the development. The scheme will provide sufficient public open space servicing the end users of the development.

2.85 As outlined in the section above, it has been demonstrated that the proposed development would

satisfy the requirements of Para 152 and 155 and could constitute ‘grey belt’ as defined under the NPPF. It is requested that further consideration is paid to the release of land at Roundhouse Farm, to the north of Roestock Lane as a site allocation within the draft Local Plan for up to 155 dwellings.

Approach to Standard Methodology in the Draft Local Plan

2.86 The NPPF and its accompanying guidance make clear that the Standard Method, incorporating the

2014-based subnational household projections (SNHP), should be used to determine the minimum housing requirements for Local Plans, unless exceptional circumstances justify an alternative approach.

2.87 This is despite two sets of official projections (2016 and 2018-based having subsequently been

published and providing more up-to-date data. The explanation for this stance set out in the PPG confirms that the Standard Method is a policy-driven approach to calculating housing need:

"*The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes*."[6]

2.88 Given the comments at paragraph 3.12, we consider it important for the authority to understand the

background to the introduction of the Standard Method and, specifically, the requirement to utilise the 2014-based SNHP in calculating local housing need using it.

2.89 The introduction of the Standard Method for calculating local housing need through the NPPF 2018

– followed by clarification that alternatives should only be used in exceptional circumstances – marked a fundamental change in the calculation of housing need for the purposes of planning.

2.90 Prior to this, the NPPF 2012 had called for Local Planning Authorities to meet their objectively assessed housing need, but without expressly setting out how precisely how this should be calculated. The thrust of the NPPF 2012 and its accompanying guidance very about seeking to identify a demographically 'correct' housing need figure for Local Authorities, through Strategic Housing Market Assessments prepared in conjunction with their neighbours. The result was a lack of consistency as to how factors such as market signals should be accounted for and, particularly relevant in the case of authorities such as St Albans, how household projections had likely be suppressed due to historic under provision of housing.

2.91 Rather than directing Local Authorities to seek to identify a demographically 'correct' housing needs

figure, the NPPF 2018 and the introduction of the Standard Method represented a shift towards the calculation of local housing needs as a policy-driven response to the national housing crisis – a policy-driven response aimed at boosting housing land supply, and providing consistency and certainty. Such an interpretation is evident through both current Planning Practice Guidance as well as the Government's response to consultation on the proposed methodology for calculating local housing need, as well as confirmed through S78 appeal decisions[7].

2.92 It is also relevant to consider the Government's approach vis-à-vis the release of the 2016-based

SNHP and the Standard Method. The 2016-based SNHP were released in September 2018, and applying these projections to the Standard Method would have resulted in a significant reduction to the overall numbers of new homes Local Authorities would be required to deliver (although for a minority of Local Authorities, applying the 2016-based SNHP to the Standard Method would have resulted in a higher calculation of local housing need). Use of these projections would evidently have been inconsistent with the Government's objective of delivering 300,000 additional homes per year by the mid-2020s.

2.93 In response to this, the Government published Technical Consultation on Updates to National

Planning Policy and Guidance in October 2018 ('the Technical Consultation Paper').

2.94 This confirmed that, in light of the updated SNHP, the Government had considered whether it needed

to revise its goal of the delivery of 300,000 homes per year, but that it concluded it did not. In determining to retain the aim of delivery of 300,000 additional homes per year, the Government noted:

- ONS' view that the lower projections did not mean fewer homes were needed;
- Household projections are constrained by housing supply;
- Historic under-delivery means there is a case for supporting delivery in excess of projections;
- Declining housing affordability, and a more response supply of homes through Local Planning Authorities will help address the effects of increasing demand;
- Population changes are only one aspect of determining housing demand. Factors such as rising incomes and changing social preferences are also relevant

2.95 The Technical Consultation Paper confirmed that the Government intended to specify that the 2014-

based SNHP should be used in the Standard Method, rather than the more up-to-date 2016-based projections; and that the 2016-based projections would not constitute exceptional circumstances justifying a departure from this approach.

2.96 There were significant concerns that the use of the period 2001 and 2011 by the 2016-based SNHP to determine headship rates was inherently problematic, as this period saw very low levels of housebuilding, and a dramatic worsening of affordability. This resulted in an increase in concealed families, and fewer young adults leaving their parents' home. The consequent concern with the 2016-based SNHP household formation rates used in the 2016-based SNHP was that they would have suppressed household formation rates, particularly within the 25-44 age cohort, resulting in the projections understating actual need.

2.97 Within this Technical Consultation Paper, the Government also noted that the change in the 2016-

based SNHP was driven by a combination of both lower household projections and changes in household formation rates, with the former responsible for the majority of the reduction. This is an important point – it is not *just* that the use of more up-to-date projections would be incompatible with Government housing objectives. It was also the case that whilst the projections were more up-to-date, this did not mean they would provide a more accurate basis for projecting actual housing need.

2.98 The 2018-based SNHP were published in 2020. If the Government had felt it appropriate it to do so,

it again had opportunity to do utilise more up-to-date projections. However, as with the 2016-based SNHP, there were concerns that the 2018-based SNHP underestimated household growth due to the same issues that affected the 2016-based SNHP.

2.99 Paragraph 3.12 of the Draft Local Plan implies the Council will seek to utilise more up-to-date

projections when these become available for plan-making. This would be wholly inappropriate as, for the reasons set out above, such projections will not necessarily a) present a more accurate picture of actual local housing need (as the 2016 and 2018-based SNHP did not); or b) align with the Government's policy objective to significantly boost housing land supply.

2.100 In respect of how suitable more up-to-date projections will be for use in planning to meet the District's housing needs, it is relevant to consider that the District has experienced a significant worsening of affordability in recent years, and a very poor housing delivery record. In such circumstances, it would be expected that updated projections would suggest a lower number of additional households, but as a result of household growth having been constrained by affordability issues and a lack of housing supply, rather than due to a lack of actual need.

2.101 Separately, it is also pertinent to note that the Standard Method incorporates a cap on the

assessment of housing need, set at 40% and "*applied to help ensure that the minimum local housing need figure calculated using the standard method is as deliverable as possible*[8]." i.e. the calculation of a local housing need of 885 dpa for the District is one which has been artificially constrained.

2.102 If one were to disregard the cap – removing this artificial constraint on the calculation of need – but otherwise apply the Standard Method, it would result in a local housing need – and a minimum housing requirement for which to plan – of 11,169dpa.

2.103 As such, if there were to be changes to the Standard Method, it cannot be assumed that this would result in a lower figure. Having regard to all of the above, it is considered that the implied criticisms of the use of the Standard Method – including its requirement to use the 2014-based SNHP – are misplaced.

2.104 On 30th July 2024, a letter from the Deputy Prime Minister, Rt Hon Angela Rayner MP, was addressed to all local authority leaders in England. The correspondence indicated that the government intends to reinstate the standard method for assessing housing needs and planning for residential developments, while reversing the broader modifications made to the National Planning Policy Framework (NPPF) in December 2023, which have been detrimental to housing supply.

2.105 The Labour Government has determined that merely reverting to the 2018 standard method is inadequate. Therefore, a new standard method is proposed to ensure a substantial and ambitious increase in housing delivery figures for most boroughs and district councils in England, including SADC. This initiative aims to comply with the housing targets established by the government and to enhance overall housing delivery efforts.

2.106 Draft Policies SP1 and SP3 refers to a local housing need of 885 dpa having been calculated using the current Standard Method, Under the new standard method, SADC housing figures have a substantially increased -1,544 dpa, which is a 74% increase compared with the figure – 885 dpa. The letter also stated that "*local authorities will be expected to make every effort to allocate land in line with their housing need as per the standard method*."

2.107 However, it is unclear how the Council has determined the housing requirement is the same as the local housing need– the PPG expressly confirms that the Standard Method does *not* identify a housing requirement figure, simply the *minimum* annual housing need[9].

2.108 Whilst the PPG gives examples of where it might be appropriate to go beyond the bare minimum in term of housing provision, it confirms that this list is not exhaustive.

2.109 There are a number of reasons why it is considered the new Local Plan should seek to deliver a greater number of new homes for the District than the absolute minimum.

2.110 Firstly, the PPG is clear that the reason for the imposition of a cap restricting the local housing need figure calculated using the Standard Method is to ensure that this figure is as deliverable as possible. Where the cap is engaged (as is the case in St Albans) it follows that, at the very least, the potential to deliver a greater number of new homes should be explored.

2.111 In the case of St Albans, it is considered particularly important to explore a greater number, given the degree to which the cap suppresses the calculation of need for the District. The difference between the capped and uncapped figures for the District is vast: 1,169 dpa is the calculation of need without the cap - 32% greater than the capped figure of 885 dpa. Over the plan period, the equates to a difference of 4,828 dwellings.

2.112 We note the South West Hertfordshire Local Housing Needs Assessment (2020) (LHNA) which has been undertaken on behalf of the Council and the other South West Hertfordshire authorities. This stated that "*there are some **severe** affordability issues in South West Hertfordshire"*(emphasis added) but concludes there is no requirement to uplift the figures calculated using the Standard Method to account for this is, as this is "*addressed through the standard methodology, specifically the 40% uplift*".

2.113 The Update South West Hertfordshire LHNA, published in March 2024, provided an up-to-date evidence base on overall housing needs in SW Hertfordshire. The analysis demonstrates that the sub-region has undergone sustained and consistent increases in house prices. Currently, these prices present significant barriers for local households attempting to enter the housing market. A decline in affordability, coupled with constrained housing supply, has contributed to a reduction in homeownership rates and a notable incidence of overcrowding in rental accommodations.

2.114 This is a somewhat problematic stance to carry forward into the new Local Plan, in our view.

2.115 As noted above, the 40% uplift represents the cap on the uplift to be applied to calculating the *minimum* housing requirement, and is only in place – as confirmed through the PPG – to maximise deliverability. The requirement to apply a 40% uplift through the Standard Method is reached when the affordability ratio[10] reaches 10.4. However, in the case of St Albans affordability is significantly worse. The latest affordability ratio is 18.44 – 77% greater than the number at which the Standard Method's cap is engaged. If the Local Plan is to help address the severe affordability issues in the District it is critical the strategy for growth explores providing more homes than the bare minimum, based on a housing figure which would apply if the affordability issues were significantly less severe than they are in the District.

2.116 In terms of arriving at a housing requirement, we consider there a number of other issues the new Local Plan needs to consider and should address.

2.117 Firstly, it is important to recognise that the District does not exist in a vacuum insofar as concerns housing provision, but is part of the wider South West Hertfordshire housing market area. In addition to St Albans, the identified housing market area includes the administrative areas of Dacorum, Hertsmere, Three Rivers and Watford. The average latest affordability ratio across the housing market area is 14.81 (an increase on the average of 13.9 identified by the LHNA, and used to inform its conclusions) , and ranges from 13.17 to 18.4. Severe affordability issues evidently exist across the whole of the housing market area.

2.118 At the same time, there is a consistent and significant shortfall in housing delivery across the housing market area in the SW Herts LHNA.. The latest (2022) Housing Delivery Test (HDT) measurements confirm that none of the authorities within the housing market area is meeting housing needs.

2.119 The 2021 HDT measurement (percentage of housing requirement met over the last three years) averages just 68% for the housing market area authorities. The 2022 HDT result with a slightly lower average with 64% of the SW Herts authorities It is a matter of fact that those local authorities are unable to deliver housing that meets the local housing needs, resulting in a persistent acute housing need and shortage of delivery across the whole of the housing market area. It is not the case that a shortfall in housing delivery within one part of the housing market area is being balanced by strong delivery within another part.

2.120 The housing shortage across the housing market area risks putting further pressure on St Albans, and potentially making it even harder for the District's communities to access the housing market. Beyond the immediate housing market area, the impact of London on St Albans cannot be overlooked.

2.121 The Greater London Authority (GLA) reports as of 1 September 2023[11] that for the period 2019 – 2023, only 60% of the total housing target for London Boroughs – a shortfall of over 80,000 homes over a four-year period. Furthermore, the London Plan 2021 acknowledges that its needs will not be met:

"The [London] Plan does not meet all of London's identified development needs. Work will need to be undertaken to explore the potential options for meeting this need sustainably in London and beyond. This is a matter for a future Plan, and requires close collaboration with local and strategic authorities and partners". (Paragraph 0.0.22).

2.122 In short, London's housing needs are not being met, and the strategy in place for its development admits it will not meet needs. This clearly has the potential to impact on housing market areas that have a relationship with London, such as South West Hertfordshire.

2.123 A separate, additional factor that should be considered in determining the overall housing requirement is affordable housing. The PPG states that "*An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes*[12]." In the case of St Albans, the 2024 LHNA identifies a net affordable housing need of 449 affordable dpa, compared with the 2020 LHNA with only increase 6 affordable dpa. It should be noted that since this figure was calculated, affordability in the District has worsened, but accepting this as the scale of affordable housing need, it represents 50% of the total annual housing requirement the Draft Local Plan proposals.

2.124 The Draft Local Plan (Policy HOU2) proposes requiring 40% of dwellings on developments that would deliver a gain of 10 or more homes to be provided as affordable housing.

2.125 As such, even if the entirety of the housing requirement proposed by the Draft Local Plan were to be delivered in full each year and through developments required to provide affordable housing (and which were viable to do so), it would still only deliver 355 affordable homes per year. Whilst a vast improvement on the recent record of affordable housing deliver in the District, this would still fall significantly short of meeting affordable housing need in full.

2.126 However, the requirement to provide 40% affordable housing will not apply to all developments – many will comprise fewer than 10 dwellings, and some may not be viable to provide the full 40% affordable housing.

2.127 Whilst difficult to quantify, it is notable that the housing trajectory provided in Table 3.2 of the Reg 19 Draft Local Plan suggests 145dpa will be delivered through windfall developments, which previously in the Reg18 Local plan suggested 180 dpa through windfall developments.

% of first 5 years Windfall Allowance to the Annual Housing Requirement	
Reg 18	Reg 19
25.4%	**26.9%**

Table 2.1 % of First 5 years Windfall Allowance to the Annual Housing Requirement (Stepped) comparison between Reg 18 and Reg 19.

2.128 Whilst the supply from these is, by definition, unknown, this source of supply is likely to include a significant proportion of developments comprising fewer than 10 homes. Other sources of supply projected to make varying (in some cases, in some years, very significant) contributions to the District's future housing land supply include previously developed land within urban areas as well as the Green Belt. Again, such sources of supply are likely to include a significant number of developments of fewer than 10 dwellings. Having regard to the above, it is evident that the Reg

19 Draft Local Plan will, as currently proposed, deliver far fewer affordable homes than the local community requires. The District represents a clear case of one where there is a need to consider a greater number of new homes in order to better meet affordable needs, as the PPG instructs to do so. It should not be overlooked that an increase in an overall housing requirement in order to facilitate more affordable homes for the District will help maximise the social benefits of the new Local Plan to the local community.

2.129 In terms of the potential to sustainably deliver a greater number of new homes for the District than the minimums local housing needs figure, we note that the Draft Local Plan is accompanied by the September 2024 Sustainability Appraisal (SA). From the previous interim SA published in July 2023, acknowledged that a higher growth scenario of 1,200 dpa represents a reasonable option which merits testing. Whilst this option is subject to a high level appraisal, as the Interim SA acknowledges: "*appraisal is inherently limited, because it is undertaken with no assumptions regarding spatial strategy / distribution of growth, let alone specific sites that would be allocated*" (paragraph 5.2.22). Other options identified include 300 dpa, 600 dpa and 900 dpa.

2.130 However, The SA published in 2024, paragraph 5.4.50 clearly stated that even though the low growth scenarios considered in 2023 were considered reasonable, this is now being judged to be unreasonable. Low growth scenarios, focused on limiting housing developments and preserving Green Belt lands, were largely ruled out as unreasonable due to high unmet housing needs, increased affordability pressures, and the potential for government intervention. Whilst there has been a change to the overarching spatial strategy at Reg.19 stage, this is not a meaningful revision as the authority are still overly reliant on a small number of greenfield allocations and does not include contingency..

2.131 Colney Heath is designated as a lower-tier settlement according to both Regulation 18 and Regulation 19 of the local plan. This area is washed over by Green Belts as indicated in the 2024 SA and the 2023 Interim SA. The 2024 Sustainability Appraisals identify Colney Heath as a focal point for forthcoming planning applications in relation to the Local Plan and emphasise the necessity of avoiding piecemeal growth. However, the sustainability appraisal or the wider spatial strategy make no consideration to the provision of housing within the settlement to support the long term growth and vitality of the settlement in the long term. Given the current housing affordability crisis in the area and the need for incremental growth to provide housing for local workers and key workers, this vision for growth is imbalanced and completely innapropriate. The authority should provide a vision for growth which can sustain the vitality and viability of the washed over settlements. It is imperative to consider higher growth scenarios that would assist the St. Albans District Council (SADC) in alleviating pressure on lower-tier settlements.

2.132 It would be inappropriate to have a blanket ban on development in Colney Heath and disregard their possible contribution to providing the housing that the Council would need in the first 5 years of adapting the new local plan. Whilst the Hemel Hempstead Garden Community and the Broad Locations are capable of delivering a significant portion of the housing need for the authority, there are periods in the housing trajectory where there is a minor shortfall in housing provision namely at the start of the plan period, before these strategic sites are brought online.

2.133 As outlined in the commentary on housing trajectory it is noted that within the first three years of the first five year block (early stage) of the Local Plan, projected housing delivery will not meet the reduced stepped housing target of 485 dpa. This is innapropriate and will likely be found unsound at examination stage. The authority should be allocating a broader range of smaller and medium sites as part of the Local Plan to provide a buffer at the outset of the LP window to ensure that the authority have a deliverable housing land supply within the early stage of the LP. At present, the draft Local Plan provides the bare minimum and fails to provide a vision which positive addresses the historic deficit of housing provision within the borough, instead it is reliant on windfall

sites and un-evidenced (future permissions and delivery), which is either a double count of delivery from the allocated sites, or represents an attempt to present an overly healthy supply of housing provision within the borough.

2.134 Importantly, the borough is currently progressing a Local Plan under the existing standard methodology. In the short term, this is applicable but as the government progress the revised NPPF to adoption and implementation the revised methodology will be applicable. Given that the NPPF will be adopted prior to the publication of the submission version of the Draft Local Plan, we consider that St Albans DC review their spatial strategy and make provision for delivery of sufficient housing supply to address the enhanced housing target contained within the revised standard methodology. We note that St Albans have been attempting to produce a Local Plan for the past 20 years and have failed to produce a LP which meets the tests of soundness at examination stage. Without modification to the current iteration of the LP there is a tangible risk that the current iteration will be found unsound at examination stage.

2.135 As outlined in the Highways technical note prepared by Ardent **(Appendix 5)** it has been evidenced that the site at Roestock Lane is accessible to a range of amenities, medical facilities and education facilities via a range of modes of travel including public transport, pedestrian and cycling routes. In line with recent appeal decisions in the borough, it is considered that there could be scope for delivery of a minor extension to the settlement of Colney to provide a tangible contribution to housing supply in the short term, which will assist SADC in meeting established housing need.

Strategic Policy SP1 / SP3 - Housing delivery

2.136 Bellway Homes (North London) Limited recognise that the housing requirement for St Albans District Council given in draft policy SP1 and SP3 is 885 dwellings per annum (dpa) over the plan period, a total of 14,603dwellings. This reflects the minimum figure set out in the Governments Standard Methodology for calculating local housing needs under the NPPF 2023. However, with the new proposed Standard Methods, SADC will see a significant increase of the housing number with 1,544 dpa and with a sum of 26,248 dwellings to be delivered over the plan period.

2.137 The Standard Method figure only calculates a minimum need, and it is often applicable for Authorities to plan for a higher number and provide some contingency in their plan to account for under delivery and delays in allocations coming forward throughout the plan period. The PPG makes explicit that the need derived from the Standard Method identifies a minimum figure, and it is encouraged for Local Authorities to seek to exceed this. Relying solely on the minimum housing need as set out in the Standard Methodology means the level of housing planned for also fails to allow for non-implementation of strategic sites. The PPG states that assumptions can include lapse/non-implementation rates in permissions, lead-in times and build rate.

2.138 In the Reg.18 draft Local Plan the housing delivery target included a buffer of 20% for the first five years and 5% for the remainder of the plan period which equates to a total of 15,938 dwellings across the plan period. It is unclear whether the housing targets contained within the Local Plan are reflective of unmet housing demand from the historic shortfall in delivery across the past decade.

2.139 In the Reg.19 Local Plan no reference is made to the historic shortfall in housing delivery which had resulted in central government applying the ‘presumption in favour’ of sustainable development and the application of a 20% buffer to the housing delivery target. Conditions in the borough hadn’t suddenly changed in the period since publication of the Reg.18 consultation draft.

2.140 In fact, in the period from 2022 – 2024, the authority had cumulatively delivered net. 766 dwellings against the target of 1066 dpa which represents a shortfall of 65% of the required housing across that period. It is unclear why St Albans DC deem it appropriate to discount government guidance and omit undelivered housing supply from the revised housing target, and their housing trajectory.

2.141 The NPPF outlines a requirement that councils should maintain a supply of housing and monitor progress in building out sites (paragraph 76). The Housing Delivery Test (HDT) was introduced by Government to assist in monitoring delivery of sites.

2.142 The 2021 Housing Delivery Test results were published in January 2022 and indicated that SADC's score was 69%. The SADC's 2022 HDT result was 55%, compared with the result in 2021. Given the historic shortfall in housing provision across the borough there is an acute housing crisis. In response to the failure of the Council to maintain deliverable supply of housing St Albans District Council were required to adopt an action plan to seek to remedy historic underprovision.

2.143 The SADC Housing delivery action plan (2021) indicated that across the period from 1994-5 to 20202021 approximately 1,962 affordable housing units had been completed which equates to 73 units per annum; compared with 10,372 total completions across the same period. The figures cited in the action plan were challenged in the appeal decision for Bullens Green Lane where it was deemed that delivery across the period from 2012/13-2020 has worsened in recent years.

"In SADC, the position is equally as serious. Since the period 2012/13, a total of 244 net affordable homes have been delivered at an average of 35 net dwellings per annum. Again, this equates to a shortfall also in the region of 4000 dwellings (94%) which, if to be addressed in the next 5 years, would require the delivery of 1185 affordable dwellings per annum". (Para 55 of the Bullens Green Lane Appeal Decision

2.144 This position has been confirmed in the March 2022 annual monitoring report which indicated that across the period from April 2021 to March 2022 a total of 314, net additional dwellings had been delivered taking account a loss of 64 consented units.

"The overall figure of 314 net additional dwellings completed for 2021/2022 is lower than the figure of 1,068 dwellings per annum (890 dwellings per annum plus 20% Buffer), calculated using the standard methodology"

2.145 This position represents a shortfall of 754 dwellings against the housing target for this period.

2.146 The evidence set forth in the Appeal Decision for Bullens Green Lane and the Councils own annual monitoring report clearly demonstrates that there is a significant shortfall in provision of both market housing and affordable housing which should be adequately addressed through the housing targets for the replacement Local Plan. It is unclear from the figures set forth within the Reg. 18 draft of the Local Plan whether this historic shortfall is taken into account within the current draft. This position has not improved in the period between publication of the reg.18 and reg.19 publication draft Local Plan.

2.147 It is noted that the withdrawn Local Plan outlined a defined need for net. 14,608 dwellings across the plan period 2019-2036, which equated to 903 dwellings per annum. It is notable that whilst the housing trajectory for the Reg.19 Local Plan covers the period from 2024-2041, its operational lifecycle is 17 years a similar plan period to the withdrawn draft Local Plan. The current drafting does not appear to take into account any shortfall in provision incurred in the period covering the withdrawal of the previous draft Local Plan and present date.

2.148 As a result of the failure of St Albans District Council to deliver sufficient housing to meet housing demand within the borough, central government had mandated the application of a 20% buffer to the OAN housing target to remedy shortfall in provision. In December 2023, central government published the revised version of the NPPF which revised the approach to implementation of OAN and the standard methodology in local plan making. For Councils with an advanced draft Local Plan (Reg.18b) or Reg.19 a provision had been included allowing for an assessment of housing land supply based on a 4 year need rather than 5 year need.

2.149 In the AMR dated 31st March 2023, the council had produced two scenarios based on four year and five year housing land supply calculation.

<u>Four year housing supply</u>

2.150 Applying the four year housing supply methodology, on the basis of SADC having a Reg.18b draft Local Plan in advance of the replacement NPPF being adopted it has been demonstrated that the authority would have a 4YHLS of **1.7 years**. This had been based on a supply of 1802 dwellings across the period from 2023/2024 to 2026/2027, which equated to a shortfall of net. 2,462 dwellings across this period.

Five year housing supply

2.151 In parallel, SADC had undertaken an estimation of the housing land supply position based on a requirement to deliver a 5YHLS. Across the period from 2023/24 to 2027/2028, it had been demonstrated that the authority would have a deliverable housing supply of net. 2060 dwellings, which equates to a 5YHLS of **1.93 years**. This equates to a shortfall of net. 3273 dwellings overall.

2.152 The housing figures cited in Table 3.2 does not accurately reflect the actualised housing need when the 20% buffer is taken into account for the period from 2023/2024 to 2026/27. The 20% buffer for this period equates a requirement for **1068** dwellings per annum within this period before gradation to **888** across the remainder of the plan period.

2.153 The evidence set forth in Table 3.2 is misleading as the housing trajectory set forth in the Council's annual monitoring report 31st March 2023 (Table 3, page 33) **(Appendix 6)** outlined across the period from 2022/23 to 2040/41 a minimum of **16,696 dwellings would be required to meet objectively assessed housing need, based on the 4 YHLS scenario, or 16874 dpa based on the 5YHLS position.** The figures cited in the Reg.19 draft of the Local Plan represent a **shortfall of between 2,093 dwellings** This is broken down as follows:

- **4,264** dwellings across the first **4** years of the plan period (2023/24 – 2026/27) (**1066 dpa**)
- **12,432** dwellings across the remaining **14** years of the plan period (2027/28 – 2040/41) (888 dpa)

2.154 It is unclear, why or how the authority **are discounting net 14% of the evidenced housing need from the Local Plan trajectory.** Given that SADC had only delivered 305 dwellings in the period from 2023-2024, it is questioned how the projections within the two AMR'S have omitted net. 926 dwellings given that housing delivery across the same period would not match the variance

2.155 The figures set forth within the Reg. 198 draft of the Local Plan represent a clear contradiction to the evidence published by St Albans District Council. It is clear that the evidence set forth in the evidence base for the draft Local Plan is unsound as the **current housing target represents a shortfall of 14% against evidenced need set forth within the Councils own evidence base**.

2.156 The housing trajectory acknowledges that the housing need cannot solely be accommodated on

brownfield land and green belt land is required to meet established housing targets.

2.157 The deterioration of the housing land supply position of the past two decades has placed increasing pressure on housing affordability with demand significantly outstripping supply resulting in an exponential rise in house price to affordability ratio in St Albans. The evidence set forward in support of the Chiswell Green Lane cojoined appeals measures this as follows:

10. *In 2003, it was 10.28 –already the highest in the East of England*
11. *By 2010, it had grown to 12.36 (Parker CD 4.77 [3.20]);*
12. *By 2012, it had grown yet further to 12.47*
13. *By 2017, it was 16.62 (Parker CD 4.77 [3.36]); and*
14. *In July 2021, it was 17.32 (Parker CD 4.77 [3.44]).*

"To put that into context, it means that individuals on median incomes now need to find more than 17 times their annual salary to buy a median priced property in St Albans (Gingell CD 4.80 [10.5]). That is the housing reality facing ordinary people on ordinary earnings, hoping to buy a home of their own in St Albans today ***(Land North of Chiswell Green –Closing Statement –May 2023)*** [13]

2.158 It is clear that the inability of SADC to prepare a plan which positively addresses the needs of the housing market is having a catastrophic impact on the local housing market and housing affordability which unaddressed will result in a significant portion of the employment market relocating outside the borough to secure home ownership with associated knock on to the wider employment market.

2.159 As evidenced in our representations. we would strongly challenge the housing need target set forth in the Reg.19 DRLP. Without appropriate modification to the housing targets to align with evidence previously published by SADC the DRLP will be unsound and will exacerbate a deepening of the housing crisis in St Albans DC.

2.160 We would also question the approach to housing distribution and deliverability of housing sites which are relied on in the Reg. 19 DRLP.

Distribution of Housing with St Albans District Council

2.161 Table 3.2 of the Draft Local Plan identifies that 9,905 residential units are planned to be delivered on sites which are currently in the Green Belt, with delivery across 12 broad locations which have been demarcated for strategic level development in excess of 1000 units and large sites (100-249 units) and medium / small sites (5-99 units).

2.162 The housing trajectory over relies on the delivery of the Hemel Hempstead Garden Extension and the Broad Location sites to meet the housing need across the plan period, with this equating to 86% of deliverable sites on green belt land and 58% of the overall housing need across the plan period.

2.163 Conversely, the draft Local Plan indicates that 8% (1378 units) of the housing need will be met from other large and small / medium development sites across the borough, **a further reduction from Reg. 18 stage which included provision for delivery of net. 1725 units (11%) housing supply**.

2.164 Para 3.24 of the draft Local Plan acknowledges that land assembly, physical and social infrastructure provision represent a significant challenge to unlock delivery of these strategic sites.

2.165 It is conceivable that infrastructure constraints to unlock these strategic sites could hinder delivery of housing units in line with the targets set out in the housing trajectory for the DRLP. This constraint has been acknowledged by SADC with the omission of net. 450 residential dwellings between Reg. 18 and Reg. 19 stage on the Hemel Hempstead garden city. The Local Plan trajectory does not take account of real term challenges to the delivery of housing units on these sites, namely the economic downturn and challenges to supply market as a result of geopolitical issues.

2.166 At present, it is understood that on strategic land sites, housing sales can be as low as 0.8 units per week. This level of sale is not conducive to housebuilders bringing forward applications, or commencing delivery of consented units. Given the current geopolitical instability and the impact of market slow down impacting delivery rates, it is conceivable that St Albans could struggle to demonstrate a deliverable housing land supply, within the mid to latter stages of the Local Plan period given the stepped housing requirement to net. 1250 and 1050 dpa respectively. Given very little contingency has been built into the LP housing land supply it is considered that there is a tangible risk that without modification, SADC could find that they are unable to demonstrate a deliverable housing land supply.

2.167 Therefore we consider that a broader range of green belt sites should be allocated within the DRLP to provide contingency in the event that there are delays in the delivery of the strategic sites.

2.168 It would assist parties responding to the consultation if St Albans DC were to publish either full or interim figures in respect of housing delivery to 31st March 2024, to provide an accurate overview to current housing delivery at present date. **We do not consider that the housing needs will be met in SADC, nor do we consider that the timing of the delivery trajectory is achievable.**

2.169 The current calculation of the local housing need using the Standard Method for SADC sets out that the minimum figure for St Albans is 885 homes per annum, which across the plan period equates to a need of 16,874 homes, as set forth in the AMR 2023.

2.170 Table 3.2 in the draft Local Plan calculated 14,603 units within its sources of supply. **This leaves a very small, if any, adequate buffer, to account for non-delivery** This position is worsened when you take into account that **14% of the housing target** will be delivered from **unsecured windfall sites** within the borough The Local Plan is fundamentally flawed as the council are artificially reliant on an arbitrary number of windfall sites to be delivered each annum to hit their targets. As outlined in the section below, for the first five years of the Local Plan the proportion of windfall sites contributing to housing delivery is at 26% (net. 653 dwellings) which represents an unsustainable level of windfall provision.

2.171 There is no guarantee that any of these sites will come forward, or on the timeline envisaged. This fact is evidenced by SADC's appalling housing delivery record across the past two decades. Without allocation of additional brownfield sites or green field sites in the Local Plan, a lack of clarity will unduly compromise the ability for these sites to be brought forward; which will create a shortfall in housing delivery and an ability to meet established housing targets.

2.172 This position is fundamentally flawed and innapropriate. As outlined in our reg. 18 representations and reiterated in these comments; our client contends that the authority should be seeking to include a broader range of smaller, medium and larger scale sites within the housing supply to provide contingency within the early stages of the Local Plan period to ensure that the authority are able to demonstrate a deliverable housing land supply, in advance of the housing units coming online from the strategic housing sites.

2.173 When examining the details of this calculation, it is possible to comment further on the following specific points:

Past Delivery

2.174 **885 dwellings per annum is well in excess** of the recent built rates. On average, 360 **net additional dwellings** have been built over the last three years (2021/22 – 2023/); which had been preceded by deliver of net 483 dpa between the period from April 2019 – 31st March 2022.

2.175 Furthermore, the St Albans District Council AMR 2023 indicates that across the period from 1994/95 to 2023 a total of 11,447 dwellings had been delivered across the borough equating to **395 dpa.** This already demonstrates that the targets are optimistic, in part, on the basis of the present entirely brownfield approach to housing, and high proportion of windfalls, which the DRLP should be seeking to address.

2.176 On a more granular level, the AMR (2023) outlines that across the period from 2019-2023/4, SADC delivered 2292 dwellings, which equates to net. 458 dpa. As evidenced in the housing delivery test results, the authority is consistently underperforming against the housing need.

2.177 More critically housing delivery within the borough has been centred around development on previously developed land with net**. 9,439 dwellings (392 dpa**), equating to **87% (on average)** of the borough's housing supply. Given that SADC has a limited supply of brownfield land being comprised of 81% green belt this situation is unsustainable and represents a symptom of the

chronic failure of SADC to meet the established housing needs of the borough over a substantial period of time. The housing situation in St Albans DC is dire and without appropriate intervention will be unsustainable.

2.178 It is noted that the Local Plan includes a range of brownfield allocations, which are formerly employment land. The Local Plan fails to provide a robust justification outlining that the release of these employment sites will not result in a shortfall of employment floorspace within the borough.

2.179 The evidence base supporting the brownfield allocations is dated and does not adequately demonstrate that this level of brownfield release could be supported in planning terms. With regards to the deliverability of the brownfield land housing allocations for residential use, the Local Plan is lacking on evidence that the housing allocations proposed within the draft Plan are financially viable and are realistic development opportunities.

Green Belt sites

2.180 The housing trajectory over relies on the delivery of the Hemel Hempstead Garden Extension and the Broad Location sites to meet the housing need across the plan period, with this equating to 83% of deliverable sites on green belt land and 58% of the overall housing need across the plan period.

2.181 It is unclear what capacity studies have been undertaken for each of these strategic sites and consideration on deliverability. This is already unrealistic when it is considered they would have to wait for the adoption of the Local Plan, and associated Green Belt adjustments before the principle would not require the high test of very special circumstances. Further, it is likely that area wide masterplans or design briefs / design codes will need to be adopted and implemented as supplementary guidance for the larger sites before delivery can commence. This will result in significant delays in delivery.

2.182 However, an important message is being portrayed in this trajectory: the importance of Green Belt sites in terms of housing delivery. Although it is considered that the timescales mentioned above are unrealistic, it is acknowledged that Green Belt sites do usually progress at a faster rate than more complicated brownfield sites that are more likely to have existing use value, remediation, demolition and land assembly considerations. They are also more likely to incur additional costs and given the current state of the market this may slow down the progress of development even further on brownfield sites.

2.183 The most effective way of forecasting housing numbers would be to allocate a greater number of sites as contingency, and have a greater number of Green Belt sites coming forward at even periods across the plan period. As outlined below, year 6-15 of the Local Plan delivery rates barely meet the annualised housing targets of 1250 dwellings and 1050 dwellings respectively. The framing of the housing targets for the three cycles is symptomatic of a failure to plan positively to meet the housing needs for borough. It is conceivable that reliance on a small number of sites within the back end of the plan period will result in the Council failing to demonstrate a deliverable housing supply.

2.184 It is considered that further consideration should be paid to the inclusion of a greater range of smaller / medium scale green belt sites in sustainable locations which have shorter lead in times for delivery as a contingency. It is requested that further consideration is paid to the inclusion of land at Roundhouse Farm as an allocated site within the DRLP. Inclusion of this site will contribute to the early delivery of net. 155 residential units.

Reliance on Effective Windfalls

2.185 Within the DRLP Table 3.2, SADC has identified that c.20% of the total sources of supply would come from Windfall sites; these are not identified as allocations in the Local Plan. As set forth in these representations it has been evidenced that SADC have consistently failed to deliver sufficient housing to meet established demand, resulting in significant shortage which is exacerbating the housing crisis in SADC.

2.186 On average, **4583 net additional dwellings** have been built over the last three years (2019/20 to 2023/24). Furthermore, the AMR 2022 indicates that across the period from 1994 to 2023 a total of 11,447 dwellings had been delivered across the borough equating to **395 dpa which falls significantly below the target of 885 dwellings per annum. The heavy reliance on windfall sites with no guarantee on deliverability is fundamentally unsound.**

2.187 To rely so heavily on this level of unallocated sites coming forward which are not formally identified in a plan is overly ambitious, not robust, and not based on past trends. As indicated by the past delivery, SADC has consistently failed to plan in positive manner to deliver anywhere near to the up to date housing requirements. It is unclear how the figure of 145 dpa has been arrived at as this appears to have been arbitrarily chosen to seek to artificially meet the boroughs housing target. It is also worth repeating that SADC is heavily constrained by Green Belt, which will make delivery of this proportion of windfall development even more challenging given that the majority of readily deliverable greenfield land has already been delivered, or is allocated within the draft Local Plan. This is not positive planning and there is no certainty that these levels are deliverable and directly contradicts with the priorities of Para 15 and 16 of the NPPF 2023.

2.188 This must also be seen in the context of SADC also indicating that they require Green Belt land to be released to meet development needs, as not enough can be accommodated within the urban area. Where, and how, this level of windfall development over and above what has already been identified can realistically be delivered is questioned.

Housing trajectory

2.189 The section below summarises the core comments which are being made on the housing trajectory for the early, mid and end period of the Local Plan process.

Early stage

2.190 According to the Housing Trajectory in the first five years there would be a 5.0 years housing supply and this is based on a stepped housing requirement of 485 dwellings within the first five years of the plan period. The trajectory assumes that within the first three years of the operational plan period (2026/27, 2027/28 and 2028/29) a **31% shortfall** against the **requirement of 1455 dwellings (deficit of 389 units).** This shortfall is planned to be offset by over provision within the remaining 2 years of the first five years of the plan period to achieve a 5 year housing supply of 2941 dwellings (588 dpa) within this period, but this is contingent on an over delivery of in excess of 1875dwellings for the remaining 2 years. This level of delivery is predicated on the large strategic development sites starting to be brought online, no contingency has been made for delays in delivery of these larger allocated sites which often have infrastructure and land acquisition complications that often delay progression. It is already evident that there are challenges to the delivery of the strategic sites within the borough, with the prospect for delivery of an element of housing on these sites into the next plan period.

2.191 The housing trajectory within this period is heavily reliant upon the delivery of net. 1077 dwellings from **existing permissions present within the borough, which equates to net 36%** of the housing supply for this period. Our client would query the validity of this approach and the figures that have been cited. Namely, the figures cited in the Local Plan bear no relationship to the figures set forth within the AMR (2023) as summarised in the table below:

2.192 There is an unexplained variance in ‘Permissions (Estimated Future Completions)’ of net. 305 dwellings within the first five years of the LP plan period alone. There is no explanation within the supporting documentation to the LP on where the additional dwellings have been derived from.

Given that this equates to net.10% of the housing requirement for the first five years, our client would query where the evidence is to substantiate this position. The additional provision does not appear to be substantiated on an evidential basis in the information that has been published with the Reg.19 consultation draft.

2.193 Given that the Local Plan period already includes a windfall allowance of 653 dwellings across this period (26%) it is unclear why a further 305 dwellings (10%) of unsecured provision has been forecast within the Local Plan housing trajectory**. Overall, this would equate to approximately 26% of the total housing supply within this plan period, which represents an unsustainable level of reliance on speculative development**.

Mid Period housing trajectory

2.194 Our client expresses reservations over the methodology which has been applied in the preparation of the housing trajectory for the middle years of the Local Plan period.

2.195 Across the mid period (second 5 year cycle) of the LP period, planned delivery is for net. 6,298 dwellings (1259 dpa) against an annualised target of 1250 dpa. Targeted provision across this period just meets the 1250 dpa threshold and is contingent on delivery of the Hemel Hempstead Garden community (1635) and the Broad Locations (2240) with limited contribution from other green belt sites, comprising net. 892 dwellings in this period.

2.196 **This stage of the housing trajectory does not allow for any contingency in the eventuality that delivery rates on the strategic sites falls below the accelerated delivery rate of 1250 dwellings per annum.** This approach is fundamentally unsound and is likely to result in a shortfall in housing provision and failure to demonstrate a 5 year housing land supply within year 6-10.

2.197 Again, the housing trajectory is reliant on net. 612 dwellings (10%) which are delivered from the existing or future permissions. For the Local Plan to be delivering units from extant permissions this late into the Local Plan period, is questionable. This represents a departure from the evidence contained within the Annual Monitoring Report (2023) which includes provision for net. 215 dwellings within this period. **It is unclear where the additional 400 dwellings are being generated from, as this has not been substantiated with evidence contained in the Reg. 19 Draft Local Plan**.

2.198 Given that the Local Plan period already includes a windfall allowance of 725 dwellings across this period (12%) it is unclear why a further 400 dwellings (6%) of unsecured provision has been forecast within the Local Plan housing trajectory. **Overall, this would equate to approximately 18% of the total housing supply within this plan period, which represents an unsustainable level of reliance on speculative development.**

Late stage plan period

2.199 Similar issues are present within period 11-15 whereby it is anticipated that 4952 dwellings (990 dpa) will be delivered against an annualised target of 1050 dpa, which equates to a **shortfall of net. 298 dwellings against the stepped housing requirement.** As with the mid stage of the plan period, the f**ailure to identify a sufficient range of medium and larger scale greenfield sites to provide contingency** results in the situation where **SADC are not able to demonstrated a deliverable 5 year housing land supply within the end period of the LP (4.9 YHLS).**

2.200 Housing delivery within this period of the Local Plan lifecycle is contingent on delivery of 85% (units) from the Hemel Hempstead extension (2,390 units) and the Broad Locations (1837 units), with the residual amount drawn from the windfall sites. As outlined in these representations, reliance on delivery of a smaller number of large and strategic allocations to provide the majority of the housing in this plan period is ill advised. It has already been demonstrated through the councils own evidence that on one site HGC, 10% of the housing provision forecasted at R.18 stage had been lost in R.19 stage and will now fall within the next plan period. It is likely that similar issues could arise on the other Broad Locations sites. **Given that SADC cannot demonstrate a**

deliverable 5YHLS in this period, any residual loss of units being delivered from these sites will result in the need for SADC to refresh the spatial strategy and allocate additional sites to compensate for the shortfall in provision. It is therefore requested that evidence is provided on the anticipated delivery timescales for each of the site allocations, to enable a robust review of SADC's housing land supply position.

Overarching comments on housing trajectory

2.201 The housing trajectory is overly weighted towards strategic sites and large scale development sites which are all subject to requirement for the preparation of area wide masterplans, design codes and design briefs which require approval and adoption before delivery of these sites can start to commence.

2.202 The formulation of area wide masterplans and design codes can historically be an incredibly time intensive action given the need for extensive community engagement in their preparation, in some instances this extends across several years. This is all before applications can be progressed which given the nature of these sites will either be in hybrid or outline form. It is not uncommon for strategic sites to experience multiple year delays passing through the planning system before outline permission is established, which is likely given the nature of these sites. Once outline approval is established reserved matters approval will be required before work can commence on delivery of the initial phases of these sites.

2.203 It has been evidenced that a number of strategic sites across the country have stalled as a result of land assembly, financial viability, environmental constraints and site mobilisation. A small number of examples have been set out below:

Otter pool – Folkestone

2.204 In Folkestone BC, the authority had sought to deliver a new garden community to deliver net. 10,000 dwellings as part of their spatial strategy, as part of the 2018 Local Plan review adopted in Feb 2022. In 2023, outline planning permission had been granted at committee for the first 8500 units, but the S106 has not been completed. It had originally been intended that the first phases would be brought online in 2025. Places for People had come online as development partner responsible for taking on the residential land. In October 2024 it had been reported that Places for People have withdrawn from the development partnership, over concerns that the scheme was unviable.

2.205 The outline application has yet to have a completed S106 agreement, and there is no clear sign that another strategic partner has the appetite to take this site on. It has been reported that the council are seeking to reengage with the landowners to bring meanwhile uses back on site while the council considers their options for the disposal of the site. **As of November 2024, more than 6 years from inception of the draft Local Plan and 2 years from the adoption of the replacement Local Plan, outline permission has not been formally executed, reserved matters approval has not been secured for preliminary phases and no units have been delivered.** There is no guarantee that this will come online in the coming years, despite investment of net. 119 million by Folkestone BC.

1. Years in inception –**6 years, 2 post plan adoption**
2. Outline permission secured –**No**
3. Reserved matters approval secured –**No**
4. housing units delivered - **Zero**

North Horsham

2.206 In 2018, Horsham DC granted permission for an extension to the settlement of North Horsham to deliver 2,750 new houses alongside new employment floorspace and education campus and associated development. Legal and General whom are acting as the development partner for HDC secured approval for the first 390 dwellings in 2021, as of April 2024, 100 occupations had progressed on site.

2.207 The borough has been plagued by water neutrality constraints which have resulted in the borough retrospectively seeking a water neutrality solution that has significantly delayed progression on site. As it stands HDC are still seeking a water neutrality solution and progression of future phases of the development have not been brought online.

1. Years in inception –**9 years post plan adoption (November 2015)**
2. Outline permission secured –**2018 (3 years post plan adoption)**
3. Reserved matters approval secured – 2021, (6 years post plan adoption)
4. housing units delivered – 100 occupations as of April 2024 **(9 years post plan adoption)**

2.208 Delivery of this strategic site is so challenging that the vast majority of the housing units to be delivered on this site will now fall within the housing trajectory for the replacement local plan. A small fraction of the housing units proposed to be delivered in the plan period have been.

Deepcut Barracks

2.209 In 2011, Surrey Heath Borough Council adopted their Local Plan which included the redevelopment of Deepcut Barracks site as a strategic housing allocation for net.1100 dwellings. Hybrid planning permission was granted in 2012 for the preliminary phases of the development. As of January 2024, net Across the wider masterplan, net. 363 residential dwellings benefit from either detailed planning permission or are currently under construction, or complete. When combined with the 81 dwellings delivered under the detailed element, this equates to 444 dwellings or 37% of the quantum of housing to be delivered on the Mindenhurst site. Delivery of the site has been complicated by infrastructure delivery and land assemblage constraints.

1. Years in inception –**13 years post plan adoption (November 2011)**
2. Outline permission secured –**2012 (1 year post plan adoption)**
3. Reserved matters approval secured for first residential phase – 2018, (7 years post plan adoption)
4. housing units delivered – 363 occupations / permissions as of October 2024 **(13 years post plan adoption)**

2.210 Delivery of this strategic site has been so significantly delayed that the majority of the housing units were submitted to Surrey Heath BC in January / Feb 2024, to prevent the outline permission from lapsing. **This site contributed less than 444 dwellings to the boroughs housing land supply within the plan period (37%) with 63% now falling within the housing trajectory for the replacement Local Plan.**

2.211 We could provide numerous other examples where constraints in the delivery of strategic housing sites has resulted in housing units being brought online significantly later than envisaged under the Local Plan. As outlined earlier in this statement, it is evident that there is scepticism on the roadmap for the delivery of the Hemel Hempstead Garden Community, which is complicated given that this is being delivered in partnership with Dacorum BC whom are progressing on divergent timescales to SADC.

2.212 This is further complicated by the requirement of Draft Policy LG6 that all sites released from the green belt will be required to provide a green belt compensatory strategy which details the approach to delivery of “new or enhanced infrastructure, woodland planting, landscape and visual enhancements, improvements to biodiversity, new or enhanced walking routes and improved access to recreational facilities’. The detail of the compensation strategy will need to be worked up in detail as part of the initial site masterplan stage.

2.213 The expectation that housing units from the larger 'broad location' and strategic sites will be completed within the first 7 years of the Local Plan period is overly optimistic and unrealistic, based on current trends. This is particularly relevant given the acute economic circumstances present in the UK where housing delivery rates are plummeting in response to adverse market conditions. The over reliance on a small number of large scale and strategic sites and failure to **integrate appropriate contingency is unsound**.

2.214 In summary, it is evident that SADC is heavily reliant on the Hemel Hempstead urban extensions and strategic development sites and windfall sites to meet its housing requirement, with very little allowance in the final 10 years of the plan period to rectify shortfall in delivery. Given the complexity of delivery of strategic sites, predicating the boroughs housing land supply on a small number of sites is incredibly risky, as there is no tolerance to compensate for shortfall. Based on previous delivery rates associated with large complicated sites, some of the targets are not only unachievable but they are based on flawed calculations. As such, it is evident that additional Green Belt land needs to come forward to provide greater certainty with the delivery of additional housing. It is possible to conclude therefore that the Plan has not been **positively prepared nor is it effective.**

Stepped Housing Trajectory

2.215 Whilst not clear from proposed policies in the Draft Local Plan, it is noted that the Table at 3.2 of the Draft Local Plan implies the Draft Local Plan is proposing a stepped housing requirement.

2.216 It suggests the housing requirement will be set at a mere 398 dpa during the early years of the plan period (2024-2026); rising to 485 dpa for the period 2026-2031. Only after 2031 does the Draft Local Plan set a requirement above the minimum 888 dpa.

2.217 Table 3.2 indicates that even by 2032, the average number of dwelling completions since 2024 will still be below 888 dpa.

2.218 The PPG[14] is clear that, whilst a stepped housing trajectory may be permissible in certain circumstances, the need for such an approach must be evidenced. It stresses that strategic policy-makers should not seek to unnecessarily delay meeting identified housing needs. A stepped trajectory should be the exception, and the new Local Plan will need to justify such an approach if it is to be pursued.

2.219 The stepping of the trajectory is inherently problematic: the housing shortage is a current and acute issue facing the District. To delay the delivery of much-needed homes, with the resultant negative social and economic impacts for the District, is something that the new Local Plan should seek to avoid if at all practicable.

2.220 In the case of St Albans District and its Draft Local Plan, before concluding that a stepped trajectory is necessary (and if it is, the degree to which it should be stepped) it is important the Council explores all sustainable options for meeting needs earlier in the plan period, i.e. to consider whether there are additional sustainable, deliverable sites the new Local Plan does not currently support, but which could deliver homes early in the plan period if they were to be allocated through the new Local Plan. Failure to do so would mean the new Local Plan is unnecessarily delaying the delivery of homes, contrary to the PPG.

Duty to Cooperate – Context with Welwyn Hatfield BC

2.221 It is recognised that SADC shares a Functional Economic Area with neighbouring Welwyn Hatfield Borough Council. SADC might well consider it is accommodating its own needs (as we question), though it is apparent that Welwyn Hatfield share many of the similar green belt conditions which hinder delivery of housing. It is unclear what effort has been made by SADC and WHBC to plan in a collaborative manner to meet objectively assessed housing need.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Summary

2.222 In summary, Bellway Homes Limited has strong concerns with draft Policy SP3. The crux of the objections are as follows:

- **Level of housing proposed (Standard Method) does not allow for contingency** and is therefore not robust or positively prepared;
- **Lack of recent delivery, 5YHLS,** and lack of contingency warrant a higher housing requirement;
- **Level of windfall sites anticipated is unachievable and speculative**, most sites need to be formally allocated to be sure the level of housing proposed is achievable**.**
- **Green Belt Assessment is flawed due to it not being fine-grain,** and no exceptional circumstances report published;
- Further sites should therefore be **allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.**

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representations to the Reg_19 consultation on St Albans Draft Local Plan_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client has significant concerns regarding the soundness of this policy. Given that they have landholdings within the borough, we assert our right to participate in discussions regarding the draft policies during the Examination in Public (EIP) stage

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

All appendices, tables, figures and footnotes can be found in the attached file

Strategic Policy SP1 / SP3 - Housing delivery

2.136 Bellway Homes (North London) Limited recognise that the housing requirement for St Albans District Council given in draft policy SP1 and SP3 is 885 dwellings per annum (dpa) over the plan period, a total of 14,603dwellings. This reflects the minimum figure set out in the Governments Standard Methodology for calculating local housing needs under the NPPF 2023. However, with the new proposed Standard Methods, SADC will see a significant increase of the housing number with 1,544 dpa and with a sum of 26,248 dwellings to be delivered over the plan period.

2.137 The Standard Method figure only calculates a minimum need, and it is often applicable for Authorities to plan for a higher number and provide some contingency in their plan to account for under delivery and delays in allocations coming forward throughout the plan period. The PPG makes explicit that the need derived from the Standard Method identifies a minimum figure, and it is encouraged for Local Authorities to seek to exceed this. Relying solely on the minimum housing need as set out in the Standard Methodology means the level of housing planned for also fails to allow for non-implementation of strategic sites. The PPG states that assumptions can include lapse/non-implementation rates in permissions, lead-in times and build rate.

2.138 In the Reg.18 draft Local Plan the housing delivery target included a buffer of 20% for the first five years and 5% for the remainder of the plan period which equates to a total of 15,938 dwellings across the plan period. It is unclear whether the housing targets contained within the Local Plan are reflective of unmet housing demand from the historic shortfall in delivery across the past decade.

2.139 In the Reg.19 Local Plan no reference is made to the historic shortfall in housing delivery which had resulted in central government applying the ‘presumption in favour’ of sustainable development and the application of a 20% buffer to the housing delivery target. Conditions in the borough hadn’t suddenly changed in the period since publication of the Reg.18 consultation draft.

2.140 In fact, in the period from 2022 – 2024, the authority had cumulatively delivered net. 766 dwellings against the target of 1066 dpa which represents a shortfall of 65% of the required housing across that period. It is unclear why St Albans DC deem it appropriate to discount government guidance and omit undelivered housing supply from the revised housing target, and their housing trajectory.

2.141 The NPPF outlines a requirement that councils should maintain a supply of housing and monitor progress in building out sites (paragraph 76). The Housing Delivery Test (HDT) was introduced by Government to assist in monitoring delivery of sites.

2.142 The 2021 Housing Delivery Test results were published in January 2022 and indicated that SADC's score was 69%. The SADC's 2022 HDT result was 55%, compared with the result in 2021. Given the historic shortfall in housing provision across the borough there is an acute housing crisis. In response to the failure of the Council to maintain deliverable supply of housing St Albans District Council were required to adopt an action plan to seek to remedy historic underprovision.

2.143 The SADC Housing delivery action plan (2021) indicated that across the period from 1994-5 to 20202021 approximately 1,962 affordable housing units had been completed which equates to 73 units per annum; compared with 10,372 total completions across the same period. The figures cited in the action plan were challenged in the appeal decision for Bullens Green Lane where it was deemed that delivery across the period from 2012/13-2020 has worsened in recent years.

"In SADC, the position is equally as serious. Since the period 2012/13, a total of 244 net affordable homes have been delivered at an average of 35 net dwellings per annum. Again, this equates to a shortfall also in the region of 4000 dwellings (94%) which, if to be addressed in the next 5 years, would require the delivery of 1185 affordable dwellings per annum". (Para 55 of the Bullens Green Lane Appeal Decision

2.144 This position has been confirmed in the March 2022 annual monitoring report which indicated that across the period from April 2021 to March 2022 a total of 314, net additional dwellings had been delivered taking account a loss of 64 consented units.

"The overall figure of 314 net additional dwellings completed for 2021/2022 is lower than the figure of 1,068 dwellings per annum (890 dwellings per annum plus 20% Buffer), calculated using the standard methodology"

2.145 This position represents a shortfall of 754 dwellings against the housing target for this period.

2.146 The evidence set forth in the Appeal Decision for Bullens Green Lane and the Councils own annual monitoring report clearly demonstrates that there is a significant shortfall in provision of both market housing and affordable housing which should be adequately addressed through the housing targets for the replacement Local Plan. It is unclear from the figures set forth within the Reg. 18 draft of the Local Plan whether this historic shortfall is taken into account within the current draft. This position has not improved in the period between publication of the reg.18 and reg.19 publication draft Local Plan.

2.147 It is noted that the withdrawn Local Plan outlined a defined need for net. 14,608 dwellings across the plan period 2019-2036, which equated to 903 dwellings per annum. It is notable that whilst the housing trajectory for the Reg.19 Local Plan covers the period from 2024-2041, its operational lifecycle is 17 years a similar plan period to the withdrawn draft Local Plan. The current drafting does not appear to take into account any shortfall in provision incurred in the period covering the withdrawal of the previous draft Local Plan and present date.

2.148 As a result of the failure of St Albans District Council to deliver sufficient housing to meet housing demand within the borough, central government had mandated the application of a 20% buffer to the OAN housing target to remedy shortfall in provision. In December 2023, central government published the revised version of the NPPF which revised the approach to

implementation of OAN and the standard methodology in local plan making. For Councils with an advanced draft Local Plan (Reg.18b) or Reg.19 a provision had been included allowing for an assessment of housing land supply based on a 4 year need rather than 5 year need.

2.149 In the AMR dated 31st March 2023, the council had produced two scenarios based on four year and five year housing land supply calculation.

Four year housing supply

2.150 Applying the four year housing supply methodology, on the basis of SADC having a Reg.18b draft Local Plan in advance of the replacement NPPF being adopted it has been demonstrated that the authority would have a 4YHLS of **1.7 years**. This had been based on a supply of 1802 dwellings across the period from 2023/2024 to 2026/2027, which equated to a shortfall of net. 2,462 dwellings across this period.

Five year housing supply

2.151 In parallel, SADC had undertaken an estimation of the housing land supply position based on a requirement to deliver a 5YHLS. Across the period from 2023/24 to 2027/2028, it had been demonstrated that the authority would have a deliverable housing supply of net. 2060 dwellings, which equates to a 5YHLS of **1.93 years**. This equates to a shortfall of net. 3273 dwellings overall.

2.152 The housing figures cited in Table 3.2 does not accurately reflect the actualised housing need when the 20% buffer is taken into account for the period from 2023/2024 to 2026/27. The 20% buffer for this period equates a requirement for **1068** dwellings per annum within this period before gradation to **888** across the remainder of the plan period.

2.153 The evidence set forth in Table 3.2 is misleading as the housing trajectory set forth in the Council's annual monitoring report 31st March 2023 (Table 3, page 33) **(Appendix 6)** outlined across the period from 2022/23 to 2040/41 a minimum of **16,696 dwellings would be required to meet objectively assessed housing need, based on the 4 YHLS scenario, or 16874 dpa based on the 5YHLS position.** The figures cited in the Reg.19 draft of the Local Plan represent a **shortfall of between 2,093 dwellings** This is broken down as follows:

- **4,264** dwellings across the first **4** years of the plan period (2023/24 – 2026/27) (**1066 dpa**)
- **12,432** dwellings across the remaining **14** years of the plan period (2027/28 – 2040/41) (888 dpa)

2.154 It is unclear, why or how the authority **are discounting net 14% of the evidenced housing need from the Local Plan trajectory.** Given that SADC had only delivered 305 dwellings in the period from 2023-2024, it is questioned how the projections within the two AMR'S have omitted net. 926 dwellings given that housing delivery across the same period would not match the variance

2.155 The figures set forth within the Reg. 198 draft of the Local Plan represent a clear contradiction to the evidence published by St Albans District Council. It is clear that the evidence set forth in the evidence base for the draft Local Plan is unsound as the **current housing target represents a shortfall of 14% against evidenced need set forth within the Councils own evidence base**.

2.156 The housing trajectory acknowledges that the housing need cannot solely be accommodated on

brownfield land and green belt land is required to meet established housing targets.

2.157 The deterioration of the housing land supply position of the past two decades has placed increasing pressure on housing affordability with demand significantly outstripping supply resulting in an exponential rise in house price to affordability ratio in St Albans. The evidence set forward in support of the Chiswell Green Lane cojoined appeals measures this as follows:

10. In 2003, it was 10.28 –already the highest in the East of England
11. By 2010, it had grown to 12.36 (Parker CD 4.77 [3.20]);

12. *By 2012, it had grown yet further to 12.47*
13. *By 2017, it was 16.62 (Parker CD 4.77 [3.36]); and*
14. *In July 2021, it was 17.32 (Parker CD 4.77 [3.44]).*

"To put that into context, it means that individuals on median incomes now need to find more than 17 times their annual salary to buy a median priced property in St Albans (Gingell CD 4.80 [10.5]). That is the housing reality facing ordinary people on ordinary earnings, hoping to buy a home of their own in St Albans today ***(Land North of Chiswell Green –Closing Statement –May 2023)*** [13]

2.158 It is clear that the inability of SADC to prepare a plan which positively addresses the needs of the housing market is having a catastrophic impact on the local housing market and housing affordability which unaddressed will result in a significant portion of the employment market relocating outside the borough to secure home ownership with associated knock on to the wider employment market.

2.159 As evidenced in our representations. we would strongly challenge the housing need target set forth in the Reg.19 DRLP. Without appropriate modification to the housing targets to align with evidence previously published by SADC the DRLP will be unsound and will exacerbate a deepening of the housing crisis in St Albans DC.

2.160 We would also question the approach to housing distribution and deliverability of housing sites which are relied on in the Reg. 19 DRLP.

Distribution of Housing with St Albans District Council

2.161 Table 3.2 of the Draft Local Plan identifies that 9,905 residential units are planned to be delivered on sites which are currently in the Green Belt, with delivery across 12 broad locations which have been demarcated for strategic level development in excess of 1000 units and large sites (100-249 units) and medium / small sites (5-99 units).

2.162 The housing trajectory over relies on the delivery of the Hemel Hempstead Garden Extension and the Broad Location sites to meet the housing need across the plan period, with this equating to 86% of deliverable sites on green belt land and 58% of the overall housing need across the plan period.

2.163 Conversely, the draft Local Plan indicates that 8% (1378 units) of the housing need will be met from other large and small / medium development sites across the borough, **a further reduction from Reg. 18 stage which included provision for delivery of net. 1725 units (11%) housing supply**.

2.164 Para 3.24 of the draft Local Plan acknowledges that land assembly, physical and social infrastructure provision represent a significant challenge to unlock delivery of these strategic sites.

2.165 It is conceivable that infrastructure constraints to unlock these strategic sites could hinder delivery of housing units in line with the targets set out in the housing trajectory for the DRLP. This constraint has been acknowledged by SADC with the omission of net. 450 residential dwellings between Reg. 18 and Reg. 19 stage on the Hemel Hempstead garden city. The Local Plan trajectory does not take account of real term challenges to the delivery of housing units on these sites, namely the economic downturn and challenges to supply market as a result of geopolitical issues.

2.166 At present, it is understood that on strategic land sites, housing sales can be as low as 0.8 units per week. This level of sale is not conducive to housebuilders bringing forward applications, or commencing delivery of consented units. Given the current geopolitical instability and the impact of market slow down impacting delivery rates, it is conceivable that St Albans could struggle to demonstrate a deliverable housing land supply, within the mid to latter stages of the Local Plan period given the stepped housing requirement to net. 1250 and 1050 dpa respectively. Given very

little contingency has been built into the LP housing land supply it is considered that there is a tangible risk that without modification, SADC could find that they are unable to demonstrate a deliverable housing land supply.

2.167 Therefore we consider that a broader range of green belt sites should be allocated within the DRLP to provide contingency in the event that there are delays in the delivery of the strategic sites.

2.168 It would assist parties responding to the consultation if St Albans DC were to publish either full or interim figures in respect of housing delivery to 31st March 2024, to provide an accurate overview to current housing delivery at present date. **We do not consider that the housing needs will be met in SADC, nor do we consider that the timing of the delivery trajectory is achievable.**

2.169 The current calculation of the local housing need using the Standard Method for SADC sets out that the minimum figure for St Albans is 885 homes per annum, which across the plan period equates to a need of 16,874 homes, as set forth in the AMR 2023.

2.170 Table 3.2 in the draft Local Plan calculated 14,603 units within its sources of supply. **This leaves a very small, if any, adequate buffer, to account for non-delivery** This position is worsened when you take into account that **14% of the housing target** will be delivered from **unsecured windfall sites** within the borough The Local Plan is fundamentally flawed as the council are artificially reliant on an arbitrary number of windfall sites to be delivered each annum to hit their targets. As outlined in the section below, for the first five years of the Local Plan the proportion of windfall sites contributing to housing delivery is at 26% (net. 653 dwellings) which represents an unsustainable level of windfall provision.

2.171 There is no guarantee that any of these sites will come forward, or on the timeline envisaged. This fact is evidenced by SADC's appalling housing delivery record across the past two decades. Without allocation of additional brownfield sites or green field sites in the Local Plan, a lack of clarity will unduly compromise the ability for these sites to be brought forward; which will create a shortfall in housing delivery and an ability to meet established housing targets.

2.172 This position is fundamentally flawed and innapropriate. As outlined in our reg. 18 representations and reiterated in these comments; our client contends that the authority should be seeking to include a broader range of smaller, medium and larger scale sites within the housing supply to provide contingency within the early stages of the Local Plan period to ensure that the authority are able to demonstrate a deliverable housing land supply, in advance of the housing units coming online from the strategic housing sites.

2.173 When examining the details of this calculation, it is possible to comment further on the following specific points:

Past Delivery

2.174 **885 dwellings per annum is well in excess** of the recent built rates. On average, 360 **net additional dwellings** have been built over the last three years (2021/22 – 2023/); which had been preceded by deliver of net 483 dpa between the period from April 2019 – 31st March 2022.

2.175 Furthermore, the St Albans District Council AMR 2023 indicates that across the period from 1994/95 to 2023 a total of 11,447 dwellings had been delivered across the borough equating to **395 dpa.** This already demonstrates that the targets are optimistic, in part, on the basis of the present entirely brownfield approach to housing, and high proportion of windfalls, which the DRLP should be seeking to address.

2.176 On a more granular level, the AMR (2023) outlines that across the period from 2019-2023/4, SADC delivered 2292 dwellings, which equates to net. 458 dpa. As evidenced in the housing delivery test results, the authority is consistently underperforming against the housing need.

2.177 More critically housing delivery within the borough has been centred around development on previously developed land with net**. 9,439 dwellings (392 dpa**), equating to **87% (on average)** of the borough's housing supply. Given that SADC has a limited supply of brownfield land being comprised of 81% green belt this situation is unsustainable and represents a symptom of the chronic failure of SADC to meet the established housing needs of the borough over a substantial period of time. The housing situation in St Albans DC is dire and without appropriate intervention will be unsustainable.

2.178 It is noted that the Local Plan includes a range of brownfield allocations, which are formerly employment land. The Local Plan fails to provide a robust justification outlining that the release of these employment sites will not result in a shortfall of employment floorspace within the borough.

2.179 The evidence base supporting the brownfield allocations is dated and does not adequately demonstrate that this level of brownfield release could be supported in planning terms. With regards to the deliverability of the brownfield land housing allocations for residential use, the Local Plan is lacking on evidence that the housing allocations proposed within the draft Plan are financially viable and are realistic development opportunities.

Green Belt sites

2.180 The housing trajectory over relies on the delivery of the Hemel Hempstead Garden Extension and the Broad Location sites to meet the housing need across the plan period, with this equating to 83% of deliverable sites on green belt land and 58% of the overall housing need across the plan period.

2.181 It is unclear what capacity studies have been undertaken for each of these strategic sites and consideration on deliverability. This is already unrealistic when it is considered they would have to wait for the adoption of the Local Plan, and associated Green Belt adjustments before the principle would not require the high test of very special circumstances. Further, it is likely that area wide masterplans or design briefs / design codes will need to be adopted and implemented as supplementary guidance for the larger sites before delivery can commence. This will result in significant delays in delivery.

2.182 However, an important message is being portrayed in this trajectory: the importance of Green Belt sites in terms of housing delivery. Although it is considered that the timescales mentioned above are unrealistic, it is acknowledged that Green Belt sites do usually progress at a faster rate than more complicated brownfield sites that are more likely to have existing use value, remediation, demolition and land assembly considerations. They are also more likely to incur additional costs and given the current state of the market this may slow down the progress of development even further on brownfield sites.

2.183 The most effective way of forecasting housing numbers would be to allocate a greater number of sites as contingency, and have a greater number of Green Belt sites coming forward at even periods across the plan period. As outlined below, year 6-15 of the Local Plan delivery rates barely meet the annualised housing targets of 1250 dwellings and 1050 dwellings respectively. The framing of the housing targets for the three cycles is symptomatic of a failure to plan positively to meet the housing needs for borough. It is conceivable that reliance on a small number of sites within the back end of the plan period will result in the Council failing to demonstrate a deliverable housing supply.

2.184 It is considered that further consideration should be paid to the inclusion of a greater range of smaller / medium scale green belt sites in sustainable locations which have shorter lead in times for delivery as a contingency. It is requested that further consideration is paid to the inclusion of land at Roundhouse Farm as an allocated site within the DRLP. Inclusion of this site will contribute to the early delivery of net. 155 residential units.

Reliance on Effective Windfalls

2.185 Within the DRLP Table 3.2, SADC has identified that c.20% of the total sources of supply would come from Windfall sites; these are not identified as allocations in the Local Plan. As set forth in these representations it has been evidenced that SADC have consistently failed to deliver sufficient housing to meet established demand, resulting in significant shortage which is exacerbating the housing crisis in SADC.

2.186 On average, **4583 net additional dwellings** have been built over the last three years (2019/20 to 2023/24). Furthermore, the AMR 2022 indicates that across the period from 1994 to 2023 a total of 11,447 dwellings had been delivered across the borough equating to **395 dpa which falls significantly below the target of 885 dwellings per annum. The heavy reliance on windfall sites with no guarantee on deliverability is fundamentally unsound.**

2.187 To rely so heavily on this level of unallocated sites coming forward which are not formally identified in a plan is overly ambitious, not robust, and not based on past trends. As indicated by the past delivery, SADC has consistently failed to plan in positive manner to deliver anywhere near to the up to date housing requirements. It is unclear how the figure of 145 dpa has been arrived at as this appears to have been arbitrarily chosen to seek to artificially meet the boroughs housing target. It is also worth repeating that SADC is heavily constrained by Green Belt, which will make delivery of this proportion of windfall development even more challenging given that the majority of readily deliverable greenfield land has already been delivered, or is allocated within the draft Local Plan. This is not positive planning and there is no certainty that these levels are deliverable and directly contradicts with the priorities of Para 15 and 16 of the NPPF 2023.

2.188 This must also be seen in the context of SADC also indicating that they require Green Belt land to be released to meet development needs, as not enough can be accommodated within the urban area. Where, and how, this level of windfall development over and above what has already been identified can realistically be delivered is questioned.

Housing trajectory

2.189 The section below summarises the core comments which are being made on the housing trajectory for the early, mid and end period of the Local Plan process.

Early stage

2.190 According to the Housing Trajectory in the first five years there would be a 5.0 years housing supply and this is based on a stepped housing requirement of 485 dwellings within the first five years of the plan period. The trajectory assumes that within the first three years of the operational plan period (2026/27, 2027/28 and 2028/29) a **31% shortfall** against the **requirement of 1455 dwellings (deficit of 389 units).** This shortfall is planned to be offset by over provision within the remaining 2 years of the first five years of the plan period to achieve a 5 year housing supply of 2941 dwellings (588 dpa) within this period, but this is contingent on an over delivery of in excess of 1875dwellings for the remaining 2 years. This level of delivery is predicated on the large strategic development sites starting to be brought online, no contingency has been made for delays in delivery of these larger allocated sites which often have infrastructure and land acquisition complications that often delay progression. It is already evident that there are challenges to the delivery of the strategic sites within the borough, with the prospect for delivery of an element of housing on these sites into the next plan period.

2.191 The housing trajectory within this period is heavily reliant upon the delivery of net. 1077 dwellings from **existing permissions present within the borough, which equates to net 36%** of the housing supply for this period. Our client would query the validity of this approach and the figures that have been cited. Namely, the figures cited in the Local Plan bear no relationship to the figures set forth within the AMR (2023) as summarised in the table below:

2.192 There is an unexplained variance in ‘Permissions (Estimated Future Completions)’ of net. 305 dwellings within the first five years of the LP plan period alone. There is no explanation within the supporting documentation to the LP on where the additional dwellings have been derived from.

Given that this equates to net.10% of the housing requirement for the first five years, our client would query where the evidence is to substantiate this position. The additional provision does not appear to be substantiated on an evidential basis in the information that has been published with the Reg.19 consultation draft.

2.193 Given that the Local Plan period already includes a windfall allowance of 653 dwellings across this period (26%) it is unclear why a further 305 dwellings (10%) of unsecured provision has been forecast within the Local Plan housing trajectory**. Overall, this would equate to approximately 26% of the total housing supply within this plan period, which represents an unsustainable level of reliance on speculative development**.

Mid Period housing trajectory

2.194 Our client expresses reservations over the methodology which has been applied in the preparation of the housing trajectory for the middle years of the Local Plan period.

2.195 Across the mid period (second 5 year cycle) of the LP period, planned delivery is for net. 6,298 dwellings (1259 dpa) against an annualised target of 1250 dpa. Targeted provision across this period just meets the 1250 dpa threshold and is contingent on delivery of the Hemel Hempstead Garden community (1635) and the Broad Locations (2240) with limited contribution from other green belt sites, comprising net. 892 dwellings in this period.

2.196 **This stage of the housing trajectory does not allow for any contingency in the eventuality that delivery rates on the strategic sites falls below the accelerated delivery rate of 1250 dwellings per annum.** This approach is fundamentally unsound and is likely to result in a shortfall in housing provision and failure to demonstrate a 5 year housing land supply within year 6-10.

2.197 Again, the housing trajectory is reliant on net. 612 dwellings (10%) which are delivered from the existing or future permissions. For the Local Plan to be delivering units from extant permissions this late into the Local Plan period, is questionable. This represents a departure from the evidence contained within the Annual Monitoring Report (2023) which includes provision for net. 215 dwellings within this period. **It is unclear where the additional 400 dwellings are being generated from, as this has not been substantiated with evidence contained in the Reg. 19 Draft Local Plan**.

2.198 Given that the Local Plan period already includes a windfall allowance of 725 dwellings across this period (12%) it is unclear why a further 400 dwellings (6%) of unsecured provision has been forecast within the Local Plan housing trajectory. **Overall, this would equate to approximately 18% of the total housing supply within this plan period, which represents an unsustainable level of reliance on speculative development.**

Late stage plan period

2.199 Similar issues are present within period 11-15 whereby it is anticipated that 4952 dwellings (990 dpa) will be delivered against an annualised target of 1050 dpa, which equates to a **shortfall of net. 298 dwellings against the stepped housing requirement.** As with the mid stage of the plan period, the f**ailure to identify a sufficient range of medium and larger scale greenfield sites to provide contingency** results in the situation where **SADC are not able to demonstrated a deliverable 5 year housing land supply within the end period of the LP (4.9 YHLS).**

2.200 Housing delivery within this period of the Local Plan lifecycle is contingent on delivery of 85% (units) from the Hemel Hempstead extension (2,390 units) and the Broad Locations (1837 units), with the residual amount drawn from the windfall sites. As outlined in these representations, reliance on delivery of a smaller number of large and strategic allocations to provide the majority of the housing in this plan period is ill advised. It has already been demonstrated through the councils own evidence that on one site HGC, 10% of the housing provision forecasted at R.18 stage had been lost in R.19 stage and will now fall within the next plan period. It is likely that similar issues could arise on the other Broad Locations sites. **Given that SADC cannot demonstrate a**

deliverable 5YHLS in this period, any residual loss of units being delivered from these sites will result in the need for SADC to refresh the spatial strategy and allocate additional sites to compensate for the shortfall in provision. It is therefore requested that evidence is provided on the anticipated delivery timescales for each of the site allocations, to enable a robust review of SADC's housing land supply position.

Overarching comments on housing trajectory

2.201 The housing trajectory is overly weighted towards strategic sites and large scale development sites which are all subject to requirement for the preparation of area wide masterplans, design codes and design briefs which require approval and adoption before delivery of these sites can start to commence.

2.202 The formulation of area wide masterplans and design codes can historically be an incredibly time intensive action given the need for extensive community engagement in their preparation, in some instances this extends across several years. This is all before applications can be progressed which given the nature of these sites will either be in hybrid or outline form. It is not uncommon for strategic sites to experience multiple year delays passing through the planning system before outline permission is established, which is likely given the nature of these sites. Once outline approval is established reserved matters approval will be required before work can commence on delivery of the initial phases of these sites.

2.203 It has been evidenced that a number of strategic sites across the country have stalled as a result of land assembly, financial viability, environmental constraints and site mobilisation. A small number of examples have been set out below:

Otter pool – Folkestone

2.204 In Folkestone BC, the authority had sought to deliver a new garden community to deliver net. 10,000 dwellings as part of their spatial strategy, as part of the 2018 Local Plan review adopted in Feb 2022. In 2023, outline planning permission had been granted at committee for the first 8500 units, but the S106 has not been completed. It had originally been intended that the first phases would be brought online in 2025. Places for People had come online as development partner responsible for taking on the residential land. In October 2024 it had been reported that Places for People have withdrawn from the development partnership, over concerns that the scheme was unviable.

2.205 The outline application has yet to have a completed S106 agreement, and there is no clear sign that another strategic partner has the appetite to take this site on. It has been reported that the council are seeking to reengage with the landowners to bring meanwhile uses back on site while the council considers their options for the disposal of the site. **As of November 2024, more than 6 years from inception of the draft Local Plan and 2 years from the adoption of the replacement Local Plan, outline permission has not been formally executed, reserved matters approval has not been secured for preliminary phases and no units have been delivered.** There is no guarantee that this will come online in the coming years, despite investment of net. 119 million by Folkestone BC.

1. Years in inception –**6 years, 2 post plan adoption**
2. Outline permission secured –**No**
3. Reserved matters approval secured –**No**
4. housing units delivered - **Zero**

North Horsham

2.206 In 2018, Horsham DC granted permission for an extension to the settlement of North Horsham to deliver 2,750 new houses alongside new employment floorspace and education campus and associated development. Legal and General whom are acting as the development partner for HDC secured approval for the first 390 dwellings in 2021, as of April 2024, 100 occupations had progressed on site.

2.207 The borough has been plagued by water neutrality constraints which have resulted in the borough retrospectively seeking a water neutrality solution that has significantly delayed progression on site. As it stands HDC are still seeking a water neutrality solution and progression of future phases of the development have not been brought online.

1. Years in inception –**9 years post plan adoption (November 2015)**
2. Outline permission secured –**2018 (3 years post plan adoption)**
3. Reserved matters approval secured – 2021, (6 years post plan adoption)
4. housing units delivered – 100 occupations as of April 2024 **(9 years post plan adoption)**

2.208 Delivery of this strategic site is so challenging that the vast majority of the housing units to be delivered on this site will now fall within the housing trajectory for the replacement local plan. A small fraction of the housing units proposed to be delivered in the plan period have been.

Deepcut Barracks

2.209 In 2011, Surrey Heath Borough Council adopted their Local Plan which included the redevelopment of Deepcut Barracks site as a strategic housing allocation for net.1100 dwellings. Hybrid planning permission was granted in 2012 for the preliminary phases of the development. As of January 2024, net Across the wider masterplan, net. 363 residential dwellings benefit from either detailed planning permission or are currently under construction, or complete. When combined with the 81 dwellings delivered under the detailed element, this equates to 444 dwellings or 37% of the quantum of housing to be delivered on the Mindenhurst site. Delivery of the site has been complicated by infrastructure delivery and land assemblage constraints.

1. Years in inception –**13 years post plan adoption (November 2011)**
2. Outline permission secured –**2012 (1 year post plan adoption)**
3. Reserved matters approval secured for first residential phase – 2018, (7 years post plan adoption)
4. housing units delivered – 363 occupations / permissions as of October 2024 **(13 years post plan adoption)**

2.210 Delivery of this strategic site has been so significantly delayed that the majority of the housing units were submitted to Surrey Heath BC in January / Feb 2024, to prevent the outline permission from lapsing. **This site contributed less than 444 dwellings to the boroughs housing land supply within the plan period (37%) with 63% now falling within the housing trajectory for the replacement Local Plan.**

2.211 We could provide numerous other examples where constraints in the delivery of strategic housing sites has resulted in housing units being brought online significantly later than envisaged under the Local Plan. As outlined earlier in this statement, it is evident that there is scepticism on the roadmap for the delivery of the Hemel Hempstead Garden Community, which is complicated given that this is being delivered in partnership with Dacorum BC whom are progressing on divergent timescales to SADC.

2.212 This is further complicated by the requirement of Draft Policy LG6 that all sites released from the green belt will be required to provide a green belt compensatory strategy which details the approach to delivery of “new or enhanced infrastructure, woodland planting, landscape and visual enhancements, improvements to biodiversity, new or enhanced walking routes and improved access to recreational facilities’. The detail of the compensation strategy will need to be worked up in detail as part of the initial site masterplan stage.

2.213 The expectation that housing units from the larger 'broad location' and strategic sites will be completed within the first 7 years of the Local Plan period is overly optimistic and unrealistic, based on current trends. This is particularly relevant given the acute economic circumstances present in the UK where housing delivery rates are plummeting in response to adverse market conditions. The over reliance on a small number of large scale and strategic sites and failure to **integrate appropriate contingency is unsound**.

2.214 In summary, it is evident that SADC is heavily reliant on the Hemel Hempstead urban extensions and strategic development sites and windfall sites to meet its housing requirement, with very little allowance in the final 10 years of the plan period to rectify shortfall in delivery. Given the complexity of delivery of strategic sites, predicating the boroughs housing land supply on a small number of sites is incredibly risky, as there is no tolerance to compensate for shortfall. Based on previous delivery rates associated with large complicated sites, some of the targets are not only unachievable but they are based on flawed calculations. As such, it is evident that additional Green Belt land needs to come forward to provide greater certainty with the delivery of additional housing. It is possible to conclude therefore that the Plan has not been **positively prepared nor is it effective.**

Stepped Housing Trajectory

2.215 Whilst not clear from proposed policies in the Draft Local Plan, it is noted that the Table at 3.2 of the Draft Local Plan implies the Draft Local Plan is proposing a stepped housing requirement.

2.216 It suggests the housing requirement will be set at a mere 398 dpa during the early years of the plan period (2024-2026); rising to 485 dpa for the period 2026-2031. Only after 2031 does the Draft Local Plan set a requirement above the minimum 888 dpa.

2.217 Table 3.2 indicates that even by 2032, the average number of dwelling completions since 2024 will still be below 888 dpa.

2.218 The PPG[14] is clear that, whilst a stepped housing trajectory may be permissible in certain circumstances, the need for such an approach must be evidenced. It stresses that strategic policy-makers should not seek to unnecessarily delay meeting identified housing needs. A stepped trajectory should be the exception, and the new Local Plan will need to justify such an approach if it is to be pursued.

2.219 The stepping of the trajectory is inherently problematic: the housing shortage is a current and acute issue facing the District. To delay the delivery of much-needed homes, with the resultant negative social and economic impacts for the District, is something that the new Local Plan should seek to avoid if at all practicable.

2.220 In the case of St Albans District and its Draft Local Plan, before concluding that a stepped trajectory is necessary (and if it is, the degree to which it should be stepped) it is important the Council explores all sustainable options for meeting needs earlier in the plan period, i.e. to consider whether there are additional sustainable, deliverable sites the new Local Plan does not currently support, but which could deliver homes early in the plan period if they were to be allocated through the new Local Plan. Failure to do so would mean the new Local Plan is unnecessarily delaying the delivery of homes, contrary to the PPG.

Duty to Cooperate – Context with Welwyn Hatfield BC

2.221 It is recognised that SADC shares a Functional Economic Area with neighbouring Welwyn Hatfield Borough Council. SADC might well consider it is accommodating its own needs (as we question), though it is apparent that Welwyn Hatfield share many of the similar green belt conditions which hinder delivery of housing. It is unclear what effort has been made by SADC and WHBC to plan in a collaborative manner to meet objectively assessed housing need.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Summary

2.222 In summary, Bellway Homes Limited has strong concerns with draft Policy SP3. The crux of the objections are as follows:

- **Level of housing proposed (Standard Method) does not allow for contingency** and is therefore not robust or positively prepared;
- **Lack of recent delivery, 5YHLS,** and lack of contingency warrant a higher housing requirement;
- **Level of windfall sites anticipated is unachievable and speculative**, most sites need to be formally allocated to be sure the level of housing proposed is achievable**.**
- **Green Belt Assessment is flawed due to it not being fine-grain,** and no exceptional circumstances report published;
- Further sites should therefore be **allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.**

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representations to the Reg_19 consultation on St Albans Draft Local Plan_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client has significant concerns regarding the soundness of this policy. Given that they have landholdings within the borough, we assert our right to participate in discussions regarding the draft policies during the Examination in Public (EIP) stage

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.231 Bellway Homes Ltd understand the need and willingness for SADC to have a specific policy on Green Belt, given the large area of Green Belt within the authority boundary. Yet, currently the policy does not accurately reflect national policy, and wording can be amended as such. Suggested wording is below – which reflects NPPF Chapter 13. An additional paragraph is suggested to reflect Very Special Circumstances:

"The Green Belt boundary is defined shown on the Policies Map. In order to uphold the fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open the five purposes as defined in NPPF Paragraph 138. Inappropriate development will / should not be approved unless except in very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".

"Very Special Circumstances are essentially the benefits that arise from the proposals that can, collectively, be balanced against the identified harm to the Green Belt and other harm. There is no definition of what might or might not constitute VSC, and each proposal should be judged on their own merits and is a matter of judgement".

2.232 Bellway Homes Ltd also would suggest wording is amended in the supporting justification to also better reflect national policy, particularly Paragraph 2 of the NPPF whereby planning policies should be read as a whole:

"Proposals within the Green Belt will also be expected to comply with all other Local Plan policies when taken as a whole, particularly those that cover design, amenity, landscape, biodiversity and flooding".

2.233 Bellway Homes Limited consider that the proposed modifications will deliver a policy which is positively framed which is implementable and sound. As outlined earlier in the representations, our client has concerns that the spatial strategy which is being implemented in the Local Plan will

fail to deliver sufficient housing to meet the needs of the borough. Through the imposition of a moratorium on the release of green belt land outside of the Local Plan process this will exacerbate, not alleviate the housing crisis present in St Albans DC.

2.234 We would request that the council undertake an additional granular level green belt review prior to the progression of the Local Plan to examination stage. As outlined in the representations the team consider that there is scope for inclusion of a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.234 We would request that the council undertake an additional granular level green belt review prior to the progression of the Local Plan to examination stage. As outlined in the representations the team consider that there is scope for inclusion of a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client has significant concerns regarding the soundness of this policy. Given that they have landholdings within the borough, we assert our right to participate in discussions regarding the draft policies during the Examination in Public (EIP) stage.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.235 Bellway Homes Ltd largely support the intent of this policy, yet they consider that the framing of the policy is overly prescriptive and will hinder the ability to deliver an appropriate range of housing typologies to satisfy local demand.

2.236 It is considered that the percentages applied in Table 4.1 (Housing Mix by Size and Tenure) should be applied as indicative housing targets only, as this will provide a steer on the likely housing mix which could be supported. It should apply a range for each typology and dwelling size and the wording of the draft policy should make explicit reference to updated local evidence or market demand which will be published in the form of annual monitoring reports and updates to the Strategic Housing Market Assessment.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.237 The wording of the policy should be drafted in a manner which allows for flexibility to encourage rather than unnecessarily hinder delivery of housing within the borough to meet identified need.

2.238 The framing of the draft policy is imprecise and requires modification to enable the policy to be deliverable.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representations to the Reg_19 consultation on St Albans Draft Local Plan_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client has significant concerns regarding the soundness of this draft local plan Given that they have landholdings within the borough, we assert our right to participate in discussions regarding the draft policies during the Examination in Public (EIP) stage.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.239 Bellway Homes Ltd largely support this policy, yet offer some additional wording to add clarity. This is to meet NPPF Paragraph 16 (d), being that policies are clearly written and unambiguous.

2.240 The Draft Policy requires that residential development deliver a minimum of 40% affordable housing on site with a tenure mix of 30% social rented, 30% affordable rented and 40% home ownership, which includes 25% of all affordable housing as First Homes. The policy needs to clarify which element of the affordable housing tenure First Homes will be taken from to align with provisions set forth in the NPPF. This modification will provide greater clarity for applicants.

2.241 Importantly, the draft policy should clarify how affordable housing provision will be measured, be it in unit, or habitable room basis.

2.242 We note that Part G, of Policy HOU2 requires a late stage review to be imposed on developments which do not provide a policy compliant affordable housing offering.

"Ensuring that any planning obligations for affordable housing provision or contributions that are agreed as an exception to full policy compliance (on the basis of viability at the time the permission is granted) must include a financial review mechanism that is based on actual sales values at the time that the development, or development phase, is 80% occupied.

The review must allow for further provision, or financial contributions in lieu, when the outturn value of the development exceeds the initial viability assumptions or other circumstances enable increased viability of the scheme";

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.243 We have concerns about the framing of the late stage review mechanism which as currently drafted is imprecise and does not provide sufficient comfort. It is considered that the following modifications should be made to the wording as drafted:

- Should refer to a review taking place at 80% of homes sold (or at an appropriate point agreed with the LPA).
- Needs to refer to the values achieved and costs incurred, and any additional contributions arising from the development.
- The outcome should result in a financial contribution and not onsite affordable housing. This should be made clear.
- Any surplus profit should be split between developer and the borough (50:50).

2.244 Further to the above, the wording of the policy does not refer to the recent issue of buying credits to achieve biodiversity net gain where onsite provision is not sufficient and off-site mitigation is not deliverable. It is noted that the requirement to purchase biodiversity credits is routinely impacting on scheme viability which in turn effects the deliverability of affordable housing. It is requested that appropriate provisions are considered in the framing of any late stage review mechanisms.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representations to the Reg_19 consultation on St Albans Draft Local Plan_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client has significant concerns regarding the soundness of this draft local plan Given that they have landholdings within the borough, we assert our right to participate in discussions regarding the draft policies during the Examination in Public (EIP) stage.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU4 - Accessible and Adaptable Housing

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.245 Bellway Homes Ltd welcomes the provisions under Policy HOU4 of the Draft Local Plan covering the delivery of a range of housing typologies that are adaptable and accessible to a range of users

2.246 However, we would question the inclusion of the following section within the draft policy, as summarised below:

For all residential development (Use Class C3) achieve compliance with the required Building Regulations (Part M4(2)) except where this is not possible for viability or other reasons such as built form, topography and flooding; For residential development proposals for 10 homes or more (Use Class C3) 5% of market dwellings comply with Part M4(3)(a) of the Building Regulations and 10% of affordable (rent and home ownership) dwellings comply with Part M4(3)(b) (wheelchair user dwellings) of the Building Regulations; and d) For M4(2) and M4(3) housing are located, where possible, with good access to public transport and local facilities

2.247 With regards to the requirement of M4(3) provision within the open market element, it is not clear from the supporting evidence base whether SADC is able to justify this requirement.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.248 In the event the emerging Policy is pursued, it is suggested that a clause should be included making reference to provisions for the marketing of the open market wheelchair units and potential for reversion to conventional open market housing typologies, if there is a lack of demand for wheelchair user dwellings within this typology. This will remove onerous restrictions on the disposal of open market units, in the absence of identified need.

2.249 SADC and Affordable Registered providers will hold evidence relating to the need and demand for Part M4(3)(2)(a) for those on the housing register and so for the affordable housing element of this policy is supported by Bellway Homes Ltd.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.223 Bellway Homes Ltd are supportive of the overarching objective for delivery of tangible enhancements to biodiversity and ecology as part of new developments. However, we have comments on the

framing of the part of the policy which refers to mandatory net gain as outlined below:

"i. Meet a minimum 10% net gain in biodiversity that is calculated using the latest Biodiversity Metric from Government guidance and is approved via a Biodiversity Gain Plan. Off-site habitat creation and / or enhancement contributions will be allowed only where on-site is not possible or desirable and these should be within the District wherever possible. Payments in lieu to the national statutory biodiversity credit scheme will only be allowed in exceptional circumstances; and"

2.224 It is accepted that under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% gain. Mandatory Net Gain took effect in the UK from February 2024. A **clause needs to be included within the supporting text to the draft policy outlining the exemptions from mandatory biodiversity net gain in line with the provisions of the planning practice guidance** as summarised below**:**

"While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain.

Biodiversity net gain does not apply to:

- retrospective planning permissions made under section 73A; and
- *section 73 permissions where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024*
- The approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission)".

2.225 The inclusion of this clause will provide sufficient comfort for developers that committed developments or other applications which predate mandatory net gain coming into effect, will not be retrospectively caught by the provisions of Policy NEB6.

2.226 Whilst Bellway had submitted an application on their landholdings at Roestock Lane in November 2022, in advance of mandatory net gain taking effect, the scheme had been designed to achieve a voluntary biodiversity net gain in excess of the 10% requirement, which had been based on Metric 3.1.

2.227 As the transitional provisions are applicable to the landholdings at Roestock Lane the consideration of the outline application and subsequent applications for reserved matters approval shall be determined on the basis of the voluntary and not mandatory net gain and the statutory metric shall not be applied.

2.228 Additionally, we would query the reference to onsite reprovision of all habitat types as outlined in the draft policy, "*Off-site habitat creation and / or enhancement contributions will be allowed only where on-site is not possible or desirable and these should be within the District wherever possible".* In the decision to allocate housing sites, or consideration of applications for new housing the authority have to balance the inevitable loss of grassland habitats against the need to deliver new housing to meet the needs of the local community. The draft policy should acknowledge that losses to certain habitat typologies are necessary to delivery housing and development should be supported where it can be demonstrated that proposals will result in delivery of tangible gains to ecology.

2.229 It is not uncommon for developers to struggle to deliver a 10% on greenfield sites as they have a particularly high baseline. The BNG section of the above policy states that off-site contributions in the District will be allowed only where on-site is not possible or desirable.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.230 In the first instance, it should be clarified what the Council deem to be 'not possible or desirable', for example an unavoidable loss of a high priority habitat or making a scheme financially unviable. Secondly, there is no statutory requirement for off-site contributions to be delivered within the District and as such this requirement should be removed from the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.250 Bellway Homes Limited supports the framing of Policy NEB12 and the requirement for new residential development to provide onsite amenity green space and child play space to service the needs of the occupants of the development. We welcome the provisions in Table 10.2 that outline that residential development of less than 250 dwellings are only required to provide amenity space and child play facilities and financial contributions can be sourced to provide enhancements to sports and recreation facilities, in lieu of onsite provision.

2.251 On their landholdings at Roestock Lane, at outline stage the scheme had been designed to make provision for 1.259ha of public open space and 0.024 ha of child play provision as part of the wider open space offering, which aligns with the standards contained within the Draft Local Plan.

2.252 Final details of the public open space and child play strategy will be secured at reserved matters stage.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES5 - Residential Amenity Standards

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.253 Bellway Homes Ltd supports the framing of Policy DES5 (a), which states that new development should achieve a minimum separation distance between facing windows servicing habitable spaces of net. 22m.

2.254 On their landholdings at Roestock Lane the outline application submitted had been designed to achieve compliance with the adopted 1994 Local Plan Policy 70 part (vi) which requires new development to achieve separation distances of 27 metres between facing windows alongside delivery of permanent rear boundary screen 1.8 metres high. The Illustrative masterplan provides a visualisation of how the scheme will be delivered at detailed design stage

2.255 In the instance that outline permission is granted, the detailed scheme at reserved matters stage will be designed to achieve conformity with the requirements of Policy DES5.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our client has significant concerns regarding the soundness of the draft local plan Given that they have landholdings within the borough, we assert our right to participate in discussions regarding the draft policies during the Examination in Public (EIP) stage.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 11

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Bellway Homes Limited considers the plan fails on Paragraph 35 of the NPPF, and is

fundamentally unsound. Reasons why the plan is not positively prepared and deliverable is discussed in this representation, yet is summarised as below (yet not limited to):

- The baseline housing need figures cited in Table 3.2 and Policy SP1 and SP3 do not appear to be correct and directly contradict the housing need figures published in the AMR 2022, equating to a **shortfall of between 2,271 dwellings**.
- **Level of housing proposed (Standard Method) does not allow for contingency** and is therefore not robust or positively prepared;
- **Lack of recent delivery, 5YHLS,** and lack of contingency warrant a higher housing requirement;
- **Level of windfall sites anticipated is unachievable and speculative**, most sites need to be formally allocated to be sure the level of housing proposed is achievable**.**
- **Green Belt Assessment is flawed due to it not being fine-grain,** with no consideration to the need for natural growth of the washed over settlements within the green belt, which has been deemed to be unsound in the case of the Uttlesford BC Local Plan examination;
- Further sites should therefore be **allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.**
- Reasonable alternative sites, such as Land at Roundhouse Farm, to the north of Roestock Lane have been **discounted and assessed incorrectly;**

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Bellway Homes Limited suggest that these significant changes are made to the emerging Local Plan,

most notably:

- Greater number of sites allocated, including allocation of a broader range of medium and large size green belt sites within the borough to provide contingency within the early stages of the Local Plan process.
- Green Belt Review to review smaller parcels of land such as Land to the north of Roestock Lane
- Less reliance on speculative windfall sites replaced with a mixture of housing allocations; and
- Need for further Green Belt release to accommodate for the objectively assessed need (including **Land at Roundhouse Farm / to the north of Roestock Lane**) to ensure the plan is positively prepared and ultimately sound in accordance with NPPF paragraph 35;

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REPRES~1.PDF

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

208 - TJ Morris Limited

Submission Number: 208 Submission Date: 07/11/24 17:13

Respondent: Quod Mr Adrian Fox

On Behalf Of TJ Morris Limited :

Chapter 6 - City, Town and Village Centres and Retail

Comment Number: 1

Type:

* Policy

Number:

SP6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

TJM, the parent company of the national retailer Home Bargains, is a key stakeholder in the district, being the freehold owners of the existing retail warehouse located at Alban Park on Hatfield Road. St Albans ('the Site). The retail warehouse is currently leased to the national DIY retailer. Homebase.

Summary

These representations demonstrate that draft Strategic Policy SP6 and Policy TCR2 of the enlarging Local Plan are not justified, effective and consistent with national policy. As currently worded, they are deemed to be unsound.

The emerging Local Plan recognises the important rote of existing out-of-centre retail parks, but this is not consistently applied by other policies contained within the Local Plan. Specifically, Strategic Policy SP6 should be revised as outlined above to acknowledge the role of retail parks in applying the Sequential approach - consistent with Policy TCR3.

Regarding draft Policy TCR2, for the reasons identified, the first criterion should be removed. Again, as currently worded this part of the policy is unsound and inconsistent with both other policies within the Local Plan and the NPPF.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to supporting cover letter

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0208 241105 Local Plan Representations_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would like to participate in the hearing session to ensure that the matters raised are fully discussed and understood.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TJM, the parent company of the national retailer Home Bargains, is a key stakeholder in the district, being the freehold owners of the existing retail warehouse located at Alban Park on Hatfield Road. St Albans ('the Site). The retail warehouse is currently leased to the national DIY retailer. Homebase.

These representations demonstrate that draft Strategic Policy SP6 and Policy TCR2 of the enlarging Local Plan are not justified, effective and consistent with national policy. As currently worded, they are deemed to be unsound.

The emerging Local Plan recognises the important rote of existing out-of-centre retail parks, but this is not consistently applied by other policies contained within the Local Plan. Specifically, Strategic Policy SP6 should be revised as outlined above to acknowledge the role of retail parks in applying the Sequential approach - consistent with Policy TCR3.

Regarding draft Policy TCR2, for the reasons identified, the first criterion should be removed. Again, as currently worded this part of the policy is unsound and inconsistent with both other policies within the Local Plan and the NPPF.

As currently worded, Strategic Policy SP6 is not consistent with other polices within the Local Plan - including Policy TCR3.

Despite the supportive approach of Policy TCR3, in applying the sequential approach to site selection under Strategic Policy SP6, there is no recognition or support for existing retail parks as appropriate locations for large-format retailing. Such an approach is inconsistent.

It is entirely appropriate and sensible for policies to give preference to established retail destinations, which already form part of the retail hierarchy, over other out-of-centre locations that could lead to ad hoc and sporadic out-of-centre retail development being delivered.

Further details of the reasons for this are contained in the supporting letter.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Consistent with the approach of Policy TCR3 we believe that draft Strategic Policy SP6 should be revised to explicitly recognise existing out-of-centre retail parks as an appropriate location for large-format retailing when applying the sequential approach to site selection. Whilst we acknowledge the town centre first approach set by the National Planning Policy Framework ('NPPF') in line with other policies within the Local Plan we believe that Criterion a) of Strategic Policy SP6 should be revised as follows (new text in bold and underlined):

"Applying a 'town centre first' approach to proposals for retail, services and other main town centre uses in accordance with the defined Centre Hierarchy and the sequential approach set out in the NPPF. When considering out-of-centre locations preference will be given to existing; out of centre retail parks as defined by the Policies Map under Policy TCR3 over other out-of-centre locations in applying the sequential approach to site selection."

Entirely consistent with draft Policy TCR3. this proposed amendment recognises the important role existing retail parks can play in meeting future retail needs.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0208 241105 Local Plan Representations_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would like to participate in the hearing session to ensure that the matters raised are fully discussed and understood.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TCR2 - Retail Uses outside Existing Centres

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TJM, the parent company of the national retailer Home Bargains, is a key stakeholder in the district, being the freehold owners of the existing retail warehouse located at Alban Park on Hatfield Road. St Albans ('the Site). The retail warehouse is currently leased to the national DIY retailer. Homebase.

As currently worded, Strategic Policy SP6 is not consistent with other polices within the Local Plan - including Policy TCR3. Further details of the reasons for this are contained in the supporting letter.

These representations demonstrate that draft Strategic Policy SP6 and Policy TCR2 of the enlarging Local Plan are not justified, effective and consistent with national policy. As currently worded, they are deemed to be unsound.

The emerging Local Plan recognises the important rote of existing out-of-centre retail parks, but this is not consistently applied by other policies contained within the Local Plan. Specifically, Strategic Policy SP6 should be revised as outlined above to acknowledge the role of retail parks in applying the Sequential approach - consistent with Policy TCR3.

Regarding draft Policy TCR2, for the reasons identified, the first criterion should be removed. Again, as currently worded this part of the policy is unsound and inconsistent with both other policies within the Local Plan and the NPPF.

In reviewing the supporting text (at paragraph 6.15) it is apparent that the intention of Policy TCR2 is to protect local shops that provide a valuable role in the community. However, as currently drafted, the proposed wording to this policy (under criterion a) is such that proposals for all new town centre uses outside the Town Centre Hierarchy, which will including at existing out of centre retail parks, will be resisted by the Council. Such an approach is contrary to the NPPF. This identifies that proposals for main town centre uses outside defined centres will be acceptable subject to satisfying the relevant retail 'tests' — namely the sequential approach to site selection and, dependent on scale, the impact test.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As currently worded, Policy TCR2 states that all proposals for main town centre uses, except those that meet the definition of Local Community Shop will be resisted. Given this, criterion a) of Policy TCR2 should be deleted. It is not needed, and as currently worded, is not consistent with national policy, making the emerging Plan unsound. Instead, proposals for retail and town centre uses outside defined centres will be addressed by other policies within the Local Plan — including Strategic Policy SP6 and Policy TCR3 — and by national policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0208 241105 Local Plan Representations_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would like to participate in the hearing session to ensure that the matters raised are fully discussed and understood.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TCR3 - Out-of-Centre Retail Parks

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TJM, the parent company of the national retailer Home Bargains, is a key stakeholder in the district, being the freehold owners of the existing retail warehouse located at Alban Park on Hatfield Road. St Albans ('the Site). The retail warehouse is currently leased to the national DIY retailer. Homebase.

As currently worded, Strategic Policy SP6 is not consistent with other polices within the Local Plan - including Policy TCR3. Further details of the reasons for this are contained in the supporting letter.

These representations demonstrate that draft Strategic Policy SP6 and Policy TCR2 of the enlarging Local Plan are not justified, effective and consistent with national policy. As currently worded, they are deemed to be unsound.

The emerging Local Plan recognises the important rote of existing out-of-centre retail parks, but this is not consistently applied by other policies contained within the Local Plan. Specifically, Strategic Policy SP6 should be revised as outlined above to acknowledge the role of retail parks in applying the Sequential approach - consistent with Policy TCR3.

Regarding draft Policy TCR2, for the reasons identified, the first criterion should be removed. Again, as currently worded this part of the policy is unsound and inconsistent with both other policies within the Local Plan and the NPPF.

The supporting text to this Policy (at paragraph 6.16) acknowledges that the district has a number of large retail parks, including at Hatfield Road. The Site and immediate area are identified on the supporting Policies Map as forming part of a defined 'Out-of-centre Retail Park'. An extract from the relevant Policies Map is provided at Figure 1.

Draft Policy TCR3 supports the role existing retail parks serve (including the Site) in providing large-scale retailing. Our client is supportive of this Policy approach. However, whilst this policy is supportive of existing retail parks, this is not reflected by other policies contained within the Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0208 241105 Local Plan Representations_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would like to participate in the hearing session to ensure that the matters raised are fully discussed and understood.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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209 - Mr Chris Martin

Submission Number: 209 Submission Date: 07/11/24 17:17

Respondent: Mr Chris Martin

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

At all previous stages of the planning process where public comment has been invited, I have put forward arguments as to why this development should not be allowed. These arguments are as valid for this specific development as they are for the Local Plan as a whole.

Those submitted comments have been ignored by the council or have been insultingly dismissed with 'cut and paste' stock answers which feature time and time again throughout the Local Plan Consultation Summary Response Table.

"The inclusion of this site is in line with the methodology of the ARUP Green Belt Review 2023…". Previous documentation submitted with regard to this proposal has shown that that if ARUP's methodology had been correctly implemented, this site should not be considered for release. (Statement of Case from Greenbelt (Rule 6 Party), appendix B). The council cannot rely on the ARUP review process as an argument to support the Local Plan, and yet dismiss the results of the ARUP review process when it is used to show why this land should not be included. As of March 2023, just 12.6% of all the land area of England is designated as Green Belt. This needs to be protected at all costs.

"The Local Plan in Chapter 10 seeks to protect and enhance the natural environment and biodiversity". This is just an oxymoron in itself, that releasing land from Green Belt, to be built upon, will 'enhance the natural environment and biodiversity". In my own previous submissions, I have shown that the Biodiversity Metric used for the Environmental Impact Assessment is a flawed process, and that Biodiversity Net Gain is an equally flawed measure; that is even 'IF' the developers were to make good on their environmental promises once the money is in the bank. Nationally there is a trend of developers failing in this regard.

"The Council is working with Herts County Council as the Highways Authority to undertake the transport impact assessment for the Reg 19 Draft Plan". Every submitted comment that makes any mention of any aspect of the road or traffic is met with this same stock response. Working how? What is being done? Not only that, but a comment which make no mention of traffic also receives this same stock reply. Comment 234 makes a point solely focussed on the loss of the environment and the effect on the wildlife, yet receives this same response of The Council working

with Herts County Council as the Highway Authority…. If the council are going to do local residents the injustice of repeatedly using stock answers to valid points raised, at least cut and paste them into the correct section.

I could go on. This document is nothing more than insulting 'lip service' to many members of public who have genuine concerns about the ongoing devastation to our environment.

Many contributors have submitted reasoned and rational arguments highlighting the errors in the council's plans, yet the council has failed to provide any meaningful answers, and have largely dismissed all comments with apathy.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This development received overwhelming condemnation from local residents, and the application to build on this site was rejected by the Planning Committee in January 2024. It now seems that all of this has been disregarded to allow this site to be included in the Regulation 19 process. This decision seems to be based on ARUP incorrectly using its own methodology to produce a flawed result at to why this should be included in the local plan.

One of the significant points of objection in this matter is the significant impact of extra traffic on local roads. It has been regularly demonstrated that the local roads are exceptionally busy with queues regularly stretching back approximately three quarters of a mile into Park Street village itself. I have yet to see a response to this point being raised or indeed to the fact that Atkins admitted that the traffic survey was inaccurate, that the traffic survey was conducted during lockdown, or that the traffic modelling was incorrectly used thus producing skewed results. I myself have also raised concerns over the safety of the junction siting and the impact on car drivers and pedestrians, and this has also received no response. This traffic assessment also failed to address the impact of the impending rail freight, and the extra burden of traffic that this will bring.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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210 - Miller Homes

Submission Number: 210 Submission Date: 07/11/24 17:19

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Miller Homes :

B2 - North East Harpenden, AL5 5EG

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy B2 – North East Harpenden

- The draft Local Plan and accompanying Policies Map identifies land at North East Harpenden as a proposed Broad Location for a residential-led mixed-use development. This proposal is **strongly supported** by both Miller Homes and the owners of the Land at Lower Luton Road. As is set out elsewhere in this report, the North East Harpenden site is suitable for development and should be allocated in the Local Plan.
- A total of 738 dwellings is indicatively proposed for this Broad Location and this total seems an appropriate figure at this stage of plan-making. Further masterplanning work will establish more precisely the capacity but 738 is entirely reasonable at this stage.
- The North East Harpenden Broad Location is in separate landownerships. The various parties representing the four landowners are working together and collectively support the allocation. Masterplanning work is underway and discussions have taken place with both the district and county councils.
- The policy allocating this site refers to “key development requirements”. None of the requirements prevent or unduly constrain the development of the site. The first four requirements relate to facilities to be provided in association with, or close to, the local centre. This local centre is proposed to be located on land being promoted by Crest Nicholson as it is the geographical centre of the allocation. This is illustrated on the emerging Masterplan (see Figure 5). Ongoing masterplanning work will set out the active travel links within the site to ensure accessibility and permeability through the site.
- Discussions are ongoing with the County Council in terms of specific improvements to Common Lane and accessibility to the secondary school. It should be noted that access to the secondary school from the Miller Homes part of the site would likely be taken through the existing urban area and improvements to footways on Northfield Road and Salisbury Road, for example, could be secured through a planning consent.

- On a point of detail, the draft Policies Map currently shows the Broad Locations outlined with red dots (which is correct) but also has them shaded in the buff colour that relates to policy LG4 “Site allocations in the Green Belt” (which is not correct). Policy LG4 does not relate to the Broad Locations and the key and/or colour coding will need to be revisited to specify that policy LG1 applies and not policy LG4.

- Notwithstanding Miller Homes’ commitment to working collaboratively on the North East Harpenden Broad Location, if the Local Plan strategy were to change through the Examination process and this Broad Location not be taken forward, then the Miller Homes site could be retained as a separate housing allocation in its own right. As is indicated in the Green Belt assessment at Appendix 1, the site has robust Green Belt boundaries. The site benefits from its own access on to Lower Luton Road and drainage arrangements can be dealt with separately from the wider Broad Location.
- However, Miller Homes’ priority is in supporting the Broad Location and it is highly likely that this alternative option will not be necessary.
- In summary, we consider Policy B2 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.
-
- (See attached report for plans)

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Lower Luton Road - Miller Homes - November 2024-FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of part of site B2 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

211 - Miller Homes

Submission Number: 211 Submission Date: 07/11/24 17:21

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Miller Homes :

LG1 - Broad Locations

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG1 – Broad Locations

- Policy LG1 provides a framework for development at all of the proposed Broad Locations. It requires an emphasis on coordination and masterplanning and this emphasis is supported by Miller Homes – a masterplan is appropriate for a development of this size, particularly one involving multiple developers and landowners.
- While no objection is raised to Policy LG1, we do have concerns about the potential for misunderstanding and confusion between the requirements of Policy LG1 and the other policies in the draft Plan that LG1 attempts to summarise. Variations in wording could undermine the Council's policy objectives and make implementation difficult. In addition, some parts of Policy LG1 simply do not need to be there, such as requiring compliance with other policies in the plan (criterion C), SPDs (g) or Neighbourhood Plans (t). We feel it would be clearer to let the substantive policies speak for themselves, rather than trying to summarise the requirements into a single policy for the Broad Locations.
- Policy LG1 contains a number of requirements that have viability implications for new development, such as the requirement for affordable housing, self- or custom-build housing, highway improvements and tree planting. The viability consequences of these aspects are considered in the Council's viability assessment prepared by BNP Paribas, including the specific viability appraisal of the North East Harpenden Broad Location. Section 5.0 of this report outlines our thoughts in respect of the Council's viability appraisal.
- In summary, we consider Policy LG1 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Lower Luton Road - Miller Homes - November 2024-FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of part of site B2 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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212 - Miller Homes

Submission Number: 212 Submission Date: 07/11/24 17:23

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Miller Homes :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Lower Luton Road - Miller Homes - November 2024-FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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213 - Miller Homes

Submission Number: 213 Submission Date: 07/11/24 17:25

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Miller Homes :

LG6 - Green Belt Compensatory Improvements

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG6 – Green Belt Compensatory Improvements

- Policy LG6 is the Council's response to paragraph 147 of the NPPF, which encourages Local Plans to consider *"ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land"*.
- Part a) of this policy requires a Green Belt compensation strategy to be provided for those Part B allocations facilitated by a Green Belt boundary change. In respect of the North East Harpenden Broad Location, the arrangements for compensatory improvements to the remaining Green Belt are likely to be set out through the masterplanning framework, rather than at planning application stage.
- Criteria b) to e) appear to be a restatement of policy requirements that are already set out elsewhere in the draft Plan. Specifically:

1. Part b) of this policy reiterates the requirements of policy NEB1 and should be deleted as unnecessary repetition.
2. Part c) of this policy reiterates the requirements of policies NEB5 and NEB12 and should be deleted as unnecessary repetition.
3. Parts d) and e) of this policy reiterate the requirements of policies TRA1 and SP10 and should be deleted as unnecessary repetition.

- There does not appear to be any specific or unique obligations on the Part B sites that would not apply to other proposed development on the edge of the Green Belt. It would avoid confusion and repetition if these elements of the policy were deleted.

- Part f) of Policy LG6 requires development of Part B sites to *"Provide woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside"*. This appears to be an attempt to limit the impact on the views from existing dwellings. We have two concerns with this. Firstly, protecting individual views is not typically the role of the planning.
- Secondly, this requirement could impact on overall site capacity. The requirement for "woodland buffer planting" suggests a depth of planting, rather than a single line of trees. It is not stated how deep this planting would need to be to be considered "woodland" so it is unclear what impact it would have on the capacity of the site as a whole. The need for buffer planting should be considered on a case-by-case basis at the planning application stage.
- In summary, we consider Policy LG6 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Lower Luton Road - Miller Homes - November 2024-FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of part of site B2 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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214 - Miller Homes

Submission Number: 214 Submission Date: 07/11/24 17:28

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Miller Homes :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

- The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.
- Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".
- In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Lower Luton Road - Miller Homes - November 2024-FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

215 - CALA Group Ltd

Submission Number: 215 Submission Date: 07/11/24 17:34

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of CALA Group Ltd :

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Site M3 – Bedmond Lane, St Albans

- The draft Local Plan and accompanying Policies Map identifies the report site as proposed housing allocation ref M3. This proposal is **strongly supported** by the CALA Group as owners of this site. As is set out elsewhere in this report, the land at Bedmond Lane is suitable for development and should be allocated in the Local Plan.
- The draft Local Plan indicates a total of around 70 dwellings for the site and this level of provision is supported at this stage of plan-making.
- The policy allocating this site refers to a number of “key development objectives/issues to address”. These are repeated below with comments on behalf of the landowner.

1. *Proposals must take account of the Public Rights of Way on site and include support for improvements to the local walking and cycling route network. Enhanced walking and cycling connections between Bedmond Lane and Mayne Avenue should be achieved.*

The indicative layout included at Figure 8 below retains the public rights of way around and through the site on their current alignment.

2. *Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.*

Contributions towards active travel improvements can be secured through a section 106 agreement.

3. *Support for improvements to the PRoW network to enable active travel into St Albans.*

Pre-application discussions have taken place with the Local Highway Authority and these have identified improvements that could be incorporated into the scheme. As an example, the illustrative layout included at Figure 8 below has been amended to include a 3m cycle path through the site connecting to King Harry Lane.

4. *The known archaeological information suggests that the northern third of the site is particularly sensitive in heritage terms. Development proposals should avoid new buildings in this part of the site, and should better reveal the significance of the below-ground heritage assets.*

The indicative layout at Figure 8 below avoids development on the northern third of the site. An Archaeological Desk-Based Assessment has been carried out by RPS, see section 6.0 below. The archaeological constraints on the site do not prevent development as proposed.

5. *Development proposals must take appropriate account of all those trees protected under Tree Preservation Order.*

A tree survey has been undertaken, see section 6.0 below. The tree constraints on the site are almost exclusively around the edges of the site and do not constrain development within the central part of the site.

6. *Proposals must take account of the presence of the Lizard Orchid which is a protected species on Schedule 8 of the Wildlife and Countryside Act 1981.*

The illustrative layout shown at Figure 8 proposes to avoid the ecologically more interesting northern part of the site. Any protected species on site would be protected in line with legislative provisions.

7. *Built development should avoid the relatively rare species-rich grassland in the northern part of the site*

The illustrative layout shown at Figure 8 proposes to avoid the ecologically more interesting northern part of the site. The layout also proposes an area of public open space to the south of the built development, which will be the focus for recreational use and enable public access to the more vulnerable northern area to be restricted.

8. *There is a pipeline running adjacent to the site, and development proposals must appropriately take this into account.*

This will be factored in at planning application stage but does not affect the overall capacity of the site.

9. *Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.*

At this stage, it is difficult to envisage how mineral extraction would be feasible given the small site area, the proximity of residential properties and the combination of ecological and archaeological constraints. In this context, it may be more appropriate to remove this aspect of the policy.

10. *Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 1; Bedrock Aquifer.*

These constraints would be considered at planning application stage but do not affect the overall capacity of the site.

- In summary, we consider Policy M3 to be **legally compliant** and **sound**.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bedmond Lane Mayne Avenue - CALA - November 2024 FINAL_[R].pdf
2. Appendices - CALA - Bedmond Lane - M3_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of site M3 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

216 - CALA Group Ltd

Submission Number: 216 Submission Date: 07/11/24 17:37

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of CALA Group Ltd :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Land and the Green Belt

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. This is supported and should be seen as a minimum level of supply.
- Policy SP3 and the preceding text sets out the strategic case for changes to the Green Belt to facilitate the homes, employment space and infrastructure needed in the local area. The consequences of not amending Green Belt boundaries have been obvious in the district over the past 30 years, with sustained house price growth, increased commuting as workers can no longer afford to live locally and a declining supply of commercial space. The exceptional circumstances needed to amend Green Belt boundaries are evident and the Council's position is supported.
- The age of the current Local Plan means that the priority should be to secure a new Local Plan in order to boost housing delivery above the current rate. The Council's decision to accelerate the Local Plan timescale to enable examination under the current NPPF is supported, given the almost unique circumstances of the district. However, this Local Plan can only be considered an interim Plan. The likely substantial increase in housing requirement brought in with the new NPPF means that the Council will need to commit to an immediate review of the Local Plan.
- There is no current commitment in the draft Local Plan to an immediate review. This is a policy omission. A commitment and a timescale should be included so that progress can be made as quickly as possible.
- In summary, we consider Policy SP3 to be **legally compliant** and **sound**. **No modifications** are therefore necessary.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bedmond Lane Mayne Avenue - CALA - November 2024 FINAL_[R].pdf
2. Appendices - CALA - Bedmond Lane - M3_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

217 - CALA Group Ltd

Submission Number: 217 Submission Date: 07/11/24 17:38

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of CALA Group Ltd :

LG4 - Large, Medium and Small Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG4 – Large, Medium and Small sites

- Draft Policy LG4 seeks to bring together and summarise the policy requirements for allocated sites through the draft Plan. However, the danger in doing so is that if the policies are not summarised accurately or comprehensively, the policy confuses rather than clarifies the requirements. If LG4 is intended to summarise the requirements of the draft Local Plan it needs to be accurate and comprehensive and include policy cross-references for clarity.
- As currently drafted, Policy LG4 includes imprecise and vague requirements, such as demonstrating a "considered approach to development" (criterion a) and "Excellence in design, energy efficiency and water management" (e). Other aspects of LG4 don't need to be stated, such as compliance with other policies in the plan (d) or regard to Neighbourhood Plans (q) – both of which are required anyway. Other criteria just repeat policy requirements from elsewhere in the plan, such as the minimum net density of 40dph set out in policy DES3.
- We think policy LG4 is not necessary and should be deleted on the basis that it is not clear and therefore fails the "effectiveness" soundness test. A clearer approach would be through a combination of the site-specific policy requirements in Part B and the generic policies that apply to all developments in Part A provide an appropriate policy framework.
- Notwithstanding our high-level concerns about Policy LG4, it contains a number of requirements that have viability implications for new development, such as the requirement for affordable housing, self- or custom-build housing, highway improvements and tree planting. The viability consequences of these aspects are considered in the Council's viability assessment prepared by BNP Paribas.
- Section 5.0 of this report outlines our concerns in respect of the Council's viability appraisal and these are not repeated here but, in summary, we have concerns that the cumulative impact of the proposed policy requirements is not fully considered and that the actual viability impacts of the draft Local Plan are likely to be higher than anticipated.

- For clarity, we are not making a case that the policy requirements of the draft Local Plan render development at the report site unviable. The report site is a greenfield site with a low alternative use value. Rather, it is a question of making sure that the proposed policy obligations are reasonable and meet the soundness tests. At this stage, it does not appear that the draft Local Plan is based on sufficient evidence and, as such, would struggle to meet the "justified" soundness test. The viability appraisal should be updated with a more accurate assessment of the likely costs involved.
- In summary, we consider Policy LG4 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The **modifications** necessary to make the Plan sound would be the deletion of Policy LG4 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bedmond Lane Mayne Avenue - CALA - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of site M3 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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218 - CALA Group Ltd

Submission Number: 218 Submission Date: 07/11/24 17:41

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of CALA Group Ltd :

LG6 - Green Belt Compensatory Improvements

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Policy LG6 – Green Belt Compensatory Improvements

- Policy LG6 is the Council's response to paragraph 147 of the NPPF, which encourages Local Plans to consider *"ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land"*.
- Part a) of this policy requires a Green Belt compensation strategy to be provided for those Part B allocations facilitated by a Green Belt boundary change. The degree to which sites are able to facilitate compensation will vary depending on the specifics of the site and surroundings. Many of the Broad Locations propose significant new areas of open space or country parks and these are exactly the sort of policy measures encouraged by the NPPF. However, on smaller sites or where sites do not adjoin existing rights of way, opportunities are likely to be limited.
- In our view, the improvements to the environmental quality and accessibility of the remaining Green Belt proposed at the Broad Locations is sufficient to discharge paragraph 147 of the NPPF. Applying the obligation to smaller sites is not necessary and could delay much-needed new housing.
- Criteria b) to e) appear to be a rehash of policy requirements that are already set out elsewhere in the draft Plan. Specifically:

1. Part b) of this policy reiterates the requirements of policy NEB1 and should be deleted as unnecessary repetition.
2. Part c) of this policy reiterates the requirements of policies NEB5 and NEB12 and should be deleted as unnecessary repetition.
3. Parts d) and e) of this policy reiterate the requirements of policies TRA1 and SP10 and should be deleted as unnecessary repetition.

- There does not appear to be any specific or unique obligations on the Part B sites that would not apply to other proposed development on the edge of the Green Belt. It would avoid confusion and repetition if these elements of the policy were deleted.
- Part f) of Policy LG6 requires development of Part B sites to *"Provide woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside"*. This appears to be an attempt to limit the impact on the views from existing dwellings. We have two concerns with this. Firstly, protecting individual views is not typically the role of the planning.
- Secondly, this requirement could impact on overall site capacity. The requirement for "woodland buffer planting" suggests a depth of planting, rather than a single line of trees. How deep would this planting need to be to be considered "woodland"? This could be achievable on larger sites but on small sites adjacent to the urban area, the loss of a 10m strip to woodland planting could seriously impact the capacity of the site as a whole, and therefore threaten the Council's overall housing target. The need for buffer planting should be considered on a case-by-case basis at the planning application stage.
- In summary, we consider Policy LG6 to be **legally compliant** but **not sound** on the basis that it fails the **effectiveness** The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- The **modifications** necessary to make the Plan sound would be the deletion of Policy LG6 in its entirety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bedmond Lane Mayne Avenue - CALA - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the promoter of site M3 and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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219 - CALA Group Ltd

Submission Number: 219 Submission Date: 07/11/24 17:43

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of CALA Group Ltd :

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB6 – Biodiversity and Biodiversity Net Gain (BNG)

- The Government's Planning Practice Guidance advises Councils on how to deal with BNG in Local Plans. Paragraph 006 (Reference ID: 74-006-20240214) states that Councils should not duplicate the provisions of the statutory framework and prohibits policies that are incompatible with this framework. This need for consistency is vital.
- Draft Policy NEB6 sets out that off-site habitat creation will only be allowed where on-site delivery is "not possible or desirable". While this is laudable and reflects the government's preference for onsite delivery, achieving a net gain on a greenfield site is likely to be difficult. As a recent example (not in St Albans district), a 2ha site for 50 dwellings could achieve an on-site net gain only if built development was restricted to 25% of the site and habitat creation occupied the remaining 75% of the site. The achievement of the Council's expected capacity for allocated housing sites needs to be part of the consideration as to whether on-site delivery is "possible or desirable".
- In summary, while we consider Policy NEB6 to be **legally compliant** and **sound** and **no modifications** are necessary, the policy will need to be interpreted flexibly by the Council if it is not to frustrate the Local Plan objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Bedmond Lane Mayne Avenue - CALA - November 2024 FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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220 - Convene Construction Ltd

Submission Number: 220 Submission Date: 07/11/24 17:49

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Convene Construction Ltd :

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP5 - Overview

5.1 The Report Site currently provides accommodation for around 15 small businesses, comprising car recovery and storage; car sales; removals and storage; construction plant storage and scaffolding yards. These uses are characterised by their need for open storage facilities and access to the motorway network. As set out in Section 6.0, consideration could be given to the continuation and regularisation of this unlawful use in some form, on the basis that it self-evidently meets an existing demand and would add to the mix of employment land in the District, rather than competing with or duplicating the proposed designations identified by Policy SP5. Such an approach would be supported by the landowner.

5.2 Policy SP5 designates the following 2 new industrial and business locations:

53 ha of Employment land at East Hemel Hempstead (Central) providing for a range of uses including offices, research and development, light industrial and distribution.

33.16 ha of the Government permitted Strategic Rail Freight Interchange at the former Radlett aerodrome - mostly B8 distribution / warehousing.

The landowner has no objection to the above allocations, however, a range of sizes, types and locations are needed to meet the needs of different employers.

5.3 With regard to the East Hemel Hempstead (Central) site, this would comprise an extension to the Maylands Business Park. Identified as Site H3 in Part B of the draft Plan, it is proposed to deliver integrated Enviro-Tech Businesses, environmentally friendly buildings and complementary uses. The uses currently operating at the Report Site would not be compatible with this approach, whilst in any event as an extension to the Mayland Business Park, this would primarily satisfy demand for employment space within Dacorum District, whilst similarly mainly providing jobs for Dacorum residents. Indeed, Policy SP5 states, with regard to the proposed designations as follows:

"Due to these locations providing an agreed oversupply for St Albans District's own needs, the excess will assist Dacorum Borough and potentially other South West Herts local authorities in meeting some of their employment requirements."

5.4. With regard to the Strategic Rail Freight Interchange site, this was granted permission by the Secretary of State under LPA Refs 5/2009/0708 (outline) and 5/2016/3006 (Reserved Matters) and would comprise 7 large warehouses yielding 331,665m^2. Despite yielding a substantial level of warehouse floorspace, this type and size of accommodation will not provide a viable alternative for the existing users of the Report Site, which require external storage areas, with good road, rather than rail links.

5.5 The need for the provision of employment accommodation such as that existing at the Report Site is recognised by the supporting text to Policy SP5. It firstly identifies the high proportion of smaller businesses in the District:

"The District has a high proportion of small businesses, with figures for 2022 showing that out of 8,675 enterprises 91.4% were micro-businesses (employing up to 9 people), 7.1% were small businesses (employing 10 to 49 people)"

5.6 It secondly acknowledges that there has been '*a steady loss of Industrial floorspace over recent years*' - as noted elsewhere, the Councils own figures demonstrate over the period 2004/05 to 2022/23 there has been a net loss of 141,293m^2 of general employment (B & E class uses) floorspace. The Draft Plan states that this is largely due to the number of residential conversions. This reflects the aforementioned significant shortfall in housing supply and delivery in the District and the disparity between residential and commercial land values, heightened by the fact that over 81% of the District is covered by the Metropolitan Green Belt.

5.7 With particular reference to sites that cater for the types of uses found at the Report Site, it is noted that locally a number of farmyards - where commercial uses such as scaffolders yards and vehicle repair uses have over time become established - have then been the subject of successful planning applications for residential redevelopment. Examples include Searches Farm, Searches Lane, Bedmond, St Albans WD5 0SB (LPA Refs 5/2012/2113, 5/2015/1841 & 5/20/0558) and Annables Farm, Annables Lane, Harpenden (LPA Ref 5/98/1720).

Sites OS3 & OS4

- The draft Local Plan and accompanying Policies Map Sites OS3 and OS4 are proposed extensions to the Rothamsted Research, Harpenden Campus of 186ha and 1.67ha respectively, to provide development of employment use associated in character with the research facilities. The proposed continuation of the existing employment uses at the Report Site would again ensure no duplication or conflict with these proposed allocations, but rather would add to the mix of site available.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The former Butterfly World site should be allocated in the Local Plan

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Former Butterfly - November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

1. DLA Town Planning represents the owner and promoter of the former Butterfly World site and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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See attached report for details

Strategic Policy SP5 - Overview

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"The District has a high proportion of small businesses, with figures for 2022 showing that out of 8,675 enterprises 91.4% were micro-businesses (employing up to 9 people), 7.1% were small businesses (employing 10 to 49 people)"

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5.7 With particular reference to sites that cater for the types of uses found at the Report Site, it is noted that locally a number of farmyards - where commercial uses such as scaffolders yards and vehicle repair uses have over time become established - have then been the subject of successful planning

applications for residential redevelopment. Examples include Searches Farm, Searches Lane, Bedmond, St Albans WD5 0SB (LPA Refs 5/2012/2113, 5/2015/1841 & 5/20/0558) and Annables Farm, Annables Lane, Harpenden (LPA Ref 5/98/1720).

Sites OS3 & OS4

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1. Local Plan representations - Former Butterfly - November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of the former Butterfly World site and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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221 - Convene Construction Ltd

Submission Number: 221 Submission Date: 07/11/24 17:52

Respondent: DLA Town Planning Mr Simon Andrews

On Behalf Of Convene Construction Ltd :

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See attached report for details

Strategic Policy SP3 – Overview

- The draft Local Plan is based on an overall housing target of 885 dwellings per year, based on the standard methodology. While this is supported, it should be seen as a minimum level of supply and any opportunity to increase the level of provision within the context of the overall strategy should be explored.
- The Council has chosen to accelerate the Local Plan timescale to enable examination under the current NPPF, rather than address the potential 75% increase in housing target likely to be brought about by the new NPPF expected to be published early in 2025. While this decision is understandable, given the age of the current Local Plan and the need for a strategic framework of some sort, the wider context suggests that if additional sites are available now that could sit within the overall framework set by the draft Local Plan, then those opportunities should be taken.

- We consider that there is a clear case for additional housing sites to be included within the draft Plan. The reasons for this include:
- Strategic cooperation over wider housing needs
- Overoptimistic site capacity and density assumptions
- Deliverability of proposed urban sites
- Overoptimistic windfall allowance

- In addition to these concerns about the overall scale of housing, there is a clear issue with the timing of delivery – a five-year supply is only possible through the use of a stepped trajectory.

- However, addressing these issues in a systematic and comprehensive way would require extensive updates to the evidence base and cannot be done within the context of a Local Plan Examination. We therefore do not advocate that these issues are fully addressed now but are instead picked up through the immediate Plan Review.
- Nevertheless, the need for more homes – particularly delivered early in the Plan period – is such that where opportunities exist to include new sites that are consistent with the overall strategy and can be included based on existing evidence, these opportunities should be taken.

- In the above circumstances, and notwithstanding the comments above in respect of its allocation for employment use, the alternative inclusion of the Report Site as a housing site would also be supported by the landowner.

Strategic Policies SP3 & SP5 – Approach to the Green Belt

- The 2023 Arup Stage 2 Green Belt Assessment included the Report Site within Strategic Land Parcel SA-138. The Assessment of SA-138 is largely positive in terms of its performance against the purposes of the Green Belt overall, however, its release in isolation or combination is considered to result in significant harm to the performance of the wider Green Belt. Concerns are also raised that its release would result in a hole/island in the Green Belt to the west of Chiswell Green.
- There has however been a material change in circumstances since the publication of the Arup Assessment. The recently allowed appeals, delivering a combined total of 721 dwellings on the parcels of land to the north and east of the Report Site, will result in the development of the predominately open land to both sides of Chiswell Green Lane adjacent to the Report Site eastwards to the existing settlement boundary (See Section 2.0 and Figure 3 above).
- In these circumstances the Report Site would not appear as an isolated island, detached from Chiswell Green, but rather would adjoin significant built to the east and north that formed an extension to the settlement. The development to the north would extend further westwards than the extent of the Report Site, whilst the Site is in any event contained by the former Gardens of the Rose Site and adjacent properties - Mansion House and Bonehill Cottages.
- It is further noted that NPPF paragraph 147 states that where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. It is clear that the Site comprises PDL with relatively good access to local facilities and Public transport, with scope for improved access as part of the development of the adjacent sites.
- Notwithstanding the above, as an area of PDL, it is also the case that the Site could be allocated without any further alteration to the Green Belt boundary. The NPPF (para 154 (g)), currently allows for the residential redevelopment of Sites which would not cause substantial harm to the openness of the Green Belt, where the proposal would contribute to meeting an identified affordable housing need within the area of the local planning authority. Such an approach was successful at the Noke Lane Business Centre to the south of the Site (See Section 2 and Figure 3 above). With regard to the employment use of the Site, it is noted that the draft NPPF at paragraph 151 (g) proposes to extend the '*substantial harm*' test to all proposals for the limited infilling or the partial or complete redevelopment of PDL in the Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Former Butterfly - November 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

1. DLA Town Planning represents the owner and promoter of the former Butterfly World site and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

1.1 The representations are made on behalf of Convene Construction Ltd, who are promoting land at Land at Miriam Lane for development.

1.2 The Local Plan should include the allocation of this site for employment purposes under Policy SP5 on the following basis:

1. The existing unlawful use of the Site for open storage / distribution uses by multiple operators could be rationalised and reorganised to better utilise the previously developed parts thereof, retaining those uses which would result in a more modest impact on the visual openness and amenities of the MGB.
2. The allocation of the Site on this basis would deliver clear benefits as it would:

- utilise a well related brownfield site, particularly in the light of the recently allowed appeal proposal to the north and east;

- afford excellent access to the M25 and M1 motorways, precluding the need for commercial vehicles to travel through St Albans; and

- meet a self-evident demand in the light of a significant reduction in the number of comparable sites in recent years and the limited potential for new sites to come forward in a District largely constrained by the Green Belt, with a chronic undersupply of housing land.

1. The proposal would be consistent with Policy SP5 as it would add to the range of employment sites proposed, whilst as a parcel of PDL it would not be necessary to amend the Green Belt boundary.

1.3 Notwithstanding the above, the Landowner would also support the alternative allocation of the Site for residential development. In summary, additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken. The Site's status as PDL and its significantly changing context in the light of the recent appeal decisions on the neighbouring land, which will result in it adjoining the extended Chiswell Green Settlement to the north and east, make it worthy of serious consideration.

Housing and Economic Land Availability Assessment 2021/22 (HELAA)

7.1 The site was submitted in the 2021 Call for Sites and subsequently assessed by the Council as part of the HELAA (site reference STS-49-21). That assessment concluded no absolute constraints to the site's development. Non absolute constraints were confined to:

- Within Metropolitan Green Belt
- Within Landscape Character Area(s)
- Within Minerals Safeguarding Area(s) – Sand and Gravel
- Within Source Protection Outer Zone (SPZ2)
- Within Source Protection Total Catchment Zone (SPZ3)
- Existing Section 41 NERC Habitat Act 2006 (Cat 1)

Existing habitat not **Legal issues**

- currently qualifying under S41 of the NERC Habitat Act 2006 (Cat 2).
- High priority for habitat creation (Cat 3A)
- Medium priority for habitat creation (Cat 3B)

7.2 None of these constraints would impede the site's allocation in the new Local Plan for employment or residential development. Notably, the site is not within Flood Zone 2 or 3, and has no heritage or significant ecological constraints.

Legal issues

7.3 The site is in single ownership and could be brought forward for development quickly. There are no 'ransom strips' present.

Access

7.4 Access would be available from Miriam Lane. An Initial Highways and Transportation Assessment has been prepared on behalf of the landowner and is submitted as part of the promotion of the representations of Report Site (Appendix A). This proposed that the Noke Lane/A405 junction be signalised and allow all traffic movements. The Assessment concludes that this would have a positive effect on both the Noke Roundabout and the M25 J21A, by removing U-turning traffic from both. As such, both these key junctions are likely to see some improvement in operation. Computer simulation testing of this junction has been undertaken and the results show that the revised signalised junction could accommodate up to 125 dwellings.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1.2 The Local Plan should include the allocation of this site for employment purposes under Policy SP5 on the following basis:

- The existing unlawful use of the Site for open storage / distribution uses by multiple operators could be rationalised and reorganised to better utilise the previously developed parts thereof, retaining those uses which would result in a more modest impact on the visual openness and amenities of the MGB.
- The allocation of the Site on this basis would deliver clear benefits as it would:
    - - utilise a well related brownfield site, particularly in the light of the recently allowed appeal proposal to the north and east;
    - - afford excellent access to the M25 and M1 motorways, precluding the need for commercial vehicles to travel through St Albans; and
- meet a self-evident demand in the light of a significant reduction in the number of comparable sites in recent years and the limited potential for new sites to come forward in a District largely constrained by the Green Belt, with a chronic undersupply of housing land.
- The proposal would be consistent with Policy SP5 as it would add to the range of employment sites proposed, whilst as a parcel of PDL it would not be necessary to amend the Green Belt boundary.

1.3 Notwithstanding the above, the Landowner would also support the alternative allocation of the Site for residential development. In summary, additional housing sites are needed, both to ensure the overall housing target is achieved and to boost delivery in the early part of the Plan period. The urgent need for a new Local Plan means that it is not appropriate at this stage to completely rework the Local Plan strategy and its evidence. Nevertheless, where additional sites can come forward within the context of the submitted strategy, these opportunities should be taken. The Site's status as PDL and its significantly changing context in the light of the recent appeal decisions on the neighbouring land, which will result in it adjoining the extended Chiswell Green Settlement to the north and east, make it worthy of serious consideration.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Local Plan representations - Former Butterfly - November 2024_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

DLA Town Planning represents the owner and promoter of the former Butterfly World site and our participation in the hearing sessions would assist the Inspector and help to respond to any queries raised.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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222 - Martin Grant Homes and Kearns Land Ltd

Submission Number: 222 Submission Date: 04/11/24 09:00

Respondent: Marrons David Pendle

On Behalf Of C/O Marrons : Martin Grant Homes and Kearns Land Ltd

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

3.1. The Local Plan 2041 establishes the Council's long term spatial planning strategy for delivering and managing development and infrastructure, and for environmental protection and enhancement across the emerging plan period. Upon adoption the Local Plan 2041 will supersede the District Local Plan Review 1994.

Vision

3.2. The plan contains a succinct Vision for the District through to 2041 alongside a number of supporting objectives. These objectives include, inter alia:

- Provide a sufficient amount of good quality housing which meets the needs of all sections of society in sustainable locations;
- Make sufficient provision for and access to community infrastructure in sustainable locations; and
- Promote active, healthy and sustainable communities and a high quality of life.

3.3. We are broadly supportive of the local plan objectives and it is positive that the needs of all sections of society are being appropriately considered in respect of good quality housing.

3.4. The Spatial Strategy remains shaped by the need to address the Climate Emergency and a part of that is generally concentrating new development on the basis of the Settlement Hierarchy. The Council's approach gives priority to the larger urban centres which can provide a greater range of services and facilities to reduce the need to travel.

Settlement Hierarchy

3.5. The draft Settlement Hierarchy contains 7 tiers with St Albans and an expanded Hemel Hempstead recognised as principal settlements (the first tier). Redbourn is categorised as a 'Large Village' (the fourth tier). These settlements are recognised as 'relatively self-contained settlements with provision of key services and employment sites' and Redbourn itself is clearly a sustainable location.

3.6. The Settlement Hierarchy correctly recognises that there are functional relationships with adjacent settlements including Harpenden, a Tier 2 settlement and 'Town', which

supplements the available services within Redbourn itself. Furthermore, Redbourn is also located in close proximity to the key settlements of St Albans and Hemel Hempstead with multiple bus services between Redbourn and these settlements. Overall, we remain in broad agreement with the settlement hierarchy and the categorisation of Redbourn.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.7. The Policy seeks to locate growth to make the most sustainable use of land in urban areas and then in the Green Belt with a brownfield first approach.

3.8. St Albans City and District have utilised the Standard Method in calculating housing need and consider there to be a need for at least 14,603 net additional new houses at a rate of 885 per annum (1st October 2024 - 31st March 2041). This is also reflected in Strategic Policy SP3.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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LG4 - Large, Medium and Small Sites

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.9. Policy LG4 relates to Large, Medium and Small Sites that are allocated to support growth across the District. The policy wording includes a set of criteria which the policy wording says development proposals must meet (emphasis added). We accept the rationale in respect of the proposed criteria but at policy test which requires total conformity leads to a total lack of flexibility. The criteria themselves also introduce terminology like 'should' which is confusing and makes it difficult to know how a decision taker will react (Framework paragraph 167d). In our view, the policy should be amended as follows:

Proposals on these sites (or unallocated windfall development at this scale) must should accord with the following requirements in addition to the site-specific requirements listed in Part B

3.10. Turning to the criteria specifically, we note that criterion 'd' requires accordance with [all] local plan policies and the requirements set out in Part B. In the first instance there is a conflict between the requirement to accord with all policies, given S.38(6) allows material considerations to be taken into account, and that accordance with the development plan should be taken to mean when read as a whole (noting there will be tensions between policy objectives).

3.11. Criterion ‘h’ sets a minimum housing density which all developments must meet and criterion ‘l’ prescribes a number of trees which must be planted. We accept that maximising the delivery of homes through the effective use of land is an objective which should be

shared by the local planning authority and applicants. However, it is not always practicable for a net density of 40 dwellings per hectare to be achieved. Similarly, site constraints may mean that 1 tree per dwelling could be problematic and ultimately lead to issues of delivery more widely. Both criterion are inherently inflexible and do not allow for balanced judgements. For this reason we believe the criteria should identify a target to be supported rather than a requirement to be enforced, this will allow the necessary flexibility for applicants to adequately address contextual issues and deliver an appropriate amount of housing through a well-designed scheme.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In our view, the policy should be amended as follows:

Proposals on these sites (or unallocated windfall development at this scale) must should accord with the following requirements in addition to the site-specific requirements listed in Part B.

Criterion ‘h’ sets a minimum housing density which all developments must meet and criterion ‘l’ prescribes a number of trees which must be planted. We accept that maximising the delivery of homes through the effective use of land is an objective which should be

shared by the local planning authority and applicants. However, it is not always practicable for a net density of 40 dwellings per hectare to be achieved. Similarly, site constraints may mean that 1 tree per dwelling could be problematic and ultimately lead to issues of delivery more widely. Both criterion are inherently inflexible and do not allow for balanced judgements. For this reason we believe the criteria should identify a target to be supported rather than a requirement to be enforced, this will allow the necessary flexibility for applicants to adequately address contextual issues and deliver an appropriate amount of housing through a well-designed scheme.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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LG6 - Green Belt Compensatory Improvements

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG6 requires site allocations that are facilitated by changed Green Belt boundaries to submit an appropriate compensation strategy and green infrastructure delivery. The policy is not prescriptive and can allow for landscape-led design. We are supportive of this approach.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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HOU1 - Housing Mix

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU1 seeks the provision of a mix of dwelling types and sizes to meet the needs of current and future households. Criterion b includes a housing mix table and sets a requirement for proposals of 10 or more homes to accord with that mix. This requirement for full compliance with the identified housing mix does not provide for any flexibility to take account of local need, character or context or an ability to have regard to other changes in supply since the mix evidence was prepared. Strict application of criterion b would have the obvious effect of tension with criterion a which says proposals should provide a mix of dwelling types and sizes to meet the needs of current and future households. Furthermore, site specific constraints or viability may require a mix that differs from that set out in Table 4.1.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would recommend the council amend Policy HOU1 to enable some flexibility in respect of the defined housing mix, size and tenure within criteria b to support the delivery of sustainable development across the District and to better reflect criterion a.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

HOU2 - Affordable Housing

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU2 explicitly requires 40% affordable housing provision on sites of 10 or more dwellings. In line with the tenure mix set out within Policy HOU1, Policy HOU2 also explicitly requires a mix of 30% social rented, 30% affordable rented and 40% affordable home ownership. On the basis of the concerns raised in respect of HOU1, we would suggest that there is additional flexibility applied to this mix in circumstances where local housing need evidence, site specific constraints or viability may render a different proportion of affordable housing or tenure mix to be appropriate.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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HOU4 - Accessible and Adaptable Housing

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We support the principles set out within Policy HOU4 - Accessible and Adaptable Housing. However, we feel that the entire policy must be cognisant of viability considerations and the necessary flexibility required to ensure development is deliverable. Criterion b notes that 'viability or other reasons such as built form, topography and flooding' may allow for a reduction in compliance with the required Building Regulations (Part M4(2)). However, Criterion c has no such provision in respect of compliance with Part M4(3)(a) and M4(3)(b). Therefore, the policy should recognise throughout that the potential for levels of accessible and adaptable housing can be reduced where appropriate viability evidence or other technical constraints is demonstrated.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Therefore, the policy should recognise throughout that the potential for levels of accessible and adaptable housing can be reduced where appropriate viability evidence or other technical constraints is demonstrated.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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DES3 - Efficient Use of Land

Comment Number: 8

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy DES3 requires development proposals to achieve 40 dwellings per hectare or at least the existing site context. This policy introduces a slightly different test to that prescribed (as drafted) by Policy LG4(h) upon which we have already commented above. The differences introduce uncertainty and render the policy set ambiguous (Framework paragraph 16d). As per our comments on LG4(h) the policy should provide for flexibility to understand when lower density developments may be appropriate based upon a constraints-led design process.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As per our comments on LG4(h) the policy should provide for flexibility to understand when lower density developments may be appropriate based upon a constraints-led design process.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.4. Martin Grant Homes and Kearns Land are comfortable with the development requirements and can confirm that an indicative Concept Plan (Appendix A - *see attachment*) has been prepared in respect of their interests to respond to the constraints and opportunities. The ten objectives/issues referred to above are all being taken into account.

4.5. Access to the Site is proposed via Crown Street to the west with a further pedestrian access to Harpenden Lane to the north and Harding Close to the southwest. The built form can be

provided outside of Flood Zones 2 and 3 and the important landscape and ecology features retained and enhanced.

4.6. The allocation of the site, in our view, will ensure the delivery of a high-quality sustainable housing development in accordance with the objectives of the NPPF and relevant Development Plan policies.

4.7. The site can accommodate the area required for natural greenspace and circular walks for Suitable Alternative Natural Greenspace.

4.8. Martin Grant Homes and Kearns Land remain committed to the delivery of the site. Whist the draft Local Plan does not include a trajectory for the allocations we note that medium and small sites are expected to start delivering in 2029/30. Martin Grant Homes and Kearns Land are comfortable with those timescales and subject to progress on a planning application the site is well placed to contribute to five year supply on adoption of the plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Martin Grant Homes and Kearns Ltd Land to the East of Redbourn FINAL v1_[R].pdf

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223 - Oaklands College and Taylor Wimpey

Submission Number: 223 Submission Date: 07/11/24 18:34

Respondent: Stantec UK Ltd Mr Justin Kenworthy

On Behalf Of Oaklands College and Taylor Wimpey :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

1 Introduction

This document contains representations prepared by Stantec UK Limited, on behalf of Oaklands College and Taylor Wimpey, in response to the contents of the Regulation 19 Publication Draft St Albans Local Plan and its associated evidence base documents.

These representations follow the representations previously submitted by VRG Planning Ltd on 22nd September 2023 in response to the Regulation 18 Consultation Draft Local Plan.

Oaklands College and Taylor Wimpey are generally very supportive of the draft Local Plan.

Scope of Representations

These representations:

- Provide a context for the long-term future of the Oakland College masterplan (see Section 2);
- Are submitted in **support** of the draft Local Plan, however, they also include a technical objection to the indicative housing capacity indicated in Site Allocation B4 (East St Albans) and to other policies; and
- Set out suggested amendments which can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public (EiP).

We trust these representations are helpful and if you require clarification on any of the matters raised, please do not hesitate to get in contact.

2 Background Context

Oaklands College carries out a vital economic and social role that should be fully taken into consideration in preparing the Draft Local Plan. It is a significant employer in its own right, employing over 1,000 people directly. The College also provides enhanced training provision for local people in a wide range of trades and professions, supporting their learning and development and helping to improve the skills base of the local workforce.

The Oaklands College site is the only strategic site where all the receipts from the sale of the residential land will be re-invested in community infrastructure. All the receipts would be used to contribute towards improvements to the College's facilities. These facilities represent not only an important education resource, but also a community resource to St Albans.

The Oaklands College site has long been proposed for an expanded strategic housing allocation with associated College improvements. As long ago as 2007, the Draft Local Plan proposed that the site be allocated for 1,200 dwellings. Similar proposals have continued to the current date, for example 1,000 dwellings were proposed in 2016. The current Regulation 19 Publication Draft Local Plan has therefore significantly reduced the proposed allocation against historic levels that were consulted upon many times. This is against a backdrop of ever increasing housing needs and lack of housing delivery in the District.

Oaklands College has selected Taylor Wimpey (which is part of Taylor Wimpey UK Ltd) as its development partner for the East St Albans development. This will ensure that the proposals are deliverable. Taylor Wimpey will also bring valuable local knowledge from the previous masterplan development prepared in partnership with the College and other developments within St Albans.

Previous proposals for College improvements and 348 dwellings were granted planning permission in 2017, following a 'Call-In Inquiry'. The receipts from this development have significantly improved the condition of the college site, much of which was in danger of failing prior to the investment. However, further investment would bring significant benefits, including the ability to:

1. Secure the future growth aspirations of the College - The ability to access significant additional capital would allow further investment to improve the quality and suitability of its buildings, and the provision of additional facilities, to allow them to remain competitive in the long term; and
2. Deliver a collection of benefits to the College and the wider community – To significantly grow the social value the College is able to provide to the area and wider economic benefits, allowing the College to support the Herefordshire Economic Growth Strategy.

It is over 10 years since the previous College masterplan planning application was submitted in 2013. As a result, many of the buildings that were not addressed under that plan have fallen into disrepair and are no longer fit for purpose.

The College's business case shows how funds from the future residential-led development would be re-invested to significantly contribute towards generating new education, sports and community benefits. Some of the key elements of the College's future proposals are as follows:

- An Education Hub, delivering an improved range of education facilities around the centre of the campus;
- A sports centre of excellence, located to the south east side of the campus, with state-of-the-art facilities that would be accessible to the local community;
- Specialist teaching facilities to support the creative industries, which are so prevalent in the Hertfordshire area;
- A High Needs Centre (HNC), to educate post-16 learners. This is an initiative with Hertfordshire County Council (HCC) and involves consolidating special needs requirements that are currently spread and much of which is delivered outside the county; and
- Providing an expanded professional services and hospitality education offering, which would be accessible to the local community.

In order to support the delivery of these proposals with sufficient capital, any allocation for the site will need to ensure it makes the most efficient use of the land, supporting delivery of a minimum of 472 units plus approximately 60 to 80 extra care units, similar to that originally set out in the Regulation 18 Draft Local Plan and supported by the College at that time.

The College and Taylor Wimpey strongly supports the Regulation 19 Publication Draft Local Plan in principle, the proposed strategic site allocation and the delivery of much needed new homes, but is seeking changes to ensure that the housing needs of St Albans are met through efficient utilisation of available land and that the content of the local plan aligns with the future ambitions of the College.

History of the Oakland's College Campus in the Draft Local Plan

Oaklands College has been the subject of a draft site allocation within the Council's draft Local Plan since September 2003, when the Council published the Second Review Local Plan Pre-Deposit for consultation purposes. It was subsequently included within the:

- May 2006 - Issues and Option Consultation;
- July 2007 – Core Strategy Issues and Option document (in the order of **1,200** new homes);
- August and September 2009 – Emerging Core Strategy consultation (in the order of **800 to 1,000** new homes);
- June and July 2021 – Substantially revised Core Strategy;
- November 2012 – Pre-submission Strategic Local Plan (SLP);
- January 2016 – Draft SLP (in the order of **1,000** new homes); and
- October 2018 – Local Plan 2020-2036 Publication Draft (in the order of **1,250** new homes, including the 348 homes already delivered on the Oaklands Grange site).

The St Albans District Council Local Plan Viability Study – Strategic Site Testing: East St Albans' (September 2024) supports Site Allocation B4 (East St Albans). It confirms that development on the site is financially viable, assuming the necessary funds for the College improvements are delivered via the construction of **552** new homes (not 472 new and 70 to 80 extra care units) alongside the delivery of two new schools and a new local centre.

The College and Taylor Wimpey note that quantity of development to be delivered in this location has significantly reduced in the current Regulation 19 Publication Draft Local Plan. This would unnecessarily limit the ability of the site to deliver its full housing potential, contrary to the ever-increasing need for housing and the lack of housing delivery in the District. It would further have a direct impact on the College's ambitions for the future and its ability to remain competitive.

3 Representations: Evidence Base Documents

The evidence base published by the Council influences the objectives of the policies contained within the Regulation 19 Publication Draft Local Plan. This section of Oaklands College and Taylor Wimpey's representations will review the findings of the evidence documents and set out suggested amendments for the Council to consider.

3.1 Strategic Site Testing: East St Albans

Gerald Eve (GE) have been appointed to review the viability evidence submitted with the Regulation 19 consultation. Accordingly, they have reviewed the information contained within the 'St Albans District Council Local Plan Viability Study – Strategic Site Testing: East St Albans' (September 2024) which has been prepared by BNP Paribas, on behalf of the Council. We note that the residential development capacity for Site B4, as set out in Table 3.1, is 472 homes (including extra care provision). This is less than the amount of development assessed by BNP Paribas, which included 552 new homes.

Although Oaklands College and Taylor Wimpey support the conclusions of BNP Paribas' report, they would welcome the opportunity to query the contents and assumptions made in this report. Until this discussion takes place, Oaklands College and Taylor Wimpey must reserve their position by submitting a technical objection to the report. The matters to be discussed are set out in GE comments found at **Appendix 1**.

3.1.1 Suggested Amendments

Oaklands College and Taylor Wimpey seek the Council's agreement to ask BNPP to resolve any queries raised in relation to the 'testing' of East St Albans, as set out in GE's comments (see **Appendix 1**). Any subsequent amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public (EiP).

3.2 Green Belt Buffer Sites Recommended – Broad Location Proformas (September 2024)

This is the very first time that this information has been released by the Council for consultation purposes.

Oaklands College and Taylor Wimpey are very **supportive** of the conclusion for Site Ref: M-026 (HELAA ref: SAN-06-21) on the Proforma Sheet (pages 21 and 22) and the subsequent conclusion reached by ARUP –'recommended to progress'.

No suggested amendments are offered at this stage.

3.3 IDP Infrastructure Schedule & Infrastructure Delivery Plan

Primary and secondary schools are shown in Appendix A.1 (SADC Infrastructure Schedule) of the SADC Infrastructure Development Plan (IDP, 2024). Oaklands College requests that this document is updated to acknowledge that the College would deliver and retain ownership of the schools at Site Allocation B4. The document currently refers to Hertfordshire County Council (HCC) doing so.

Oaklands College proposes to deliver and operate the proposed primary and secondary schools. This is something that other colleges have done and would bring substantial benefits for the District. The College is in discussions with HCC about this.

3.3.1 Suggested Amendments

The College is seeking for Appendix A.1 of the IDP to acknowledge that the College will deliver and retain ownership of the primary and secondary schools forming part of Site Allocation B4. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

3.4 Local Cycling and Walking Infrastructure Plan

Oaklands College proposes improvements to rights of way routes across its campus, in conjunction with proposed Site Allocation B4. This would deliver improved access for rights of way users, whilst also being sensitive to the education functions within certain parts of the campus.

3.4.1 Suggested Amendments

The College believes that the Local Cycling and Walking Infrastructure Plan (LCWIP) should acknowledge that proposed rights of way across the College land, as shown in Figures 5-3, 6-1, 7-1, 77 and 7-8 for example, will need to be carefully considered in discussions with the College, to ensure that education safeguarding requirements are taken into consideration. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

3.5 Playing Pitch & Outdoor Sport Strategy & Action Plan

Oaklands College's proposals in connection with Site Allocation B4 would deliver substantial benefits for the community, including in relation to delivering a sports centre of excellence. Oaklands College is keen to input into the Planning Pitch & Outdoor Sports Strategy & Action Plan (January 2023), so that it reflects the sports provision that the College is keen to improve and deliver, as well as understanding the needs and other proposals within St Albans.

3.5.1 Suggested Amendments

Part 8 of the Playing Pitch & Outdoor Sport Strategy & Action Plan should acknowledge that Oaklands College is a 'relevant partner' that should be consulted as part of the process of agreeing the future Action Plan. As such, the report should acknowledge that its content has not yet been discussed with Oaklands College and alignment will be needed with the College's proposals for

its future education and sporting priorities. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

3.6 Landscape & Visual Appraisal Sheet

It is appreciated that the Council has taken a conservative approach to development capacity and these estimates are inactive. That said, page 45 of the Broad Locations Landscape & Visual Appraisal (November 2023) assumes that the development capacity for Site B4 is 472 homes. This is significantly less than the Site's development potential of at least 472 units plus approximately 60 to 80 extra care units, as explained Section 3.1 above.

3.6.1 Suggested Amendments

Oaklands College and Taylor Wimpey seek the Council's agreement to take account of the conclusions of GE's report (**Appendix 1**) and increase the residential development capacity of shown on page 45 of the Landscape & Visual Appraisal Sheet from 472 (including 70 to 80 extra care units) to at least 472 units plus approximately 60 to 80 extra care units. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See attached representations for full submission.

3.1.1 Suggested Amendments

Oaklands College and Taylor Wimpey seek the Council's agreement to ask BNPP to resolve any queries raised in relation to the 'testing' of East St Albans, as set out in GE's comments (see **Appendix 1**). Any subsequent amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public (EiP).

3.3.1 Suggested Amendments

The College is seeking for Appendix A.1 of the IDP to acknowledge that the College will deliver and retain ownership of the primary and secondary schools forming part of Site Allocation B4. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

3.4.1 Suggested Amendments

The College believes that the Local Cycling and Walking Infrastructure Plan (LCWIP) should acknowledge that proposed rights of way across the College land, as shown in Figures 5-3, 6-1, 7-1, 77 and 7-8 for example, will need to be carefully considered in discussions with the College, to ensure that education safeguarding requirements are taken into consideration. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

3.5.1 Suggested Amendments

Part 8 of the Playing Pitch & Outdoor Sport Strategy & Action Plan should acknowledge that Oaklands College is a 'relevant partner' that should be consulted as part of the process of agreeing the future Action Plan. As such, the report should acknowledge that its content has not yet been

discussed with Oaklands College and alignment will be needed with the College's proposals for its future education and sporting priorities. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

3.6.1 Suggested Amendments

Oaklands College and Taylor Wimpey seek the Council's agreement to take account of the conclusions of GE's report (**Appendix 1**) and increase the residential development capacity of shown on page 45 of the Landscape & Visual Appraisal Sheet from 472 (including 70 to 80 extra care units) to at least 472 units plus approximately 60 to 80 extra care units. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

4 Representations: Part A - Draft Local Plan

This section of Oaklands College and Taylor Wimpey's representations focus on the policy objectives and associated supporting main text contained within Part A of Regulation 19 Publication Draft Local Plan. It will:

- Cross-refer to the matters discussed in Sections 2 and 3 above; and
- Set out suggested actions and / or amendments for the Council to consider.

4.1 Chapter 1 – spatial strategy For St Albans City and District & Strategic Policy 1

Oaklands College and Taylor Wimpey **support**:

- The spatial strategy set out in paragraph 1.33;
- The inclusion of St Albans as a Tier 1 settlement in Table 1.3 and Figure 1.2; and
- Locating most growth within and adjacent to the larger and most sustainable urban centres that are Tier 1 settlements, as set out in Strategic Policy SP1 and Figure 1.3.

This is because they support the principle of locating new development in sustainable locations, near to socio-economic infrastructure and transport links facilities.

No suggested amendments are offered at this stage.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - (Oakland & TW - final)_[R].pdf
2. Oaklands_College_and_Taylor_Wimpey_Email_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attached representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 2 - Climate Emergency

Comment Number: 8

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.2 Chapter 2 – Climate emergency

Oaklands College and Taylor Wimpey do not wish to make any comments on the contents of this chapter. However, they reserve the right to make comments at a later stage.

In the meantime it is worth noting that Taylor Wimpey is one of the largest national housebuilders, selling over 10,000 homes every year and their purpose is to build great homes and create thriving communities. They have committed to becoming a Net Zero business, publishing their Net Zero Transition Plan in 2023, committing to building all electric, net zero carbon ready homes from 2025 with a net zero operations build process from 2035, on their path to becoming a net zero business. These new homes will all be net zero carbon ready and have the ability to benefit from modern sustainable technologies and use significantly less energy than comparable existing homes. Alongside more sustainable housing, their projects also provide significant support to the local areas - in 2023 they invested over £405 million for new or improved facilities, providing wider long-term benefits. Taylor Wimpey will be taking the same approach on Site Allocation B4 in partnership with the College.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See attached representations for full submission.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 9

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.3 Chapter 3 – Sustainable use of land and green belt

Oaklands College and Taylor Wimpey **supports**:

- The current new additional dwellings per annum target (885 dwellings per annum) as set out in paragraph 3.8, Strategic Policies SP3 and Table 3.2 of the Regulation 19 Publication Draft Local Plan; and
- The inclusion of East St Albans (including at least 522 homes) as a Site Allocation in Table 3.1.

No suggested amendments are offered at this stage, albeit Oaklands College and Taylor Wimpey request that he site capacity is adjusted to 472 units plus approximately 60 to 80 extra care units (as discussed in section 3.1 above).

4.3.1 HOUSING TRAJECTORY

Although Oaklands College and Taylor Wimpey **support** the housing trajectory (Table 3.2, page 28) set out in the Regulation 19 Publication Draft Local Plan, Site Allocation B4 (East St Albans) is available and deliverable now and is capable of being delivered well before 2031/32. With Taylor Wimpey on board, delivery would be in the early years of the new Local Plan period, addressing the significant need for new housing in St Albans.

4.3.2 SUGGESTED AMENDMENTS

Oaklands College and Taylor Wimpey seek the Council's agreement to adjust its housing trajectory to show housing delivery on Site B4 from 2026/27 onwards [approx. 100 units per year]. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See attached representations for full submission.

4.3.2 SUGGESTED AMENDMENTS

Oaklands College and Taylor Wimpey seek the Council's agreement to adjust its housing trajectory to show housing delivery on Site B4 from 2026/27 onwards [approx. 100 units per year]. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attached representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 4 - Housing

Comment Number: 10

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.4 Chapter 4 – Housing

Oaklands College and Taylor Wimpey **support** paragraph 4.6 which recognises that need for flexibility for applying Policy HOU1 (Housing Mix) to reflect site characteristics, context and viability.

No suggested amendments are offered at this stage.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

No suggested amendments are offered at this stage.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attached representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 5 - Economy and Employment

Comment Number: 11

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.5 Chapter 5 – Economy and employment

Oaklands College and Taylor Wimpey do not wish to make any substantive comments on the contents of this chapter. However, they reserve the right to make comments at a later stage.

In the meantime, it is worth noting the delivery of the Site Allocation B4 will enable the delivery of an enhanced Oaklands College, a small local centre, extra care facilities and other significant contributions the development will bring to the local area and economy during building and occupation phases.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attached representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 6 - City, Town and Village Centres and Retail

Comment Number: 12

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.6 Chapter 6 – City, town and village centres and retail

Oaklands College and Taylor Wimpey **support** the identification of new local centres within some of Broad Locations, particularly at East St Albans, within Table 6.1 (Centre Hierarchy). The local centres will not only cater for the needs of the new communities created in these broad locations, they will bring both social and economic benefits the needs of the existing and proposed local communities and help to reduce the need to travel by private vehicle to purchase basis provisions.

No suggested amendments are offered at this stage.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See attached representations for full submission.

No suggested amendments are offered at this stage.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 7 - Community Infrastructure

Comment Number: 13

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.7 Chapter 7 – Community infrastructure

Oaklands College and Taylor Wimpey **support**:

- The identification of a new primary school on the East St Albans site, as set out on Policy COM1 (part e);
- The identification of a new secondary school on the East St Albans site, as set out on Policy COM1 (part f); and
- The identification of Oaklands College as a new a ‘ College Development Zone’ and ‘Sports and Community Zone’, as set out on Policy COM1 (part g) and paragraph 7.14.

No suggested amendments are offered at this stage.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

No suggested amendments are offered at this stage.

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* Yes, I wish to participate in hearing session(s)

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 8 - Transport

Comment Number: 14

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.8 Chapter 8 – Transport

It is acknowledged that a sustainable location and development which make the most of promoting sustainable travel can and does generally drive down the need for traveling by car and need for car parking, but this is an occupiers decision based on the attractiveness of the transport options available to them. If the sustainable transport strategy is successful, residents generally own fewer cars and so fewer parking spaces are needed. However, there are two fundamental issues that result from forcing developers to meet lower parking standards:

1. Whether occupiers of dwellings use the parking space or not, they associate the availability of parking spaces with value, and so, reduce parking on housing plats reduces sale prices and therefore revenues/viability; and
2. If parking is reduced below actual need for a development, residents simply park on-street which harms placemaking and actually discourages residents from walking and cycling.

Oaklands College and Taylor Wimpey note that as a result of Policy TRA4 (Parking), broad location sites are to be supported by 'bespoke parking strategy' at the planning application determination stage. This strategy is to include a lower than standard parking requirements, in accordance with Policy TRA4e):– for example, for residential development: 1-bed = less than 1.5 spaces; 2-bed = less than 2 spaces; and 3+bed = less than 2.5 spaces.

Oaklands College and Taylor Wimpey **object** that this approach. The Council's approach should provide a sufficient amount of car parking to avoid 'parking stress' in the local area and should not therefore require reduced parking standards without regard for potential other negative effects (including but not limited to a detrimental impact on placemaking and viability through reduced values).

4.8.1 SUGGESTED AMENDMENTS

Oaklands College and Taylor Wimpey seek the Council's agreement to adjust part e) of Policy TRA4 to 'allow' lower car parking standards rather than 'require' lower parking standards. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Oaklands College and Taylor Wimpey seek the Council's agreement to adjust part e) of Policy TRA4 to 'allow' lower car parking standards rather than 'require' lower parking standards. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attached representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA4 - Parking

Comment Number: 19

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

(Please see attachment for full submission)

It is acknowledged that a sustainable location and development which make the most of promoting sustainable travel can and does generally drive down the need for traveling by car and need for car parking, but this is an occupiers decision based on the attractiveness of the transport options available to them. If the sustainable transport strategy is successful, residents generally own fewer cars and so fewer parking spaces are needed. However, there are two fundamental issues that result from forcing developers to meet lower parking standards:

1. Whether occupiers of dwellings use the parking space or not, they associate the availability of parking spaces with value, and so, reduce parking on housing plats reduces sale prices and therefore revenues/viability; and
2. If parking is reduced below actual need for a development, residents simply park on-street which harms placemaking and actually discourages residents from walking and cycling.

Oaklands College and Taylor Wimpey note that as a result of Policy TRA4 (Parking), broad location sites are to be supported by 'bespoke parking strategy' at the planning application determination stage. This strategy is to include a lower than standard parking requirements, in accordance with Policy TRA4e):– for example, for residential development: 1-bed = less than 1.5 spaces; 2-bed = less than 2 spaces; and 3+bed = less than 2.5 spaces.

Oaklands College and Taylor Wimpey **object** that this approach. The Council's approach should provide a sufficient amount of car parking to avoid 'parking stress' in the local area and should not therefore require reduced parking standards without regard for potential other negative effects (including but not limited to a detrimental impact on placemaking and viability through reduced values).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.10 Chapter 10 – Natural environment, biodiversity and Infrastructure

Oaklands College and Taylor Wimpey do not wish to make any comments on the policies contained within this chapter. However, they reserve the right to make comments at a later stage.

That said, Oaklands College and Taylor Wimpey take biodiversity very seriously and **supports** the principle of integrating biodiversity into new developments (e.g. bug hotels, hedgehog highways, bee bricks, bat boxes/tiles, bird boxes, species rich meadows/attenuation, etc).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - (Oakland & TW - final)_[R].pdf
2. Oaklands_College_and_Taylor_Wimpey_Email_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attached representations

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 18

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

(Please see attachment for full submission)

Oakland College and Taylor Wimpey object to the contents of Policy NEB12 (Green Space) of the Regulation 19 Publication Draft Local Plan. It requires development to deliver 4.5 sqm per person quantity standard for allotments. This figure is derived from the latest Open Space Study which indicates that the current level of provision in the District is 0.28 hectares per 1,000 people. However, the standard set by the National Society of Allotments is a standard of 0.25 ha per 1,000 people.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

4.12.1 SUGGESTED AMENDMENTS
Oaklands College and Taylor Wimpey seek the Council's agreement to adjust Policy NEB12 to require a standard of 0.25 ha per 1,000 people. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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See attached representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 12 - High Quality Design

Comment Number: 5

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.12 Chapter 12 – High quality design

Oaklands College and Taylor Wimpey **support**:

- The expectation that new developments reflect local character and provide a high quality design for future occupiers, as set out in Policy DES1; and
- The delivery of 'at least' the density of 40 net dwellings per hectare, as set out in Policy DES3.

No suggested amendments are offered in respect of Policies DES1 and DES3 at this stage.

However, Oakland College and Taylor Wimpey object to the contents of Policy NEB12 (Green Space) of the Regulation 19 Publication Draft Local Plan. It requires development to deliver 4.5 sqm per person quantity standard for allotments. This figure is derived from the latest Open Space

Study which indicates that the current level of provision in the District is 0.28 hectares per 1,000 people. However, the standard set by the National Society of Allotments is a standard of 0.25 ha per 1,000 people.

4.12.1 SUGGESTED AMENDMENTS

Oaklands College and Taylor Wimpey seek the Council's agreement to adjust Policy NEB12 to require a standard of 0.25 ha per 1,000 people. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

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See attached representations for full submission.

4.12.1 SUGGESTED AMENDMENTS

Oaklands College and Taylor Wimpey seek the Council's agreement to adjust Policy NEB12 to require a standard of 0.25 ha per 1,000 people. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 13 - Health and Wellbeing

Comment Number: 6

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

4.13 Chapter 13 – Health and wellbeing

Oaklands College and Taylor Wimpey **support** the principle behind Strategic Policy SP13 (Health and Wellbeing). The investment that can be delivered from the residential development at East St Albans will help Oaklands College deliver its new Sports and Community Zone facilities and to help grow the work it already does in the local community.

No suggested amendments are offered at this stage.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - (Oakland & TW - final)_[R].pdf
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* Yes, I wish to participate in hearing session(s)

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See attached representations

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 16

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

...

6 Representations: Part 4 – Policies Map 4 (South-East)

This part of the representations focuses on the Policies Map 4 that supports the Regulation 19 Publication Draft Local Plan.

6.1 Proposals map

Oaklands College and Taylor Wimpey **support** the inclusion of Site Allocation B4 (East St Albans) on Policies Map 4 for the reasons explained in Sections 2 to 5 of these representations.

No suggested amendments are offered at this stage.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B4 - East St Albans, AL4 9JJ

Comment Number: 17

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

(Please see attachment for full submission)

5 Representations: Part B – Site Allocations

5.1 Site Allocations

Oaklands College and Taylor Wimpey strongly support the inclusion of Site Allocation B4 (East St Albans) in Part B (Site Allocations) of the Regulation 19 Publication Draft Local Plan.

It is appreciated that the Council has taken a conservative approach to development capacity and these estimates are inactive. However, the indicative number of homes that can be delivered on this site should be adjusted from 472 to at least 472 units plus approximately 60 to 80 extra care units for the following reasons:

- To be consistent with the number of homes set out in Table 3.1 of the of the Regulation 19 Publication Draft Local Plan;
- To better reflect the assumptions contained within the 'St Albans District Council Local Plan Viability Study – Strategic Site Testing: East St Albans' (September 2024) which assumes the delivery of 552 new homes (not 472, including extra care units) (as discussed in Section 3.1 and in Appendix 1).

In addition to the above, Oaklands College and Taylor Wimpey suggest that it is in the Council's interest to increase indicative housing figure to ensure:

- The maximum delivery of homes;
- The merging allocations make the most efficient use of land to reduce the pressure to release Green Belt land; and
- Whilst the emerging draft revisions to the NPPF have not yet been adopted following recent consultation, and may be subject to further change, it is worth noting that Central Government's continued drive is to significantly increase the amount of housing. As such, higher housing delivery could be supported by ensuring sites in the draft local plan are developed optimally and not artificially constrained by the site policies which should allow greater numbers of homes where evidenced masterplans submitted with planning applications demonstrate this can be achieved whilst complying with other relevant policies of the draft Local Plan.

Until this amendment is agreed the Council, Oaklands College and Taylor Wimpey must reserve their position by submitting a technical objection to the indicative site capacity shown in Site Allocation B4.

5.1.1 Suggested Amendments

Oaklands College and Taylor Wimpey seek the Council's agreement to increase the indicative number of homes that can be delivered on Site Allocation B4 from 472 (including 70 to 80 extra care units) to at least 472 units plus approximately 60 to 80 extra care units. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

5.1.1 Suggested Amendments

Oaklands College and Taylor Wimpey seek the Council's agreement to increase the indicative number of homes that can be delivered on Site Allocation B4 from 472 (including 70 to 80 extra care units) to at least 472 units plus approximately 60 to 80 extra care units. This amendment can be included as a 'modification' to be considered by an Inspector in the lead up to the Publication Draft Local Plan being Examined in Public.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the adoption of the Local Plan:

* Yes

Appendix 1 - Cycle and Car Parking Guidance and Standards for New Development

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

See attached representations for full submission.

5.2 Appendix 1 (Cycle and Car Parking Guidance and Standards for New Development)

It is acknowledged that a sustainable location and development which make the most of promoting sustainable travel can and does generally drive down the need for traveling by car and need for car parking, but this is an occupiers decision based on the attractiveness of the transport options available to them. If the sustainable transport strategy is successful, residents generally own fewer cars and so fewer parking spaces are needed. However, there are to fundamental issues that result from forcing developers to meet lower parking standards:

1. Whether occupiers of dwellings use the parking space or not, they associate the availability of parking spaces with value, and so, reduce parking on housing plats reduces sale prices and therefore revenues/viability; and
2. If parking is reduced below actual need for a development, residents simply park on-street which harms placemaking and actually discourages residents from walking and cycling.

Oaklands College and Taylor Wimpey note that in Figure 1 of Appendix 1, broad location sites are to be supported by 'bespoke parking strategy' at the planning application determination stage. This strategy is to include a lower than standard parking requirements, in accordance with Policy TRA4e):– for example, for residential development: 1-bed = less than 1.5 spaces; 2-bed = less than 2 spaces; and 3+bed = less than 2.5 spaces.

Oaklands College and Taylor Wimpey wish to highlight that the strategy agreed with the Council should provide a sufficient amount of car parking to avoid 'parking stress' in the local area and should not therefore require reduced parking standards without regard for potential other negative effects (including but not limited to a detrimental impact on placemaking and viability through reduced values). As such, for the broad locations (zone 4) in Figure 1 of Appendix, the Council should 'allow' lower car parking standards rather than 'require' lower parking standards.

Oaklands College and Taylor Wimpey reserve the right to make comments at a later stage.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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I would like to be notified about the adoption of the Local Plan:

* Yes

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224 - Redington Capital Limited & CALA Homes

Submission Number: 224 Submission Date: 07/11/24 18:39

Respondent: Stantec UK Ltd Mr Justin Kenworthy

On Behalf Of Redington Capital Limited & CALA Homes :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Figure

Number:

1.3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

4.1.5 KEY DIAGRAM

Redington Capital Limited and CALA Homes object to Key Diagram (Figure 1.3) of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

In Redington Capital Limited and CALA Homes' opinion the Council has wrongly chosen to identify housing sites that are located on the edge of 'higher tier settlements' that are located further away from transport services and other facilities, than some of the more sensible and logical sites located in lower tier settlements, such as the Land South of Chiswell Green Lane. Therefore, in reality the spatial strategy approach and the resulting Key Diagram adopted by the Council (using the site's identified for development in Part B) will not deliver the key objectives – to locate new development in locations that will reduce the need to travel and to provide a greater range of services and facilities.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Redington Capital Limited and CALA Homes recommends that the Council considers including more housing sites in areas that benefit from better access to transport services and other services (such as Land south of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and other services.

Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified by the Council as a new broad location site (for 391 homes and new school) in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See representations

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes continue to **object** to the spatial strategy set out in paragraph 1.33, Table 1.3, Figure 1.2 and Strategic Policy SP1 for the main reasons discussed below.

When examining Table 1.3 it is evident that the new tiering system adopted by the Council is predominantly based on population size and less to do with proximity to public transport facilities and other services. Redington Capital Limited and CALA Homes therefore question the justification behind the changes to the settlement hierarchy.

If the Council is to create a hierarchy that is based upon those settlements that are 'most accessible', with the widest range of 'services and facilities', then Chiswell Green should not be identified as a lower tier settlement. It benefits from access to public transport and other local services and facilities that are normally associated with a Tier 1 settlement.

It is located on the edge of St Albans City and is within 2.5m of its city centre and its facilities and services. In essence, Chiswell Green is an extension of St Albans, a Tier 1 settlement, similar to Batford / Southdown / West Common being an extension to Harpenden but regarded to be part of Harpenden for the purposes of the settlement hierarchy.

When comparing Redington Capital Limited and CALA Homes' site (at Land south of Chiswell Green Lane) to some of the Tier 1 to 5 sites allocation included in Part B (Site Allocation) of the Regulation 19 Publication Draft Local Plan, it is evidently more accessible with a wider range of services and facilities than some of those sites put forward for housing development in Part B. The reason why this has happened is because of the 'approach' adopted in the Settlement Hierarchy Study (Part 1) does not reflect reality. For example, Table 6 (Settlement Hierarchy Scores) of the Settlement Hierarchy Study (Part 1) has given Chiswell Green a score of 9.3, however, this score should be much higher for the following reasons:

- The bus route score (1) on page 46 only indicates that one bus route is accessible to Chiswell Green residents. There are in fact four bus routes (no 321, 361, 635 and 724) within 10-minutes walking distance;
- The train station score (0) on page 48 does not reflect that fact that How Wood railway station and Park Street railway station are within a 10-minute walk or 2-minute cycle away and residents have access to train stations in St Albans Abbey station which is a 25 minute walk or a 10-minute cycle ride or a 5-minute bus ride away;
- There are existing Public Rights of Way (PROW) walking routes in the vicinity of the Chiswell Green, including no's 82, 80, 21, 39 and 28;
- The supermarket score (0) on page 50 does not reflect the fact that there is a co-op supermarket located within Chiswell Green and residents have access to supermarket facilities located on the west side of St Albans (Sainsburys and Lidl at the Abbey View Retail Park) which is a 25 minute walk or 10-minute cycle ride away or 5-minute bus ride away [this is assuming that the residents will not be ordering their shopping on-line];
- The leisure centre score (0) on page 50 does not reflect the fact that residents of Chiswell Green have access to Westminster Lodge Leisure Centre located on the west side of St Albans which is a 25 minute walk or 10-minute cycle ride away or 5-minute bus ride away. Residents also have access to Watford Leisure Centre;

- There are eight GP practices located within a 4km radius of Chiswell Green and a further two GP practices located just beyond a 4km radius, in London Colney;
- St Albans City Hospital is also located less than 4km to the north of Chiswell Green; and
- There are public open spaces within proximity to Chiswell Green, including allotments, playing fields, public parks, play space and religious grounds. In terms of the public open spaces with play facilities, these include:
- Playing fields at Cherry Hill and Mayflower Road which are within 500m;
- Greenwood Park allotments; and
- Four existing play areas within 900m, one of which (Greenwood Park Play Area) has an extensive provision of play equipment for children up to the age of 14 years, with a new range of play equipment for children under 6 years installed in 2019.

Maps illustrating the location of the Redington Capital Limited and CALA Homes' site in Chiswell Green in comparison to the above is attached as **Appendix 4.**

Notwithstanding where Chiswell Green is located within the settlement hierarchy, it is a location that can and should accommodate more homes because of its excellent access to transport facilities and local services. Additional housing should not be rejected in this location because it is a lower tier settlement (with less population), the Council should be identifying Redington Capital Limited and CALA Homes' site (Land south of Chiswell Green Lane) as a new broad location site (for housing and education purpose) in Part B (Site Allocations) of the Regulation 19 Publication Draft Local Plan. It is a highly accessible site with a wider range of services and facilities locally and benefits from access to other services located within a Tier 1 settlement.

4.1.1 WRONG LOCATIONS IDENTIFIED

Paragraph 1.33 explains that:

"*The Spatial Strategy has been shaped by the need to address the Climate Emergency and new development will generally be concentrated on the basis of the Settlement Hierarchy in Table 1.3 below. This approach gives priority to the larger urban centres which can provide a greater range of services and facilities, supports the re-use of land within the urban areas, and can reduce the need to travel. These larger urban centres also offer greater accessibility by walking, cycling and public transport*"

The above strategy is appropriate as the first starting point. However, Redington Capital Limited and CALA Homes highlight that unwavering compliance to this approach (which has occurred when preparing the Draft Local Plan) has resulted in obvious and more accessible / sustainable greenfield sites in lower tier settlements to be automatically rejected.

These sites should not be automatically rejected by the Council but considered on their own merits, as demonstrated in Section 3 above.

In Redington Capital Limited and CALA Homes' opinion, the Council has chosen to identify development sites that are located on the edge of 'higher tier settlements' but are located further away from transport services and other facilities, rather than some of the more sensible, logical sites located in lower tier settlements, such as the Land south of Chiswell Green Lane, which benefit from better access to transport facilities and services. Therefore, the spatial strategy adopted by the Council (using the sites identified for development in Part B of the Draft Local Plan) will not deliver the key objectives quoted above – to locate new development in locations that will reduce the need to travel and to provide a greater range of services and facilities.

In addition to the above, Redington Capital Limited and CALA Homes notes the findings of the HELAA (2021) and Draft Strategic Site Selection Evaluation undertaken as part of the Strategic Housing Land Availability Assessment (SHLAA, 2018). These documents are evidence base documents that support the Regulation 19 Publication Draft Local Plan.

Annex 15 (St Stephens) of the HELAA indicates at pages 45 to 46 that the Land South of Chiswell Green Lane (reference STS-10-21) is:

"...*considered to be potentially suitable subject to absolute and non-absolute constraints being reasonably mitigated. Evidence base work, including a Green Belt Review, is underway and may change the site suitability in the future*" and

"*The site is considered be potentially suitable, available and achievable subject to further assessment as part of the site selection process.*"

The Draft Strategic Site Selection Evaluation (appendixes 1 and 3) confirms that Redington Capital Limited's and CALA Homes' site at Land South of Chiswell Green Lane (site ref: CG-561) should be taken forward for the site selection stage. The following RAG conclusions were reached:

1. Green Belt Review evaluation (RAG rating = Green);
2. Suitability (RAG rating = Green)
3. Availability (RAG rating = Green)
4. Unique contribution to improve public services and facilities (RAG rating = Green)
5. Unique contribution to enhancing local high quality job opportunities (RAG rating = Green)
6. Unique contribution to other infrastructure provision or community (RAG rating = Green)
7. Deliverable / Achievable (RAG rating = Green)
8. Overall Evaluation (RAG rating = Green)

These evidence base documents demonstrate that Redington Capital Limited's and CALA Homes' site at Land South of Chiswell Green Lane does not have any constraints and is deemed by the Council to be suitable and achievable for development purposes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA (2021), should be identified by the Council as a new broad location site (for 391 homes and new school) in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attachment

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

All appendices, tables and figures referenced in the representation can be viewed in the attached file.

Redington Capital Limited and CALA Homes **object** to:

- The current dwellings per annum target (885 dwellings per annum) as set out in paragraph 3.8, Strategic Policies SP3 (and SP1) and Table 3.2 of the Regulation 19 Publication Draft Local Plan; and
- The speed at which the Council is progressing with its plan-making process simply to avoid the potential increase in its annual housing target which would be applied once the new Standard Methodology is adopted (plus the transition period). By progressing the draft local plan through the process so quickly, the Council is:
- Opening up opportunities for 'risk' which could result in the plan being made unsound and/or being the subject of a judicially review; and
- Wasting the Council's money and resources (and the tax payer's money) on having to undertake an early review of the Draft Local Plan to reflect the new Standard Methodology when it is adopted, delaying much needed housing delivery.

It would be far more sensible and more cost efficient for the Council to wait for the new Standard Methodology (and changes to the NPPF) to be adopted and then adjust the Draft Publication Local Plan to reflect the new annual housing targets figure and have a second Regulation 19 consultation

In addition, for the reasons explained above and in Sections 3 and 4 of these representations, Redington Capital Limited and CALA Homes continue to **object** to the development strategy that has result in the following:

- Table 3.1 (Board Locations) and Table 3.2 (Housing Trajectory);
- Policies SP3 (Land and the Green Belt), LG1 (Broad Locations), LG2 (Transformation of Hemel Hempstead), LG3 (Hemel Hempstead), Policy LG4 (Large, Medium and Small Sites); and
- Paragraph 3.8, Paragraphs 3.20 to 3.21 (Categorisation of Sites), Paragraphs 3.25 to 3.27 (Housing Trajectory), Paragraphs 3.28 to 3.53 (Broad Locations), Paragraphs 3.54 to 3.55 (Large, Medium and Small Sites).

Finally, Redington Capital Limited and CALA Homes **object** to the way Policy LG5 (Green Belt) has been written with 'plan-making' in mind. Policy LG5 should include direct reference to the guidance contained within the paragraph 1.52 of the NPPF for 'decision -making', including reference to development being allowed in the Green Belt when 'Very Special Circumstances' can be demonstrated, rather than adding this as a secondary text in paragraph 3.59.

4.3.2 HOUSING TRAJECTORY

For the reasons set out in Section 4 above, Redington Capital Limited and CALA Homes **objects** to the housing trajectory (Table 3.2, page 28) prepared in support of the Regulation 19 Publication Draft Local Plan.

4.1.2 UNDELIVERABLE SITES IDENTIFIED

The Council's housing strategy heavily relies on the delivery of 5,500 homes on the eastern edge of Hemel Hempstead (Broad Location sites H1, H2 and H4) to cater for the demand for new homes of the district between 2031/32 and 2040/41.

Even if these homes can be delivered within the lifetime of the plan, in reality, the homes that will be constructed on the eastern edge of Hemel Hempstead will in fact be occupied by residents within Dacorum. As such, the new homes to be constructed on Site Allocations H1, H2 and H4 are highly unlikely to help to meet the housing needs of the district which has now reached a critical level.

Notwithstanding this point, there are legitimate question marks over the deliverability of these sites and some of the other site allocations included in Part B (Site Allocations). This is discussed in greater detail on Section 5 below. Additional broad location sites should be identified to replace these undeliverable sites.

The Joint Delivery Statement submitted to the Council in February 2018 and in March 2021 (see **Appendix 5**) explains that the landowners of the Land South of Chiswell Green Lane have a common interest in bringing forward for development and they will continue to co-ordinate in the delivery of the wider site and promote its identification as an allocation in the emerging Local Plan.

Redington Capital Limited and CALA Homes also wrote to the Council on 8th March 2021 (see **Appendix 6**) to explain that the Site is immediately available for development. This letter was supported

by several documents, including a HELAA 'Call for Sites 2021 Site Identification Form' which explained that their Site is available for delivery within the 1-5 years category.

Redington Capital Limited and CALA Homes note that the Council's Committee Report (see **Appendix 2**) prepared by the Council in relation to their outline planning application (ref: 5/2022/0927) explains that "...*there is no reason to think that the Appeal Site cannot come forward immediately thereby significantly boost local housing supply*". Accordingly, the officer gave 'very

substantial weight' to the delivery of market sale and affordable housing, and 'substantial weight' to the delivery of self-build plots on the basis that they would make a clear contribution to Council's shortfall in supply within the next five years.

It is clear that the Chiswell Green Lane site to be 'available', it is free from constraint with development being 'achievable' and 'deliverable' (at the density proposed within less than 5-years) and is sustainably located close to existing facilities and infrastructure within the settlement of Chiswell Green and in close proximity to other facilities in St Albans City.

4.1.3 NEED EARLY HOUSING DELIVERY SITES

The Council's housing trajectory (Table 3.2) assumes a 'stepped delivery approach'. This will result in:

- A significantly reduced amount of housing delivery in the first five-years (only 2,425), as demonstrated in Table 3.2 of the Regulation 19 Publication Draft Local Plan; and
- An overall shortfall of homes within the first 5-years (2,885 shortfall) compared to the annual housing requirement of 5,310 (4,425 + 20% buffer).

Consequently, Redington Capital Limited and CALA Homes **object** to the Council's stepped delivery approach particularly when:

- There is no sound justification to demonstrate this stepped trajectory is necessary to meet the test set out in paragraph 68-021 of the PPG; and
- The Council has persistently underdelivered on its housing needs since 2012/13, as illustrated in Figure 1 [see attachment].
- Figure 1 confirms that the Council has only met or exceeded its housing target 8 times since 1994/95.

  The Council must not let its chronic and persistent shortfall situation be exacerbated any further over the first five years of the local plan. It must aim to exceed its 5-year requirement (plus 20% buffer) in accordance with the NPPF and the Government's Housing Delivery Test requirements. In order to do this the Council must identify more deliverable broad location sites for delivery in the earlier years of its trajectory.

4.1.4 NEED MORE HOUSING SITES TO DELIVER AFFORDABLE HOUSING

Paragraph 63 of the NPPF explains the need for different types, sizes and tenures of housing, specifically in respect of affordable housing where a need for it is established.

The Council has published various committee reports[2] which explain that there is "...*a clear and pressing need for affordable housing within the District*". Crucially, in addition to the above, a recent 2021 planning appeal at Roundhouse Farm (paragraph 54) reports a "...*persistent under delivery of Affordable Housing*" in St Albans and the Inspector attaches "*very substantial weight*" to the provision of affordable housing in the district. In another 2021 planning appeal decision at the Old Electricity Works in St Albans (paragraph 23) the district is referred to as an area of "*affordable housing stress.*"

The Council's Annual Monitoring Report (AMR, 2022) explains at paragraph 3.22 that 71 affordable dwellings were completed in the district in 2021/22. Paragraph 3.23 of the AMR explains that a total of 395 affordable dwellings have been granted planning permission and are yet to be completed. Given the size of the affordable housing shortfall (-4000 affordable dwellings) in the district, recent completions

(71 homes) and future completions (395 homes[3]) from historic decisions will not materially alter the 'affordable housing stress' position in the district.

In terms of future supply figures, Redington Capital Limited and CALA Homes note that unless significant additional affordable housing supply sources are identified in the 2022/23 to 2026/27 five-year period a shortfall of 8,641 affordable homes will accrue in the district [this increases

further to 10,254 across the district if existing shortfalls in unmet affordable housing need are assumed to be addressed over a 5-year period as opposed to over 16 to 23 years (as in the LHNA and SHMA, respectively)]. Looking at the housing trajectory (Table 3.2) no new site allocations are expected within this 5-year period meaning that the above shortfall remains the same.

Chapter 4 of the Regulation 19 Publication Draft Local Plan does not explain how the existing affordable housing shortfall and its future affordable housing needs will be adequately met during the plan period.

In the context of the Council's consistent failure to deliver sufficient affordable housing to meet its own housing needs, combined with the significant shortfalls that will continue to accumulate against the planned affordable housing supply (as explained above) and given the overall housing land supply shortfall (currently at around 2 years), Redington Capital Limited and CALA Homes do not consider the affordable housing needs of the district will be met using the current housing delivery strategy / trajectory during the plan period. The Council, therefore, needs to identify more sites that will:

1. Deliver more affordable homes in the district to meet the demand generated by its existing backlog and future need; and
2. Actually deliver affordable homes.

In terms of the first point, if the affordable housing backlog and future needs is estimated to be between 8,641 and 10,254 homes at the point at which the Local Plan is adopted (in 2026/27), the following affordable housing delivery scenarios are likely to occur using the current trajectory (Table 3.2):

- 765 affordable homes over the first 5-year period (2026/27 to 2030/31), assuming 40% delivery from the site allocations + windfall (40% delivery) – see Figure 2 below. This leaves a shortfall of between 7,876 to 9,489 affordable homes;
- 5,101 affordable homes over the plan period, assuming 40% delivery from the site allocations + windfall – see Figure 2 below. This leaves a shortfall of between 3,540 and 5,153 affordable homes;

This is not enough affordable housing delivery in the first 5-years and over the plan period, thereby requiring more sites that can deliver affordable housing to be identified.

In terms of the second point (actually delivering affordable homes), Redington Capital Limited and CALA Homes note that the Council has taken a global figure of housing delivery and assumed that 40% of this figure will be attributed to affordable housing. This is the wrong assumption to make for the following reasons:

- A large number of the small sites assumed in the housing delivery trajectory are unlikely to be delivered (or at the capacity assumed), as demonstrated in Section 5 below;
- Even if these small sites are deliverable, they are highly unlikely to deliver any on-site affordable homes (or make any meaningful financial contribution towards affordable housing); and
- Not every broad location site will be able to deliver 40% for financial viability reasons.

Therefore, the Council must adjust its housing delivery strategy to find more reliable and deliverable sources of affordable housing in the district which adequately deals with its backlog as well as its future needs.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

4.3.1.1 SUGGESTED AMENDMENTS

Redington Capital Limited and CALA Homes recommends that the Council:

- Seriously considers delaying the plan-making process in order to capture the standard methodology changes (potentially setting a higher / alternative housing target for new homes per annum) to meet it's own local housing needs and possibly help meet the unmet housing needs of other areas; or
- Abandons its stepped housing delivery approach and prepares a housing delivery programme that secures the minimum 885 homes per annum from the first five-years and onwards.

[The Council should allocate other new housing sites around the settlements contained within the district, including Redington Capital Limited and CALA Homes site at Land south of Chiswell Green Lane which is available and deliverable now and can increase the amount of housing delivery in the first 5-years (post adoption). Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP]

4.3.2.1 SUGGESTED AMENDMENTS

Redington Capital Limited and CALA Homes recommends that the Council:

- Adjusts its housing trajectory so as to meet or exceed its first 5-year requirement (plus buffer) in accordance with the NPPF and Housing Delivery Test requirements.
- Must identify more broad location sites for delivery in the earlier years of the trajectory. These broad location sites must be located in areas that benefit from better access to transport services and other services (such as Land south of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and other services.

Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified by the Council as a new broad location site (for 391 homes and new school) in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

4.1.3.1 SUGGESTED AMENDMENTS

Redington Capital Limited and CALA Homes recommends that the Council:

- Adjusts its housing trajectory so as to meet or exceed its first 5-year requirement (plus buffer) in accordance with the NPPF and the Government's Housing Delivery Test requirements.
- Must identify more deliverable housing delivery sites in Table 3.1, Policy LG1 (or LG4) and Part B of the Draft Local Plan for delivery in the earlier years of the trajectory. The new broad location sites must be able to be delivered immediately in areas that benefit from better access to transport services and other services (such as Land South of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and other services.

4.1.4.1 SUGGESTED AMENDMENTS

Redington Capital Limited and CALA Homes recommends that the Council:

- Acknowledges the affordable housing stress situation in the supporting text relating to Chapter 4, particularly the chronic shortfall in affordable housing delivery in the district.
- Include more housing sites that can immediately deliver 40% affordable homes in areas that benefit from better access to transport services and other services (such as Land South of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and other services.

Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified by the Council as a new broad location site (for 391 homes and new school) in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP. Redington Capital Limited and CALA Homes have already committed to delivering 40% affordable housing on this Site.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes do not wish to make any fundamental comments on the contents of this chapter. That said, they support the flexibility given when apply dwelling mix to large sites to react to the market conditions, as set out within Policy HOU1 (Dwelling Mix). That said, more flexibility to considered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

More flexibility should be included within Policy HOU1 (Dwelling Mix) to allow for:

- Consideration of additional or updated evidence, monitoring information on the mix of homes that has been delivered, the different needs of different areas and the type and location of the site being developed. The need for flexibility is partially recognised paragraph 4.6 of the Draft Local Plan, but in order to be effective flexibility needs to be introduced into the policy itself; and
- Further evidence as to whether this mix is deliverable on the basis of the densities that are being proposed in Policy DES3. The Council are proposing a minimum net density of 40dph, and it is not clear as to how these assumptions relate to the proposed housing mix in this policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attachment

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 7 - Community Infrastructure

Comment Number: 8

Type:

* Paragraph

Number:

7.6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Redington Capital Limited and CALA Homes continue to **object** to rationale set out in paragraph 7.6 (Education) of the Regulation 19 Publication Draft Local Plan of leaving all responsibility for education facilities delivery to Hertfordshire County Council (HCC).

In accordance with paragraph 99 of the NPPF, education authorities are to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities. However, paragraph 7.6 forgets to acknowledge that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

There is currently one school in Chiswell Green itself – Killigrew Primary School (KPS) – that as of the previous academic year accepted a full 60 pupils into Reception Year, meaning that this Year Group was full. Four of the seven Year Groups were at practical capacity.

HCC has confirmed that KPS can likely be expanded to accommodate further population growth, but is limited to only one form entry (1FE). However, this expansion is only likely to be able to accommodate the pupil yield generated by site allocations L1 (180 homes) and M1 (95 homes) but would not allow for any additional capacity to be provided in the area.

In addition to the above, there is a demonstrable shortfall of SEND places currently across Hertfordshire, especially with regards to Profound Neurological Impairment (PNI) provision. There is no sign of strategy agreed by HCC to accommodate the demand for new PNI pupil places, the funding for which is being collected from every development expected to generate children with SEND requirements in Hertfordshire through pooled Section 106 contributions.

HCC has previously agreed that the best form of future development mitigation is the reservation of school land on Land South of Chiswell Green Lane that would have the ability to provide a new 2FE school. This would accommodate the pupils of the housing development in the surrounding area, whilst also safeguarding provision for future growth which HCC confirmed is likely (and which is highly likely if the Council is to ensure an adequate supply of housing in the district). HCC agreed a Statement of Common Ground on this matter (see **Appendix 7**) which confirms that it is highly likely that the land for a new school facility on the Land South of Chiswell Green Lane is required - it's just a question of when (not if) and what format of school.

In terms of the format, these are the possibilities considered by HCC to date:

- A standalone 2FE primary school (including early years provision); or
- A standalone SEND facility; or
- A combination of 2FE primary and SEND facility, without having to compromise on space standards

A new school and / or SEND facility is not proposed as part of site allocations L1 and M1. This means that there is only one option currently available to HCC - accommodate new primary school pupil growth within the local areas through a very limited expansion of KPS. However, this will not cater for future demand generated from other sites in the local area.

New school provision on Redington Capital Limited and CALA Homes' site as part of a comprehensive masterplan for more homes and a 2FE school would provide additional capacity (including Early Years) for the surrounding areas, would help ensure that HCC is able to fulfil its statutory duty of providing sufficient pupil places for their area, and will increase the options for the wider community during the annual admissions window. On that basis, this offers a genuine and demonstrable benefit to the people of Chiswell Green and wider population of St Albans.

This is a rare opportunity, as school land is not easy to come by especially unencumbered, remediated, of an appropriate size, and without the need for Compulsory Purchase Order. The Council's Planning Officer was aware of this rare opportunity[4] when preparing paragraph 8.7.9 of the Council's Committee Report (see **Appendix 2**) which explains that:

".... the provision of land for a new 2FE primary school is a benefit of the application. The provision of 1.89ha of land for a 2FE primary school meets the size requirements of BB103 ...[and]... a number of other education land specification requirements. The provision of land for a new 2FE primary school is therefore afforded substantial positive weight".

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes **object** to Policy NEB12 of the Regulation 19 Publication Draft Local Plan for the reasons explained below.

Policy NEB12 (Green Space) requires development to deliver 4.5 sqm per person quantity standard for allotments. This figure is derived from the latest Open Space Study which indicates that the current level of provision in the District is 0.28 hectares per 1,000 people. However, the standard set by the National Society of Allotments is a standard of 0.25 ha per 1,000 people..

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Redington Capital Limited and CALA Homes seeks the Council's agreement to adjust Policy NEB12 to require a standard of 0.25 ha per 1,000 people.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attachment

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 3

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

3.1.2 REPRESENTATION

The **ARUP 2023 GBR** provides an Overall Performance against the Purposes of the Green Belt for each Sub-Area. The **ARUP 2023 GBR** sets out the following criteria for Overall Performance for a Sub-Area:

Overall performance against the purpose assessment criteria was determined as follows:

- Any sub-area scoring strongly or very strongly (4 or 5) against the criteria for one or more NPPF purpose was judged to meet the purpose assessment criteria strongly.
- Any sub-area scoring moderately (3) against at least one NPPF purpose and failing to score strongly or very strongly (4 or 5) against any purpose was judged as meeting the purpose assessment criteria moderately.
- Any sub-area scoring weakly or very weakly (1 or 2) across all NPPF purposes was judged to meet the purpose assessment criteria weakly.

It is of note that a Sub-Area only needs to perform moderately (which is the middle ranking for a contribution to Green Belt), for one purpose out of 4 to receive an overall performance ranking of moderate, irrespective of whether it contributes at all to any other. As the ARUP 2023 GBR assesses Sub-Area 139 (Land South of Chiswell Green Lane) as Moderately contributing to Purpose 3, irrespective of Sub-Area 139 not meeting Purpose 1(a) or 4, and performing weakly against Purpose 2; Sub-Area 139 is assessed as performing **Moderately against the purposes overall**.

However, should the grading of the contribution Sub-Area 139, the Land South of Chiswell Green Lane, makes to Purpose 3 be reduced, as strongly recommended in Section 3.1.1.above, that is to Score 2:

Meets the Criterion Relatively Weakly. In which case, the assessment of the Overall Contribution of Sub-Area 139, Land South of Chiswell Green Lane, would reduce, such that it would **Perform Weakly against the Purposes Overall**. This would accord with the findings of the previous SKM 2014 GBR, the Stantec GBR (see **Appendix 1**) and the Council's officers opinion as set in the committee report (ref: 5/2022/0927) (see **Appendix 2**) and the Inspector's conclusions a paragraph 536 of appeal decision APP/B1930/W/22/3313110 (see **Appendix 3**).

Notwithstanding the above, the approach adopted in ARUP 2023 GBR uses 'settlement buffers' to define the area of search and to then exclude consideration of sites that fall outside of these buffers on the basis that they would not contribute to the sustainable pattern of development or

undermine the integrity of the Green Belt. These assumptions are not backed up by any evidence to suggest that this would be the case. Without further assessment it cannot be concluded that this is the case for all sites in sub-areas outside of the buffer zones.

3.3 Green Belt Buffer Sites Not Recommended – Part 2 Proformas (September 2024)

This is the very first time that this information has been released by the Council for consultation purposes.

Redington Capital Limited and CALA Homes **object** to the scoring given to Site Ref: M-037 (HELAA Ref: STS-10-21) of the Proforma Sheet (page 33, Part 2) and the subsequent conclusion reached by the Council –'not recommended to progress'.

Most of the 'weak' scorings for the Site are unjustified, particularly when it has been demonstrated, via technical evidence which supports an extant planning permission (ref: 5/2022/0927), that an acceptable scheme can be delivered on the Site:

- Without any unacceptable impact on Agricultural Land Classification (ALC); priority habitat; existing woodland; Source Protection Zones; TPOs; non-designated biodiversity; Green infrastructure corridors; access to open space; and
- Resulting in the delivery of significant benefits including: access to open space and the green belt; a BNG; the provision of green corridor connections and bridleways through the Site to the wider green belt; the provision of a new school (including nursery and SEND facilities); cycle improvements to allow improved access to the nearest branch line railway station.

Therefore, many of the 'weak' and 'medium' scores for the Site should in fact be 'strong' scores, thereby adjusting the recommendation to progress with the Site for development purposes. This should be adjusted as a matter of priority.

6 Representations: Policies Map 3 (South-West)

This part of the representations focuses on the Policies Map 3 that supports the Regulation 19 Publication Draft Local Plan.

6.1 Proposals map

Redington Capital Limited and CALA Homes **object** to the Policies Map 3 for the reasons explained in:

- Sections 3, 4 and 5 of these representations;
- Section 7 of these representations which highlight a number of matters agreed by the Council's Officers and Expert Witnesses in relation to outline planning application (ref: 5/2022/0927) and the Public Inquiry (appeal reference APP/B1930/W/22/3313110). These agreed matters have not been taken into consideration when:
- Preparing the Regulation 19 Publication Draft Local Plan and help to explain why the Land South of Chiswell Green Lane should be identified as a Broad Location development site; and
- The Inspector determined Appeal Decision reference: APP/B1930/W/22/3313110, dated 22nd March 2024, and upheld by the SOS's decision.

7 Representations: Additional Matters

Redington Capital Limited and CALA Homes wish to highlight a number of matters agreed by the Council's Officers and Expert Witnesses in relation to outline planning application (ref: 5/2022/0927) and the Public Inquiry (appeal reference APP/B1930/W/22/3313110). These agreed matters have not been taken into consideration when preparing the Regulation 19 Publication Draft Local Plan and help to explain why the Land South of Chiswell Green Lane ("the Site") should be identified as a Broad Location development site (for housing and education purposes)) in Part B of the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

7.1 The Site and Its Context

The Site comprises:

- A vacant farmhouse, yard and garden (including a swimming pool) and outbuildings;
- Horse stables and livery used for training horses and horse riding5;
- Horse grazing fields that are split up by fences and gates;
- A builder's compound that is used for storage purposes; and
- Other fields that are split up by timber stakes and wires.
  The Site is surrounded by:
- Chiswell Green (a specified settlement) to the east, south and partially to the north;
- Butterfly World, its car parking areas and its access road (Miriam's Lane) to the west;
- Chiswell Green Lane with residential properties and a traveller's site to the north; and
- Mature hedging and mature trees that screen the Site from views from the wider countryside along parts of its northern and western boundaries which are reinforced by the landscape bunding along the western boundary that is used to screen the Butterfly World car park.

The illustration found in **Appendix 9** explains which parts of the Site are regarded to be previously developed land (PDL). Paragraph 6.2 of the Council's Statement of Case submitted at the Public Inquiry acknowledges that the Site includes PDL.

The Site is not, therefore, 'open countryside' in its purest form. Local views across the Site are dominated by buildings and structures, fences and debris, as well as the rear elevations of the properties that front onto Forge End and Long Fallow.

In addition to the above, the constructed homes that front onto the Long Fallow and Forge End (along the west boundary of Chiswell Green) appear to have been designed and constructed in the early-1980s. The rear gardens that abut the Site were not designed to include a softened landscape edge or landscaping to integrate this development into the Green Belt. The current edge to the settlement is therefore a 'hard edge'. This, when combined with the urban fringe characteristic, represent the baseline position when considering the effect of the Proposals on the Green Belt and the character of the landscape.

The Council will note that access points were deliberately left in place onto the Site from Long Fallow and Forge End, to enable another phase of homes to be constructed in the future.

Any new proposals on the Site provides an opportunity to:

- Deliver the soft edge transition into the countryside that is currently missing from the existing settlement boundary, which would be significantly more in keeping with current principles of urban design and placemaking; and
- In-fill the gap between the settlement and the former Butterfly World site and Miriam Lane, whilst providing a soft edge transition into the countryside thus improving the boundary relationship with the settlement in views from the wider Green Belt.

7.2 Accessibility & Local infrastructure credentials

The Site is well connected to the strategic road network. Chiswell Green Lane connects with Watford Road to the east of the Site and the A405 North Orbital Road, which connect to Watford and the M25 junction 21a, whilst St Albans is accessible via this road to the north. The M1 is 1.4km to the east and meets the M25 1.5km southeast of the Site.

The Site is within acceptable walking distance of key public transport infrastructure, including such as How Wood railway station and Park Street railway station. These stations are situated on the Abbey Line which provides hourly services between St Albans Abbey and Watford Junction. Frequent trains to London and other destinations are available from Watford Junction and St Albans City station, which is a 25 minute (2km) walk from St Albans Abbey Station or a short cycle or bus journey.

There are existing Public Rights of Way (PROW) walking route in the vicinity of the Site including no's 82, 80, 21, 39 and 28.

There are a number of destinations that can be reached within a 5km cycling distance from the Site, including:

- St Albans City Centre;
- St Albans Abbey railway station;
- Bricket Wood railway station;
- How Wood railway station;
- Park Street railway station;
- Garston railway station;
- St Albans Cathedral;
- Verulamium Park;
- Abbey View Retail Park (including Sainsburys and Lidl supermarkets),
- Westminster Lodge Leisure Centres;
- Watford Leisure Centre;
- Co-op in Chiswell Green; and
- Killigrew primary school.

The closest bus stops are located on Watford Road and serve bus routes 321 and 724. In addition to these services, the bus stops on Watford Road in the vicinity of Tippendell Lane also serves route 361 which travels along Tippendell Lane to How Wood and Bricket Wood. A fourth bus service, route 635, is accessible from bus stops on the A405 North Orbital Road between the Watford Road roundabout and the M25 junction 21A, around 780m south of the Long Fallow footway / cycleway access.

There are eight GP practices located within a 4km radius of the Site and a further two GP practices located just beyond a 4km radius, in London Colney. There is a further GP branch within the 4km radius that is linked with a GP practice in Radlett which is outside of the 4km radius but nonetheless has been included because of the linked branch being in close proximity to the Site.

St Albans City Hospital is also located less than 4km to the north of the Site.

The area is well provided with dental treatment facilities.

There is also a good provision of retail opportunity within walking distance or via public transport, to support potential growth at Chiswell Green, including a baker, public house, takeaway restaurants and a Co-op food store on Watford Road, a short distance from the Site, adding to the sustainability of the location.

There are public open spaces within proximity to the Site, including allotments, playing fields, public parks, play space and religious grounds. In terms of the public open spaces with play facilities, these include:

- Playing fields at Cherry Hill and Mayflower Road which are within 500m of the Site;
- Greenwood Park allotments; and
- Four existing play areas within 900m of the Site, one of which (Greenwood Park Play Area) has an extensive provision of play equipment for children up to the age of 14 years, with a new range of play equipment for children under 6 years installed in 2019.

7.3 Matters previously agreed with the council

The Council will note that Site has been the subject of an outline planning application (ref: 5/2022/0927) which was supported by a suite of technical documents and recommended for approval by the case officer. A copy of the indicative masterplan is attached as **Appendix 8.**

During the determination of the planning application and subsequent Public Inquiry (ref: APP/B1930/W/22/3313110) Redington Capital Limited and CALA Homes and the Council agreed a number of matters that were set out in a Statement of Common Ground. These included:

- Subject to conditions in certain cases, a residential and education land proposal on the Site will not result in unacceptable impact on:

1. Neighbouring amenity;
2. Heritage and townscape;
3. Ecology;
4. Minerals extraction;
5. Local transport infrastructure capacity, cycle access provision and pedestrian access provision;
6. Servicing and delivery arrangements;
7. Trees and landscape located outside the Site;
8. Air, noise and water quality;
9. Flood risk and surface water drainage;
10. Utilities;
11. Land contamination;
12. Archaeology

- No objection to the residential and education land proposal was raised by the following:
- HCC Landscape;
- HCC Growth and Infrastructure Unit;
- HCC Highways;
- HCC Ecology;
- HCC Lead Local Flood Authority (RAB Consultants);
- HCC Minerals and Waste;
- - HCC Public Health;
  - HCC Rights of Way;
  - National Highways;
  - Affinity Water;
  - East of England Ambulance Service;
  - Environment Agency;
  - Hertfordshire Constabulary;
  - Herts Valley Clinical Commission Group;
  - Herts and Middlesex Wildlife Trust;
  - Natural England;
  - Thames Water;
  - The Council's internal advisors, including:
  - Spatial Planning;
  - District Archaeologist;
  - Community Services Team;
  - Design & Conservation Team;
  - Environmental & Regulatory Services;
  - Housing;
  - Legal;
  - Parking;
  - Trees & Woodlands;
  - Waste Management;

With the above in mind, other than developing on Green Belt, there are no technical reasons why the Site is unable to deliver an acceptable form of residential and education-related development. In terms of the impact of development on the Green Belt and the amount of development proposed, these matters are discussed in Sections 3.1.1 above.

7.4 Green Belt Review (2013)

The Green Belt Review – Stage 1 (2013) (the "SKM 2023 GBR") is a document that forms part of the evidence base that supports the Regulation 19 Publication Draft Local Plan. It sits alongside the Green Belt Review – Stage 2 (2023).

The SKM 2013 GBR identifies the Land South of Chiswell Green Lane within part of Strategic Parcel GB25. Overall, the much wider extent of Strategic Parcel GB25 was considered to contribute significantly to 1 out of 5 of the purposes of the Green Belt, as set out in the NPPF.

7.5 Draft Strategic Housing Land Availability Assessment (SHLAA)

The Council's draft SHLAA (updated in May 2018) is a document that forms part of the evidence base that supported the Regulation 19 Publication Draft Local Plan. It identifies the Site as a potential strategic housing development site. On page 11 of Appendix 3 of the Draft SHLAA explains that:

"...the sub-area identified on pasture land at Chiswell Green Lane displays ***urban fringe characteristics*** *due to its proximity to the settlement edge and Butterfly World along Miriam Road to the west. This development bounds the outer extent of the pasture land and creates a physical barrier to the open countryside. The pasture land also displays greater levels of landscape*

development into the landscape *with lower impact on views from the wider countryside and surroundings. At the strategic level, a reduction in the size of the parcel would not significantly compromise the overall role of the Green Belt or compromise the separation of settlements.* ***Assessed in isolation the land makes a limited or no contribution towards all Green Belt purposes***". [our emphasis].

As explained in Section 4.1.1 above, the Draft Strategic Site Selection Evaluation (appendixes 1 and 3) undertaken as part of the SHLAA confirms that Redington Capital Limited's and CALA Homes' site at Land south of Chiswell Green Lane (site ref: CG-561) should be taken forward for the site selection stage. The following RAG conclusion was reached:

1. Green Belt Review evaluation (RAG rating = Green);
2. Suitability (RAG rating = Green)
3. Availability (RAG rating = Green)
4. Unique contribution to improve public services and facilities (RAG rating = Green)
5. Unique contribution to enhancing local high quality job opportunities (RAG rating = Green)
6. Unique contribution to other infrastructure provision or community (RAG rating = Green)
7. Deliverable / Achievable (RAG rating = Green)
8. Overall Evaluation (RAG rating = Green)

Redington Capital Limited and CALA Homes consider the above conclusions remain relevant to the Site and carry significant weight when preparing the Regulation 19 Draft Local Plan. They appear to have been ignored by the Council, resulting in the Land South of Chiswell Green Lane not being allocated for housing and education purposes, whilst other less sustainable sites that have a greater impact on the purposes of the Green Belt being identified in Part B (Site Allocations) of the Draft Local Plan.

7.6 Housing &Economic Land Availability Assessment (HELAA)

The Council's Housing and Economic Land Availability Assessment (HELAA, 2021) includes all the sites and broad locations within the district capable of delivering 5 or more dwellings or 0.25ha/500 sqm of economic development. It is a document that forms part of the evidence base that supported the Regulation 19 Publication Draft Local Plan.

The Site is identified as a potential site for housing in the HELAA (annex 15, page 45, Site STS-10-21) and was assessed to be:

- suitability, availability and achievability, in line with paragraph: 017 Reference ID: 3-01720190722 of the NPPG; and
- deliverability and developability.

It should be noted that Sites are deemed to be 'developable' when they are: "...in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged" (NPPF Glossary, page 66)

The Council has previously indicated that the Site would have housing capacity based on the following assumption:

- 60% of the site area (for sites over 2 ha) will be considered usable for residential use, with 40% required to provide infrastructure, main roads, open space and public facilities; and
- Using 40 dwellings per hectare (dph) for the 60% site area, which was deemed by the Council to be a relatively safer and robust assumption

Redington Capital Limited and CALA Homes consider that the above Council's housing capacity and scenario assumptions (as described above) should be applied now.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

3.1.3 SUGGESTED AMENDMENTS

Redington Capital Limited and CALA Homes strongly suggest that:

- ARUP should undertake a site visit to fully appreciate the context of Parcels 138 and 139 and take on board the findings of the SKM 2013 GBR, SKM 2014 GBR, the findings of the Council's officers planning committee report (ref: 5/2022/0927), Stantec's GBR and the Inspector's decision;
- The descriptions of the existing development and boundaries of Sub-Areas 138 and 139 should be updated to be much more accurate and recognise the amount of enclosure surrounding the Land South of Chiswell Green Lane and the previously development land found within the subarea;
- The scoring of the contribution Sub-Area 139 makes to Purpose 3 should be reduced to Score 2: Meets the Criterion Relatively Weakly. Subsequently, the assessment of the Overall Contribution of Sub-Area 139, Land South of Chiswell Green Lane, would reduce such that it would Perform Weakly against the Purposes Overall; and
- ARUP should review the following supporting documents, drawings and evidence submitted in support of application reference (ref: 5/2022/0927) and at Public Inquiry (ref: APP/B1930/W/22/3313110). These are relevant material considerations, as they considered how development could come forward on Sub-Area 139 :
- The SKM 2013 and 2014 GBRs;

- The effect of development on Sub-Area 139 (and/or its potential release from Green Belt) using a site specific landscape and visual assessment; and
- Mitigation that limits the effect of development on the wider Green Belt and countryside, and not prejudice the characteristics, function and purposes of the Green Belt beyond Sub-Area 139.

This would mean that ARUP's recommendation (on page 623 of the ARUP 2023 GBR) in relation to Sub-Area 139 would be adjusted to 'perform weakly against the NPPF purposes' and their recommendation is adjusted to be for 'further consideration'. Consequently, Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA (2021), should be identified by the Council as a new site allocation (for 391 homes and new school) in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

Rather than exclude sites in sub-areas outside of the buffer zones from further consideration the only reasonable approach is for the Council to consider all submitted sites in the ARUP 2023 GBR. Only once these assessments have been undertaken should the Council then consider what is the appropriate strategy for the district. Without a full and proper assessment of all sites against the purposes of Green Belt the Council are at risk of repeating the mistakes made in the previous local plan that failed to give proper consideration to all sites submitted for allocation.

3.3.1 SUGGESTED AMENDMENTS

The assessment undertaken for Site Ref: M-037 (HELAA Ref: STS-10-21) of the Local Plan Site Selection Proforma Sheet (page 33, Part 2) should be updated to reflect the above and the Site taken forward into Part B (Site Allocations) of the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

6.1.1 SUGGESTED AMENDMENTS

Redington Capital Limited and CALA Homes recommend that the Council considers:

- Including more housing and education sites in areas that benefit from better access to transport services and other services (such as Land south of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and other services. Redington Capital Limited and CALA Homes recommend that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new broad location site (for housing and education purposes) in Policies Map 3 of the Regulation 19 Publication Draft Local Plan; and
- Identifying the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, as a 'Proposed Area to be Released from the Green Belt' on the Policies Map, consistent with the way other sites with planning permission have been treated (North St Albans, Burston Nurseries, Rothamsted Lodge, Orchard Drive, How Wood).

7.6.1 SUGGESTED AMENDMENTS

Redington Capital Limited and CALA Homes recommend that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new broad location site (for housing and education purposes) in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

Redington Capital Limited and CALA Homes' site is a highly accessible, sustainable and deliverable site which can deliver housing and education facilities immediately. Its impact on the purposes of the Green Belt, as set out in the ARUP 2023 GBR, has been inaccurately inflated (as demonstrated in Section 3) and should therefore be adjusted accordingly. This means that the above site is more

accessible, sustainable and deliverable than most of the sites selected by the Council in Part B (Site Allocations). The Council must review this situation and, thereby, include Redington Capital Limited and CALA Homes' site as a new Broad Location allocation in Part B of the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site H1 (1,500 homes) – This is a site located within in the Green Belt (SA170 & 172) and is regarded to strongly meet the purposes of the Green Belt. It is regarded as important in strategic role terms. It was **not recommended** within the Green Belt Review as an area for release but has been included in the Local Plan. This site will only come forward as part of the Hemel Garden Communities Programme which relies on the neighbouring borough's draft Local Plan being made sound!

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
- Is available and deliverable at a density of development that has previously been supported by the Council's planning officers when recommending approval of application ref: 5/2022/0927 (as demonstrated in Section 7 below);
- Is supported by the Inspector when determining Appeal Decision reference: APP/B1930/W/22/3313110, dated 22nd March 2024; and
- Upheld by the SOS's decision.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Redington Capital Limited and CALA Homes recommends that the Council:

- Should be more realistic about its choice of housing sites to deliver its critical housing needs. Some of the current set of site allocations appear to have been included / inflated to "make up the numbers." We therefore strongly recommend that the site allocations are reviewed again and the Council should:

- Remove any sites that are undeliverable;
- Reduce the expected capacity of sites that are obviously constrained and will not therefore delivery the density suggested; and
- Provide evidence to justify all site inclusions and their estimate capacity.
- Include new broad location housing sites that:
- Are located in areas that benefit from better access to transport services and other services (such as Land South of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and services or will not be used by the district's residents;
- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site H2 (1,600 homes) - This is a site located within in the Green Belt (SA168 & 169) and is regarded to **strongly** meet the purposes of the Green Belt. The vast majority of the site is regarded as important in strategic role terms. It was **not recommended** within the Green Belt Review as an area for release. In addition, some of the housing allocation has been put on the higher-quality agricultural land. However, it has been included in the Local Plan. This site will only come forward as part of the Hemel Garden Communities Programme which relies on the neighbouring borough's draft Local Plan being made sound!

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
- Is available and deliverable at a density of development that has previously been supported by the Council's planning officers when recommending approval of application ref: 5/2022/0927 (as demonstrated in Section 7 below);
- Is supported by the Inspector when determining Appeal Decision reference: APP/B1930/W/22/3313110, dated 22nd March 2024; and
- Upheld by the SOS's decision.

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Redington Capital Limited and CALA Homes recommends that the Council:

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- Remove any sites that are undeliverable;
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- Provide evidence to justify all site inclusions and their estimate capacity.
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- Are located in areas that benefit from better access to transport services and other services (such as Land South of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and services or will not be used by the district's residents;
- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 14

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* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site H4 (2,400 homes) - This is a site located within in the Green Belt (SA164 & 165) and is regarded to **strongly** meet the purposes of the Green Belt. The majority of the site is regarded as important in strategic role terms. It was **not recommended** within the Green Belt Review as an area for release but has been included in the Local Plan. This site will only come forward as part of the Hemel Garden Communities Programme which relies on the neighbouring borough's draft Local Plan being made sound!
  It is clear from the above that the Council has chosen to allocate site:
- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
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- Upheld by the SOS's decision.

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- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B1 - North St Albans, AL3 6DD

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site B1 (1,097 homes) - This is a site located within in the Green Belt (SA164 & 165) and is regarded to **strongly** meet the purposes of the Green Belt. All of this site is regarded as important in strategic role terms. It was **not recommended** within the Green Belt Review as an area for release. In addition, there is no secondary schools in this location and the road between Harpenden and St Albans (the location of the secondary schools) is extremely busy however school traffic will be required to travel through the settlement twice a day. There

aren't any local amenities (shops, etc) in close proximity to the site and it lacks accessibility. This is not a sustainable location to construct new homes. However, it has been included in the Local Plan.

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
- Is available and deliverable at a density of development that has previously been supported by the Council's planning officers when recommending approval of application ref: 5/2022/0927 (as demonstrated in Section 7 below);
- Is supported by the Inspector when determining Appeal Decision reference: APP/B1930/W/22/3313110, dated 22nd March 2024; and
- Upheld by the SOS's decision.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Redington Capital Limited and CALA Homes recommends that the Council:

- Should be more realistic about its choice of housing sites to deliver its critical housing needs. Some of the current set of site allocations appear to have been included / inflated to "make up the numbers." We therefore strongly recommend that the site allocations are reviewed again and the Council should:
- Remove any sites that are undeliverable;
- Reduce the expected capacity of sites that are obviously constrained and will not therefore delivery the density suggested; and
- Provide evidence to justify all site inclusions and their estimate capacity.
- Include new broad location housing sites that:
- Are located in areas that benefit from better access to transport services and other services (such as Land South of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and services or will not be used by the district's residents;
- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

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1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attachment

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site B3 (545 homes) - This is a site located within in the Green Belt (SA1, 2 and 3a/b) and is regarded to **strongly** meet the purposes of the Green Belt. This site has no access to secondary school provision, which will mean that pupils will be driven through Redbourn into Harpenden or St Albans to attend secondary school. The Site is also located adjacent the M1 motorway resulting in possible noise and air quality issues that will reduce the site's development capacity. Ther aren't local amenities (shops, etc) in close proximity to the site and it lacks accessibility. This is not a sustainable location to construction new homes. However, it has been included in the Local Plan.

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
- Is available and deliverable at a density of development that has previously been supported by the Council's planning officers when recommending approval of application ref: 5/2022/0927 (as demonstrated in Section 7 below);
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Redington Capital Limited and CALA Homes recommends that the Council:

- Should be more realistic about its choice of housing sites to deliver its critical housing needs. Some of the current set of site allocations appear to have been included / inflated to “make up the numbers.” We therefore strongly recommend that the site allocations are reviewed again and the Council should:
- Remove any sites that are undeliverable;
- Reduce the expected capacity of sites that are obviously constrained and will not therefore delivery the density suggested; and
- Provide evidence to justify all site inclusions and their estimate capacity.
- Include new broad location housing sites that:
- Are located in areas that benefit from better access to transport services and other services (such as Land South of Chiswell Green Lane), rather than sites located on the edge of ‘higher tier settlements’ that benefit from far less access to transport and services or will not be used by the district’s residents;
- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council’s HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a ‘minor modifications to the Local Plan’ during 2025 in the lead up EIP.

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1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

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* Yes, I wish to participate in hearing session(s)

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site B5 (484 homes) - This is a site located within in the Green Belt Settlement Buffer (SA-92 and 84). Also, access into this site will need to be from Napsbury Park, but this has not been shown to be deliverable. This questions the deliverability of this site.

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

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- Should be more realistic about its choice of housing sites to deliver its critical housing needs. Some of the current set of site allocations appear to have been included / inflated to "make up the numbers." We therefore strongly recommend that the site allocations are reviewed again and the Council should:
- Remove any sites that are undeliverable;
- Reduce the expected capacity of sites that are obviously constrained and will not therefore delivery the density suggested; and
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- Include new broad location housing sites that:
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- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B6 - West of London Colney, AL2 1LN

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site B6 (324 homes) – This is a site located within in the Green Belt (SA145 to 148) and is regarded to **strongly** meet the purposes of the Green Belt. All of this site is regarded as an important in strategic role terms. It was **not recommended** within the Green Belt Review as an area for release.

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
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- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site M6 (68 homes) – There are safety concerns over access arrangements into the site. It is located within the Flood Plain, is current used by the traveller community and includes TPOs. The land may not therefore be deliverable at all.

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;

- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
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- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site M19 (29 homes) – This site does not benefit from adequate access arrangements and is undeliverable (or has less capacity than suggested).

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
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- Are available and deliverable.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M20 - Lower Luton Road, Harpenden, AL5 5AF

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site M20 (20 homes) – The site is located within a nature corridor and is part of a strategic view in the neighbourhood plan. It is therefore undeliverable (or has less capacity than suggested).

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

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- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
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Redington Capital Limited and CALA Homes recommends that the Council:

- Should be more realistic about its choice of housing sites to deliver its critical housing needs. Some of the current set of site allocations appear to have been included / inflated to “make up the numbers.” We therefore strongly recommend that the site allocations are reviewed again and the Council should:
- Remove any sites that are undeliverable;
- Reduce the expected capacity of sites that are obviously constrained and will not therefore delivery the density suggested; and
- Provide evidence to justify all site inclusions and their estimate capacity.
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- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council’s HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a ‘minor modifications to the Local Plan’ during 2025 in the lead up EIP.

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1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attachment

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M21 - Rothamsted Lodge, Hatching Green, AL5 2JS

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site M21 (25 homes) – This is a heavily constrained site and is located within the setting of heritage assets. The access to the site also has capacity issues. There is also habitat on the site. It is therefore undeliverable (or has less capacity than suggested).

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
- Is available and deliverable at a density of development that has previously been supported by the Council's planning officers when recommending approval of application ref: 5/2022/0927 (as demonstrated in Section 7 below);
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I would like to be notified about the adoption of the Local Plan:

* Yes

UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- UC1 (92 homes) – This is a very busy supermarket. Housing on this site is highly unlikely to be delivered because it will have an impact on the performance of this store.

It is clear from the above that the Council has chosen to allocate site:

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC6 - 13-19 Sutton Road & 5-11a Pickford Road, St Albans, AL1 5JH

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

Site UC6 (29 homes) – Not all of the site is available and is therefore unlikely to delivery any new homes [rather than 29 homes as suggested].

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- That are either undeliverable or their capacity has been grossly over-estimated.

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This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

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I would like to be notified about the adoption of the Local Plan:

* Yes

UC8 - Public Hall, 6 Southdown Road, Harpenden, AL5 1TE

Comment Number: 23

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site UC8 (24 homes) – This site is located adjacent to listed building and is within a Conservation Area. It is only likely to delivery 14 units, not the 26 units suggested.

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I would like to be notified about the adoption of the Local Plan:

* Yes

UC9 - Keyfield Terrace Car Park, Keyfield Terrace, St Albans, AL1 1PD

Comment Number: 24

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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- Site UC9 (10 homes) – This car park site has no reasonable prospect of coming forward. There is a lease to a private company beyond 2041 (which means there is a high risk of ransom). There are mature trees present and the site is too narrow. It is therefore undeliverable (or has less capacity than suggested).

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC11 - 50 Victoria Street, St Albans, AL1 3HZ

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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- Site UC11 6 homes) – This site is too narrow. It is therefore undeliverable (or has less capacity than suggested).

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I would like to be notified about the adoption of the Local Plan:

* Yes

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Redington Capital Limited and CALA Homes **object** to Part B (Site Allocations) which forms part of the Regulation 19 Publication Draft Local Plan for the reasons explained in Sections 3 and 4 of these representations.

Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site UC14 (17 homes) – Waitrose car park is required by Waitrose for this high-performing supermarket. Even if Waitrose have promoted the site, it is highly unlikely to be closed because this will severely impact the performance of the supermarket. It's in a conservation area and sat of high ground. It is therefore undeliverable (or has less capacity than suggested).

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
- Is available and deliverable at a density of development that has previously been supported by the Council's planning officers when recommending approval of application ref: 5/2022/0927 (as demonstrated in Section 7 below);
- Is supported by the Inspector when determining Appeal Decision reference: APP/B1930/W/22/3313110, dated 22nd March 2024; and
- Upheld by the SOS's decision.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Redington Capital Limited and CALA Homes recommends that the Council:

- Should be more realistic about its choice of housing sites to deliver its critical housing needs. Some of the current set of site allocations appear to have been included / inflated to "make up the numbers." We therefore strongly recommend that the site allocations are reviewed again and the Council should:
- Remove any sites that are undeliverable;
- Reduce the expected capacity of sites that are obviously constrained and will not therefore delivery the density suggested; and
- Provide evidence to justify all site inclusions and their estimate capacity.
- Include new broad location housing sites that:
- Are located in areas that benefit from better access to transport services and other services (such as Land South of Chiswell Green Lane), rather than sites located on the edge of 'higher tier settlements' that benefit from far less access to transport and services or will not be used by the district's residents;
- Result in less harm to the purposes of the Green Belt; and
- Are available and deliverable.

Redington Capital Limited and CALA Homes recommends that the Land South of Chiswell Green Lane, as identified as site reference STS-10-21 in Annex 15 of the Council's HELAA and site reference CG-561 in the Draft Strategic Site Selection Evaluation, should be identified as a new housing and education land allocation in the Draft Local Plan. This can be achieved via a 'minor modifications to the Local Plan' during 2025 in the lead up EIP.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - St Albans Local Plan Reg 19 - Representations - Redington & Cala_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See attachment

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Redington Capital Limited and CALA Homes conclude that the site allocation selection process undertaken by the Council is unsound. They recommend that the site selection process should be completely reviewed, revised and the draft allocations re-assessed in a transparent and consistent approach particularly in applying the recommendations of the GBR.

In addition to the above, there are a number of other concerning questions regarding some of the Broad Location sites and other housing site allocations chosen by the Council, including:

- Site UC15 (32 homes) – Bowers Way car parking is a busy car park used by commuters and Harpenden's residents attending the GP surgery and local shops. Loss of car parking would result in significant problems for local residents and the viability of the town centre. It is also not a realistic option to try to the car park and then build flats above. It is therefore undeliverable (or has less capacity than suggested).

It is clear from the above that the Council has chosen to allocate site:

- In locations deemed to be of strong importance to the purposes of the Green Belt;
- That are not located within the most accessible and sustainable locations; and
- That are either undeliverable or their capacity has been grossly over-estimated.

This demonstrates that the site allocations strategy adopted by the Council needs to be fundamentally reviewed and revised.

This conclusion is further exacerbated when considering the Council has chosen to ignore other more accessible and sustainable sites in lower tier settlements, including Redington Capital Limited and CALA Homes' site (Land South of Chiswell Green Lane), which:

- Benefits from high levels of accessibility by public transport and to local services (as demonstrated in Section 7 below);
- Has less harm to the purposes of the Green Belt (as demonstrated in Section 1 above);
- Is available and deliverable at a density of development that has previously been supported by the Council's planning officers when recommending approval of application ref: 5/2022/0927 (as demonstrated in Section 7 below);
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* Yes, I wish to participate in hearing session(s)

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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225 - Success Properties Consortium

Submission Number: 225 Submission Date: 07/11/24 18:44

Respondent: Stantec UK Ltd Mr Justin Kenworthy

On Behalf Of Success Properties Consortium :

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[See attachment for full representations]

We write on behalf of Success Property Consortium ("the Clients") to submit representations in response to the Regulation 19 Publication Draft Local Plan and its associated evidence base documents.

Our Clients have an interest in the Lye Lane site (circa. 63 acres / 25.5 hectares – see **Figure 1**), located to the south of Chiswell Green and accessed off the North Orbital Road and wish to propose its inclusion in the St Alban's Local Plan (2024) for the following key reasons:

1. The site is available immediately for mixed used development of approximately **510** new homes[1], including:
2. Up to 60% affordable homes and 40% market sale and self-build homes (on 50% of the site area);
3. 150,000sq ft of last mile distribution (on 10% of the site area); and
4. Amenity space, including 20% (min) biodiversity net gain (on 40% of the site area).

[Footnote 1: (25.5 hectares x 50% = 12.75 ha) x circa. 40 dph required by draft policy DES3 = 510 homes]

2. The site is partially PDL, low quality green belt land, evaluated by the Council as making only a moderate (we would say, low) contribution to the purposes of the Green Belt in the SACDC Green Belt Review (GBR 2023) and falls squarely into the definition of 'grey belt land' as set out in Annex 2 of the draft changes to the NPPF.
3. The site is fully constrained by roads and well screened by mature vegetation on all sides and so poses no difficulty in relation to future 'spread', merging of settlements, unsightliness or threat to the Bricket Wood SSSI.
4. The site benefits from safe access to the North Orbital Road[2] and the M25, is in a sustainable location with good access to How Wood Station, bus routes 321 and 724, How Wood Primary and Nursery School, Park Street Surgery and other socio-economic infrastructure.

[Footnote 2: Albeit that Lye Lane will need to be widened as part of the development proposals]

5. Development of the site would also create local economic and ecological benefits including permanent employment and the reduction of articulated lorry traffic through St Albans.

Figure 1: Lye Lane Site

[See attachment for Image]

The reasons why the site should be reconsidered by the Council for inclusion in the emerging Local Plan are summarised below.

1. ***Site Development History:***

As the site is well-screened and there is no public access, the Council may not be aware that the site is in fact lower performing green belt land than the rest of Area 26 (SACDC Green Belt Review 2023). This is because:

- It has been at one time a golfing location, a motocross and a rally track; and
- It has been the subject of a significant amount of waste tipping through the importation of material and is therefore made-up ground which suffers from contaminated - It is highly likely to be one of the most contaminated parcels of land anywhere within St Albans Council's administrative area.
- The Site has also been the subject of a number of enforcement and legal cases during earlier ownership and control tenures. The Site is not pristine green belt land, unlike some of the site's being allocated for development in Part B of the Regulation 19 Publication Draft Local Plan. The Site is extremely low quality 'man-made ground' and would:
- Fall squarely into the definition of 'grey belt land', as set out in Annex 2 of the draft changes to the NPPF; and
- Be regarded as an 'appropriate' development site in the green belt, as set out in paragraphs 152 and 155 of the draft changes to the NPPF.

The Site is extremely well screened by mature boundary planting along its eastern, southern and western boundaries. The northern boundary of the Site is located adjacent to the residential development site at Burston Nurseries (5/2020/3022) and the recently consented residential development (ref: 5/2023/0983) on the Copeswood Site.

It is therefore a contained and contaminated site that provides a limited (localised) contribution to the purposes of the Green Belt. Development on this Site would result in:

- **Localised/limited amount of harm (if any) to the purposes of the Green Belt; and**
- **Substantial benefits, as described herein, that will outweigh this level of harm.**

2. ***Unfair Scorings in the Local Plan Evidence Base:***

Our Clients are aware that the land owners previously promoted the Site. It was considered by the Council in the Housing and Employment Land Availability Assessment (HELAA) and was accepted for further consideration. They are also aware that the Site forms part of Area 26 in the SACDC's Green Belt Review – Part 1 (GBR 2013) and its Green Belt Review – Part 2 (GBR 2023) which is purported to perform 'moderately important' in overall green belt performance terms[3].

[Footnote 3: Parcel SA-132, Table 5.8 - Purpose 2: to prevent neighbouring towns merging into one another; Purpose 3: to assist in safeguarding the countryside from encroachment.]

Unfortunately, the Site itself (Site Ref: C-249 [HELAA Ref: STS-67-21]) was not recommended[4] for release from the Green Belt and it was not included as a site allocation in the Regulation 18 and 19 versions of the Draft Local Plan.

[Footnote 4: See page 41 of Green Belt Buffer Sites Not Recommended to Progress – Part 2.]

The document titled 'Green Belt Buffer Sites Not Recommended – Part 2' (September 2024) has now been published by the Council for the first time for consultation purposes. Our Clients are extremely concerned about the scoring given to their Site (Ref: C-249 [HELAA Ref: STS-67-21] of the relevant Proforma Sheet (page 41, Part 2)) and the subsequent conclusion reached by the Council –'not recommended to progress'. Most of the 'weak' scorings for the Site are unjustified. For example:

- The Site is man-made contaminated land and, contrary to the information contained in the proforma, should not be regarded to benefit from an Agricultural Land Classification (ALC);
- Development of the Site would also offer the further benefits such as helping to:
- Protect other features that are close to the Site (ancient woodlands, County Wildlife site, traditional orchard and deciduous woodland Priority Habitat); and
- Deliver the access improvements along Lye Lane and
- De-contamination of the site before it has any impact on the Source Protection Zone

Therefore, a large number of the 'weak' and 'medium' scores for the Site should in fact be 'strong' scores, thereby resulting in a recommendation to progress with the Site for development purposes. Our clients would like to recommend that this should be adjusted as a matter of priority.

3. ***A more appropriate site than others currently earmarked for development in the Local Plan***

A review of the sites included in the Reg 19 Draft Local Plan would suggest that Lye Lane is a more appropriate choice than some of the other sites included. For example:

- Site Allocation Ref: M4 (North of Oakwood Road) located directly to the south, on the other side of the M25, does not currently benefit from a safe means of access from the North Orbital Road;
- Attached as **Appendix A** is a map of the sites around the Chriswell Green area that either have planning permission or are now draft site allocations. The 'red' sites suffer from constraints (e.g. no existing access arrangements, TPO or Protected Habitat) and are highly unlikely to come forward, thereby potentially not delivering a total of 298 homes in the local area; and
- Attached as **Appendix B** is a list of sites that, in our opinion, are either significantly harming the Green Belt or are undeliverable across the District.

[See attachment for Appendices]

In contrast, development of the Lye Lane site would:

- Secure more housing delivery land in the next 5-years on a site that immediately available and deliverable and can help ease the apparent need for the 'stepped' housing trajectory that has been adopted by the Council, as explained in paragraph 3.27 of the Draft Local Plan; and
- Secure new commercial (last-mile) floorspace to meet the demand for industrial, storage and distribution uses up to 2041 based around accessible junctions of the M25. The South West Hertfordshire Economic Study (Sept 2024) prepared by Hatch, this demonstrates that the supply of land for industrial, storage and distribution uses is insufficient (by approx. 9 ha) to fully meet the additional 58.9ha need identified for the period up to 2041. This conclusion is contrary to that stated by the Council in Policy SP5 (Employment and the Local Economy) of the Draft Local Plan which implies there is an oversupply of employment land.

Our Clients conclude that the Council has:

- Identified approx. 7,266 homes to be delivered on its most important parts of the Green Belt; and
- Over-estimated its delivery of homes on sites that are undeliverable, by approx. 820 homes, but are still being proposed in the draft Local Plan.

The combination of these sites means that there is a likely shortfall of approx. 1,118 homes identified in the Regulation 19 Consultation Draft Local Plan that are undeliverable and approx. 7,266 homes to be delivered on its most important parts of the Green Belt.

We therefore commend to the Council that the Lye Lane site should be included in the Local Plan and/or substituted for one (or more) of the undeliverable and more valuable green belt sites currently identified.

4. ***A team with an established track record of working successfully with Local Borough Councils to bring forward and deliver high-quality residential and affordable housing projects that meet the needs of local people.***

Our clients recently secured approval from Hertsmere Borough Council for a similar site at Lyndhurst Farm, Shenley. Hertsmere is an authority that also constrained by the Green Belt with limited PDL sites to build on and less than 2-YHLS.

The Lyndhurst Farm site was also partially PDL, contaminated land, benefitted from excellent access to the transport network and was adjacent to existing development – and yet was 'overlooked' and not included in the original 'shelved' draft local plan. Our Clients worked closely with Hertsmere Council prior to its inclusion in the revised 2024 draft local plan and were delighted that the Council's Planning Committee unanimously agreed that that proposal to develop the site for:

"*Full planning application for 186 dwellings, community building, associated parking, landscaping and open space, with vehicle and pedestrian access from Green Street and a separate pedestrian access from Stapleton Road*"

This proposal included a generous amount of affordable housing and community building provision, benefitted from a strong very special circumstances (VSC) case and granted a resolution to grant planning permission (ref: 24/0451/FUL) on 15th August 2024.

The point being made here is that the Lyndhurst Farm site was an overlooked site when the original 'shelved' draft local plan was initially presented and yet will now result in the most significant delivery of affordable housing in the recent history of Hertsmere Borough Council and has underpinned and shaped the direction of local housing delivery. The Lye Lane site matches the characteristics of Lyndhurst and is an example of the land that will be captured under the new emerging NPPF definition of Grey belt land.

While Lyndhurst Farm was granted planning permission through the planning application process, the site could have been brought forward by Hertsmere Council through the plan-making process. The Lye Lane site should also be identified through the plan-making process now.

Our clients wish to commend to St Albans' Council the merits of including the Lye Lane site in the Local Plan.

Representations

Considering the above context, our Clients hereby submit the following representations to the Regulation 19 Publication Draft Local Plan. Our Clients:

1. **Object** to the Council's decision not to allocate the Site for development purposes for the reasons explained above and below;
2. **Object** to the 'stepped' housing delivery approach set out in Table 2 of the Regulation 19 Draft Local Plan;
3. **Object** to the findings of the following evidence base documents which support the Regulation 19 Draft Local Plan:

- The Stage 2 Green Belt Review (June 2023); and
- Green Belt Buffer Sites Not Recommended – Part 2 Proformas (September 2024)

4. **Object** to the following components of the Part A of the Regulation 19 Draft Local Plan[5]:

- Chapters 1 (Spatial Strategy) and 3 (Sustainable Use of Land and Green Belt)
- Figures 1.3 (The Key Diagram) and 3.1 (Broad Locations);
- Tables 3.1 (Board Locations) and 3.2 (Housing Trajectory);
- Policies SP1 (A Spatial Strategy for the St Albans District), SP3 (Land and the Green Belt), LG1 (Broad Locations), Policy LG4 (Large, Medium and Small Sites) and Policy SP5 (Employment and the Local Economy);
- Paragraph 1.36, Paragraphs 3.20 to 3.21 (Categorisation of Sites), Paragraphs 3.25 to 3.27 (Housing Trajectory) and Paragraphs 3.28 to 3.33 (Broad Locations);
- Part B of the Regulation 19 Draft Local Plan (Site Allocations); and
- Policies Map 3 (South-West).

[Footnote 5: On the basis that our Clients object to the assessments and conclusions of key evidence base documents which has directly influenced the structure and contents of the Draft Local Plan, they feel compelled to object to these components of the Part A of the Regulation 19 Draft Local Plan.]

5. Conclude that the Regulation 19 Publication Draft Local Plan and its evidence base, in its current form, does **not meet the 'tests of soundness'**set out in paragraph 35 of the National Planning Policy Framework (NPPF, December 2023).

Recommendation

Our Clients set out below the following recommendation to assist the Council in helping to make the Draft Local Plan sound.

1. a) That the assessment undertaken for Site Ref: C-249 (HELAA Ref: STS-67-21) of the Local Plan

Site Selection Proforma Sheet (page 41, Part 2) should be:

- Revised to reflect the context set out above; and
- Revised to conclude that our Clients' Site should be 'progressed' as a potential new development location for approximately 510 new homes[6], including:

- Up to 60% affordable homes and 40% market sale and self-build homes (on 50% of the site area);
- 150,000sq ft of last mile distribution (on 10% of the site area); and

Amenity space, including 20% (min) biodiversity net gain (on 40% of the site area).

[See attachment for Image]

b) As mentioned above, the Site is available immediately for mixed-use development purposes with developer's ready and committed to its delivery. Our Clients and the future developers of

the Site would like to work with the Council to include the Site as a new site allocation in Part B of the Regulation 19 Publication Draft Local Plan. This could be either:

- In addition to the existing site allocations identified in part b of the draft Local Plan, particularly in Tables 3.1 (Broad Locations), 3.2 (Housing Trajectory) and Policies Map 3 (South-West); or
- As a replacement for one of the better quality/more sensitive Green Belt sites in more desirable locations within St Albans.

We consider the Council has two immediate opportunities to allocate our Clients' Site in the future:

1. By amending the Regulation 19 Draft Local Plan and its evidence base before it is submitted to the Secretary of State (SOS); or
2. By amending the Regulation 19 Draft Local Plan via a 'modification to the Local Plan' during 2025 in the lead up Examination in Public.

Should none of the above opportunities be progressed by the Council (for whatever reason), our Client requests that the site is considered as a new site allocation in the 'local plan review process' which will have to be undertaken by the Council immediately after the adoption of the Local Plan in circa. March 2026 in order meet the requirements of the new draft NPPF changes and Standard Methodology that will be introduced later this year.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[See attachment for full representations]

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- Revised to conclude that our Clients' Site should be 'progressed' as a potential new development location for approximately 510 new homes[6], including:
- Up to 60% affordable homes and 40% market sale and self-build homes (on 50% of the site area);
- 150,000sq ft of last mile distribution (on 10% of the site area); and

Amenity space, including 20% (min) biodiversity net gain (on 40% of the site area).

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107 - Lye Lane Represenations (Final)_[R].pdf
2. Success_Property_Consortium_Email_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

see representations

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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226 - Mr John Hudson

Submission Number: 226 Submission Date: 07/11/24 18:59

Respondent: Mr John Hudson

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

My comments relate to site M16, Falconers Field, Harpenden AL5 3ES. Its inclusion in the Draft Local Plan represents inappropriate development within the Green Belt and the site should be withdrawn from the plan.

This area is currently considered Metropolitan Green Belt land and, according to The Sustainability Appraisal (Interim Study, July 2023), most of it lies with the Chilterns Beechwood Special Area of Conservation (CBSAC) Zone of Influence.

When the site was originally assessed for release from the Green Belt, sub area SA-17 scored highly on checking the unrestricted sprawl of a large built-up area, demonstrating its importance to the Green Belt. This shows the very important contribution that the site currently makes to the Green Belt. However, the study only assessed land up to the current building line, the area up to the end of the gardens in the cul-de-sac of Falconers Field. Since then, without further consultation, the whole of the M16 field has been included. As, under Green Belt considerations this makes further increases in the urban sprawl than originally considered, it is further contravening the Green Belt ideology.

M16 being part of the CBSAC Zone of Influence means that development proposals also need to make provision for a new Suitable Alternative Natural Greenspace (SANG). Surely and additionally, as Green Belt land should only be developed if there are ‘very special circumstances’ it would be better to leave M16 as it is.

As the Draft Local Plan suggests, one of its key issues is to address climate change, to encourage shift from private cars and encourage cycling, walking and use of public transport. The M16 site is not in a location that will support this. It is too far for families to walk to buy and carry heavy groceries from the town shops. There is a long walk down hill, and on return uphill, from and to the site to reach a bus, and the station is even further away. People will still drive. The easiest access to the main road, A1081, will be at the bottom of Park Hill. Here the narrow Nickey Line

Bridge and traffic lights already cause congestion throughout the day. A cycle lane, which is suggested to encourage cycling along the A1081 into the town will only narrow the road further causing slower traffic and increased car emissions. This does not improve the environment.

Traffic access to and from the field onto Falconers Field will be problematic and dangerous for the large number of children who walk the road on their way to and from Roundwood Park School each day. Already, due to parking restrictions on Roundwood Park, parents park their cars on Falconers Field at the end of the school day, making negotiating the road from a driving and pedestrian perspective difficult and sometimes dangerous. More traffic will undoubtedly cause more problems.

Although climate resilience is a key issue in the Draft Local Plan and, as there are dramatic and disastrous climate change events in the world at large at present, one of the considerations that does not seem to have been considered is the field's value at the top of a hill in times of heavy rainfall. At such times the field becomes waterlogged and soaks up water. If developed and concreted over nature's natural way of combatting such rainfall will be negated. Heavy rainfall will run off and could well exacerbate the flooding problems on the A1081 which already exist at the bottom of the hill.

The M16 open green space is a natural breathing ground for the climate. Although some trees will receive preservation orders, other trees and historically ancient hedgerows ('carbon sinks') will be destroyed. At a time when farmers are encouraged to plant hedgerows to increase bio-diversity, development of site M16 will further rob animals, birds and insects of a natural place to thrive and flourish. We should, as Green Belt objectives maintain, 'assist in safeguarding the countryside from encroachment' and not devastate it.

Overall, it seems a great shame that the Draft Local Plan concerns itself predominately with intensively building more houses on Green Belt land, rather than seeking to balance development in the area with facility, recreation and amenity, not to mention the spacial and visual openness that is central to the Green Belt ethos. M16 consists of two paddocks and two well-built stable blocks (with water and electricity) which have been used for many decades for the grazing and stabling of ponies belonging to local children. It represents a green buffer in an otherwise wide area of urban sprawl and, rather than build more houses on it, a creative and progressive local plan might seek to preserve its use as an equine facility, or consider retaining it as an urban park or garden, a children's playground, community allotments, or as a further extension to the recreational facilities at Roundwood Park School, which adjoins it. The school has recently lost a lot of its playing field provision to building extensions and to an all-weather facility. Preserving M16 as a green space would helpfully safeguard an important area for the future development and extension of the school's playing field facilities.

From the above it is clear that site M16 does not meet the objective identified in the Draft Local Plan of protecting and enhancing the Green Belt. Its inclusion proposes inappropriate development within the Green Belt and the area should be withdrawn from the list of sites that are being considered for the building of new houses.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Site M16 should be withdrawn from the list of sites proposed for housing development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. My comments relate to site M16_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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227 - National Grid

Submission Number: 227 Submission Date: 07/11/24 09:00

Respondent: National Grid (Avison Young) National Grid

DES1 - Design of New Development

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Utilities Design Guidance

The increasing pressure for development is leading to more development sites being brought forward through the planning process on land that is crossed by NGET infrastructure.

NGET advocates the high standards of design and sustainable development forms promoted through national planning policy and understands that contemporary planning and urban design agenda require a creative approach to new development around high voltage overhead lines and other NGET assets.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Therefore, to ensure that Policy DES1 Design of New Development is consistent with national policy we would request the inclusion of a policy strand such as:

"Take a comprehensive and co-ordinated approach to development including respecting existing site constraints including situated within sites."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 30-10 St Albans LP_[R].pdf

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Proposed development sites crossed or in close proximity to NGET assets: Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed or in close proximity to NGET assets. Details of the sites affecting NGET assets are provided below.

H1 – North Hemel Hempstead - ZA ROUTE TWR (419 - 522): 400Kv Overhead Transmission Line route: ELSTREE - SUNDON 1

A plan showing details of the site locations and details of NGET assets is attached to this letter. Please note that this plan is illustrative only.

Without appropriate acknowledgement of the NGET assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose modifications to the above site allocations and/or policies to include wording to the following effect. We propose that these modifications are applied to each of the aforementioned site allocations affected by NGET assets.

OS1 – Land to the North of Bricket Wood

The development will include a strategy forresponding to the NGET Overhead Transmission Cable present within the site,demonstrating how the NGET Design Guide and Principles have been applied at the masterplanning stage and how the impact of the assets has been reduced through good design."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 30-10 St Albans LP_[R].pdf
2. H1_[R].pdf

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Proposed development sites crossed or in close proximity to NGET assets: Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed or in close proximity to NGET assets. Details of the sites affecting NGET assets are provided below.

H2 – East Hemel Hempstead (North) - ZA ROUTE TWR (419 - 522): 400Kv Overhead Transmission Line route: ELSTREE - SUNDON 1

A plan showing details of the site locations and details of NGET assets is attached to this letter. Please note that this plan is illustrative only.

Without appropriate acknowledgement of the NGET assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose modifications to the above site allocations and/or policies to include wording to the following effect. We propose that these modifications are applied to each of the aforementioned site allocations affected by NGET assets.

OS1 – Land to the North of Bricket Wood

The development will include a strategy forresponding to the NGET Overhead Transmission Cable present within the site,demonstrating how the NGET Design Guide and Principles have been applied at the masterplanning stage and how the impact of the assets has been reduced through good design."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 30-10 St Albans LP_[R].pdf
2. H2_[R].pdf

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Proposed development sites crossed or in close proximity to NGET assets: Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed or in close proximity to NGET assets. Details of the sites affecting NGET assets are provided below.

H3 – East Hemel Hempstead (Central) - ZA ROUTE TWR (419 - 522): 400Kv Overhead Transmission Line route: ELSTREE - SUNDON 1

A plan showing details of the site locations and details of NGET assets is attached to this letter. Please note that this plan is illustrative only.

Without appropriate acknowledgement of the NGET assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose modifications to the above site allocations and/or policies to include wording to the following effect. We propose that these modifications are applied to each of the aforementioned site allocations affected by NGET assets.

OS1 – Land to the North of Bricket Wood
The development will include a strategy forresponding to the NGET Overhead Transmission Cable present within the site,demonstrating how the NGET Design Guide and Principles have been applied at the masterplanning stage and how the impact of the assets has been reduced through good design."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 30-10 St Albans LP_[R].pdf
2. H3_[R].pdf

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Proposed development sites crossed or in close proximity to NGET assets: Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed or in close proximity to NGET assets. Details of the sites affecting NGET assets are provided below.

H4 – East Hemel Hempstead (South) - ZA ROUTE TWR (419 - 522): 400Kv Overhead Transmission Line route: ELSTREE - SUNDON 1

A plan showing details of the site locations and details of NGET assets is attached to this letter. Please note that this plan is illustrative only.

Without appropriate acknowledgement of the NGET assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose modifications to the above site allocations and/or policies to include wording to the following effect. We propose that these modifications are applied to each of the aforementioned site allocations affected by NGET assets.

OS1 – Land to the North of Bricket Wood

The development will include a strategy forresponding to the NGET Overhead Transmission Cable present within the site,demonstrating how the NGET Design Guide and Principles have been applied at the masterplanning stage and how the impact of the assets has been reduced through good design."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 30-10 St Albans LP_[R].pdf
2. H4_[R].pdf

M23 - Ashdale Lye Lane, Bricket Wood, AL2 3LQ

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Proposed development sites crossed or in close proximity to NGET assets: Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed or in close proximity to NGET assets. Details of the sites affecting NGET assets are provided below.

M23 – Ashdale Lye Lane, Bricket Wood - ZA ROUTE TWR (419 - 522): 400Kv Overhead Transmission Line route: ELSTREE - SUNDON 1

A plan showing details of the site locations and details of NGET assets is attached to this letter. Please note that this plan is illustrative only.

Without appropriate acknowledgement of the NGET assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose modifications to the above site allocations and/or policies to include wording to the following effect. We propose that these modifications are applied to each of the aforementioned site allocations affected by NGET assets.

OS1 – Land to the North of Bricket Wood

The development will include a strategy forresponding to the NGET Overhead Transmission Cable present within the site,demonstrating how the NGET Design Guide and Principles have been applied at the masterplanning stage and how the impact of the assets has been reduced through good design."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 30-10 St Albans LP_[R].pdf
2. M23_[R].pdf

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Proposed development sites crossed or in close proximity to NGET assets: Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed or in close proximity to NGET assets. Details of the sites affecting NGET assets are provided below.

OS1 – Land to the North of Bricket Wood - ZA ROUTE TWR (419 - 522): 400Kv Overhead Transmission Line route: ELSTREE - SUNDON 1

A plan showing details of the site locations and details of NGET assets is attached to this letter. Please note that this plan is illustrative only.

Without appropriate acknowledgement of the NGET assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose modifications to the above site allocations and/or policies to include wording to the following effect. We propose that these modifications are applied to each of the aforementioned site allocations affected by NGET assets.

OS1 – Land to the North of Bricket Wood

The development will include a strategy forresponding to the NGET Overhead Transmission Cable present within the site,demonstrating how the NGET Design Guide and Principles have been applied at the masterplanning stage and how the impact of the assets has been reduced through good design."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 30-10 St Albans LP_[R].pdf
2. OS1_[R].pdf

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228 - Roy Cooper

Submission Number: 228 Submission Date: 07/11/24 19:55

Respondent: Roy Cooper

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The concerns I had submitted about the Plan in the Regulation 18 consultation appear not to have been addressed. Why have these issues been ignored.

It has not been made clear that a consultation about site allocation in the Local Plan took place last year. It is therefore no surprise that it is now too late to submit objections.

I understand that flaws in the methodology used by Arup's Green Belt Review were brought to the attention of Planning Officers. However, I believe that these issues have not been addressed.

Wailing Street development planning application, site L2 was rejected by the council earlier in the year, however, it is still part of the Reg 19 process.

The traffic issue has to be considered in line with the development of the Strategic Rail Freight Terminal. SRFT is designed to have 10,000 movements per day. Many of these will use Watling Street and further clog an already very busy Park Street Round. Not to mention the air pollution. Yet no traffic assessment has been completed for L2.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The concerns I had submitted about the Plan in the Regulation 18 consultation appear not to have been addressed. Why have these issues been ignored.

It has not been made clear that a consultation about site allocation in the Local Plan took place last year. It is therefore no surprise that it is now too late to submit objections.

I understand that flaws in the methodology used by Arup's Green Belt Review were brought to the attention of Planning Officers. However, I believe that these issues have not been addressed.

Wailing Street development planning application, site L2 was rejected by the council earlier in the year, however, it is still part of the Reg 19 process.

The traffic issue has to be considered in line with the development of the Strategic Rail Freight Terminal. SRFT is designed to have 10,000 movements per day. Many of these will use Watling Street and further clog an already very busy Park Street Round. Not to mention the air pollution. Yet no traffic assessment has been completed for L2.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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229 - Brian Worrell

Submission Number: 229 Submission Date: 07/11/24 09:00

Respondent: British Horse Society Herts Brian Worrell

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Green Belt compensatory improvements - including significant new country parks, better access to the countryside via new and improved rights of way, new and improved habitat connectivity;

Comment Fully support this aspiration. However there is little evidence that this has been applied to equestrians in this plan, ridden horse and horse carriage drivers, although there is mention of equestrian access in the Transport Strategy. I suggest wherever a right of way is included, more thought should be given to accommodate these users.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I suggest wherever a right of way is included, more thought should be given to accommodate these users.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 7

Type:

* Paragraph

Number:

3.49

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

3.49 The HGC Green Loop is a strategic figure-of-8 cycle and walking route offering connections between places and key locations within Hemel Hempstead and beyond. The loop will be formed by making new routes and enhancing and integrating existing 33 routes such as the Quietway, Grand Union canal towpath, country lanes and Public Rights of Way. Projects include significant improvements to the greenways, health and play on the way routes, new parks and a variety of play areas, sport and leisure facilities and community food growing. There are synergies with many of the projects outlined in the Health and Wellbeing Strategy and wider projects, which can be found in the Infrastructure Delivery Plans (IDPs).

Comment This Green Loop is for walkers and cyclists and so discriminates against equestrians. As a minimum the Green Loop should be a bridleway to allow a wider range of user which includes links to existing rights of way. This is reinforced by the statement on **Page 36**– Pillar 1 Green Network h) Enhance and improve Public Rights of Way including to existing local footpath links and wider countryside access;

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As a minimum the Green Loop should be a bridleway to allow a wider range of user which includes links to existing rights of way. This is reinforced by the statement on **Page 36**– Pillar 1 Green Network h) Enhance and improve Public Rights of Way including to existing local footpath links and wider countryside access;

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

LG6 - Green Belt Compensatory Improvements

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- LG6 – Green Belt Compensatory Improvements

1. a) Submit a Green Belt compensation strategy that sets out compensatory measures that align with national planning guidance, relating to:
   New or enhanced walking cycling or equestrian routes;
2. d) Maintain any Rights of Way across / through the site, ensuring provision of a route that is safe and overlooked, is sufficient in width to easily allow the passing of two people, and is carefully designed to become a positive landscape feature. Should a diversion to any Rights of Way be unavoidable, replacement routes must be provided to the satisfaction of the Council and the relevant highway authority;
   e) Ensure access to adjacent Rights of Way are facilitated in a safe and direct manner and maintain linkages that provide for appropriate utility and recreational use, and ensure that improvements are enabled so as to mitigate for the increased user impact of the development on the fabric of the network, including through good design;

Comment As above, this must include equestrians both ridden and carriage driven wherever practicable. The starting status should be Restricted Byway.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As above, this must include equestrians both ridden and carriage driven wherever practicable. The starting status should be Restricted Byway.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

Chapter 5 - Economy and Employment

Comment Number: 8

Type:

* Paragraph

Number:

5.15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

5.15 St Albans District has large rural areas and the Council fully supports a thriving farming sector, along with the leisure and visitor aspects of the rural economy. This includes farm shops and equestrian facilities along with the more flexible use of farm buildings, developing small-scale localised renewable energy projects and improving rural broadband.

Comment Equestrians make significant contributions to the rural economy and supports vets, tack and feed shops, farriers, saddlers and harness makers, equestrian centres, livery stables, grazing fees, business rates, engineering and agricultural equipment providers, etc. The equestrian industry is the second largest rural employer and offers diversification opportunities to farmers and land owners. DEFRA Horse Passport statistics indicate there are at least 2149 horses in the St Albans area. Each horse contributes around £5,000 per annum. This equates to an annual contribution to the St Albans rural economy of £10,745,000.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP8 - Transport Strategy

1. g) Protecting, adding to and improving existing rights of way, walking and cycling networks and equestrian access and, should diversion be unavoidable, require replacement routes to the satisfaction of the Council and the highway authority;

Comment Consideration should be given to both the ridden horse and the horse carriage driver, both who require safe off road routes as they are also vulnerable road users.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Consideration should be given to both the ridden horse and the horse carriage driver, both who require safe off road routes as they are also vulnerable road users.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA1 – Transport Considerations for New Development

1. Comprehensive and coherent integration into the existing pedestrian and cycle, Rights of Way, public transport and road networks will be secured;

Comment The inclusion of rights of way into New Developments in welcome and provides an excellent opportunity to expand and improve the existing rights of way network, and integration with other networks. All rights of way in this category should start with Restricted Byway status to ensure the maximum number of vulnerable road user can be accommodated.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

All rights of way in this category should start with Restricted Byway status to ensure the maximum number of vulnerable road user can be accommodated.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP10 – Natural Environment, Biodiversity and Green and Blue Infrastructure

1. Connect to existing green infrastructure assets including opportunities to enhance connections and extensions to Public Rights of Way and other rights of way used by the public, where appropriate;

Comment As above, enhancement and extensions should start with Restricted Byway status to ensure the maximum number of vulnerable road user can be accommodated.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As above, enhancement and extensions should start with Restricted Byway status to ensure the maximum number of vulnerable road user can be accommodated.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

Strategic Policy SP13 - Health and Wellbeing

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP13 – Health and Wellbeing

1. p) Supporting the value of equestrian activities and associated infrastructure.

Comment Engagement with horses, whether ridden or driven, improves health and wellbeing physically and mentally. Many equestrians are older residents, particularly carriage drivers. Also statistics show that whilst cyclists are predominantly male, horse riders and drivers are predominantly women. Another reason to fully support equestrians.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft St Albans Local Plan 2041_[R].pdf

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230 - Carol Pomerance

Submission Number: 230 Submission Date: 04/11/24 09:00

Respondent: Carol Pomerance

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

AS the time runs out for the invasion of the Green Belt Land in Park Street , St. Albans, it does seem that all previous objects have been ignored, and only when it is too late to correct the mistake made by making this area into yet another large Development will there be regrets.

In a nutshell – the infrastructure just will not be able to sustain this invasion. Traffic Congestion, schools, shops, Doctors, ... the list just goes on and on, these services are pushed to the limit now, where is it all going to end? Do we just say 'good bye' to all things green – it really does seem that way, and it is still with a modicum of hope that I trust the powers to be will take note of the many objections submitted and not allow this to happen.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Regulation 19_[R].pdf

231 - Mrs Tania Martin

Submission Number: 231 Submission Date: 07/11/24 20:17

Respondent: Mrs Tania Martin

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Having read the Local Plan Consultation Summary Response Table, which is supposed to contain the council's response to many of the issues raised with the Local Plan, I can see that very little thought has gone into the council's response for what is such an important matter. The overwhelming majority of the responses provided are repeated time and again throughout with little regard being made to the point raised. It appears wholly that comments have been ignored and contributors provided with nothing more than 'sound-bites'. However, in comparison, this is a vast improvement on 'Noted', which is what many contributors received. How can this show that the council has given any thought or consideration to the issues raised.

There appears to have been no systematic process when deciding which sites should be included in the Local Plan. The sites included are largely those that have been out forward by unscrupulous developers, often with no links to the area, but specialise in identifying Green belt land and throwing their financial weight at forcing through planning applications.

The council make much of the fact that they have used the ARUP Green Belt Review to assist in the formulation of this plan, yet ARUP themselves have demonstrated that they failed to abide by their own methodology in conducting this review with regard to site L2.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The proposed development was objected to on a grand scale by local residents, yet the council have still seen fit to include it in the Regulation 19 process.

The planning application to build on site L2 was rejected in January by the planning committee. However, the council seem to have either forgotten or ignored this to include this site in the Regulation 19 process.

The council have failed to address the many flaws highlighted in the original traffic assessment. Not only in relation to the existing problems with local traffic and how the development of L2 will exacerbate this, but they have also neglected to address the impact that the rail freight terminal will have on local roads.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

232 - Hertsmere Borough Council

Submission Number: 232 Submission Date: 04/11/24 09:00

Respondent: Hertsmere Borough Council

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

1.7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Vision and Objectives

Hertsmere's officers' support St Albans 5 Key priorities set out in the plan. We particularly support the District's objective to combat the climate emergency by seeking to achieve Net 0 by 2030 through promoting sustainable business practises. Hertsmere Borough Council continues to support long term visions of boosting the local economy, protecting and strengthening existing infrastructure and delivery of housing. As stated in our previous response, Hertsmere Borough Council continues to expect open discourse and collaboration surrounding Broad Development sites which lie in close proximity to the Hertsmere border.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Hertsmere Council remains supportive of St Albans District council's approach to assessing the quality of greenbelt land and the release of lower quality land through extension of existing settlements and site allocations.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

Strategic Policy SP4 - Housing

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We acknowledge St Albans approach to meeting their housing need as set out by the Government Standard Methodology, a figure of 885 dwellings a year, a total of 14,603 by March 2041. The proposed strategy of 'Brownfield First' and targeting development towards larger towns before assessing and releasing Greenbelt Land is supported.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

HOU2 - Affordable Housing

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans approach to affordable housing, with an overall aim providing 40% as genuinely affordable housing in Broad Location sites is supported by Hertsmere Borough Council.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Following comments made by Hertsmere Borough Council it is noted that alterations to HOU6 – Gypsies, Travellers and travelling Show People following the recent Gypsy, Travellers and Travelling Show People the council have identified a need for 80 designated pitches. St Albans District has stated that many of these new pitches will come through the identified 12 Broad Locations, each of which can accommodate up to a maximum of 20 pitches. The determination of the number of pitches will rely on assessment of a variety of factors including proximity to road network and overall development site scale. Hertsmere supports the decision to plan to meet the full identified need for 80 pitches over the plan period (as identified in the GTAA).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 9

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Local Plan references the work currently being carried out as part of the jointly prepared South West Herts Economic Study update, and that such work will feed into the next version of the Draft Local Plan. The draft Local Plan also acknowledges that this could be above the required need for SADC, and that this provision will be shared with Dacorum Borough Council and potentially other South West Herts authorities. Hertsmere Borough Council supports the protection of existing employment site and creation of new employment space through Broad Development.

As stated in Hertsmere Borough Council's response to the Regulation 18 consultation we hope to continue the working relationship with St Albans District Council on the continued development of the Strategic Rail Freight Interchange north of Radlett especially as it would be contributing to the wider needs of the functional economic market area; the scale of the proposal and its delivery phasing mean that it will contribute to both local (including Hertsmere) and regional/national employment needs.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

TRA4 - Parking

Comment Number: 7

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As per our comments made as part of the Regulation 18, HBC has no specific comments in respect of a majority of this policy, but would like to draw attention to HBC's 'Beryl Bike' sharing scheme, and on-going work with Watford Borough Council, who also has such a scheme, to link these together. There is therefore the opportunity for SADC to be included, and you may wish to refer to such cross boundary collaboration in this policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is therefore the opportunity for SADC to be included, and you may wish to refer to such cross boundary collaboration in this policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

B6 - West of London Colney, AL2 1LN

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site includes the allocation of an 8FE secondary school which is generally encouraged by HBC. The proposed Bowmans Cross allocation currently allocated in HBC Reg. 18 plan includes up to 2 x secondary schools. HBC would encourage the agreement of these schools timings in a future Statement of Common Ground.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 4

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Due to the proximity of this site to Hertsmere's Boundary and Radlett, a reasonable proportion of the Affordable Housing allocation would be expected to be attributed to Hertsmere. This can be further detailed and agreed in a future Statement of Common Ground between the authorities.

Hertsmere would also encourage the development and improvement of the active travel and public transport links as much as feasibly possible surrounding the site ensuring the sustainable connection of the site with the wider area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Due to the proximity of this site to Hertsmere's Boundary and Radlett, a reasonable proportion of the Affordable Housing allocation would be expected to be attributed to Hertsmere. This can be further detailed and agreed in a future Statement of Common Ground between the authorities.

Hertsmere would also encourage the development and improvement of the active travel and public transport links as much as feasibly possible surrounding the site ensuring the sustainable connection of the site with the wider area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans 2024 Local Plan response_[R].pdf

233 - Central Bedfordshire Council

Submission Number: 233 Submission Date: 04/11/24 09:00

Respondent: Central Bedfordshire Council

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

General Comments

The recent consultation on proposed changes to the National Planning Policy Framework (NPPF) set out a proposed new Standard Methodology as well as transitional arrangements that would come into effect once the new NPPF is published. In accordance with proposed paragraph 226, the policies in the Framework will apply for the purpose of preparing local plans from the publication date + one month, unless one or more criteria apply. Criteria C states: the local plan is or has been submitted for examination under Regulation 22 on or before [publication date + one month].

Central Bedfordshire Council recognises the importance for St Albans District Council to have an up-to-date Local Plan in place – indeed, with the current Local Plan dating back to 1994, it is one of the oldest plans in place and is no longer fit for purpose. CBC therefore supports the progression of the St Albans Local Plan under the current version of the NPPF. For clarity, CBC would suggest explicitly stating within the Local Plan, which version of the NPPF the plan has been prepared under – for example at paragraph 1.26.

It is recognised that following adoption of the St Albans Local Plan, it is likely that the Council will need to undertake an immediate review in line with the proposed Transitional Arrangements set out in the recent consultation to reflect the proposed new Standard Methodology for calculating Housing Need as well as any future National Development Management Policies that may arise in the interim.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For clarity, CBC would suggest explicitly stating within the Local Plan, which version of the NPPF the plan has been prepared under – for example at paragraph 1.26.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP3 identifies that the minimum number of homes needed in the district using the Government's current Standard Methodology is 885 dwellings per year, or a total of 14,603 over the plan period to 2041. CBC are supportive of the Council's use of the current Standard Methodology as well as the Council's approach of prioritising development sites on Previously Developed Land/Brownfield land first before releasing some Green Belt sites. Furthermore, CBC supports the Council's approach to selected Green Belt boundary adjustments in the right areas to meet the identified needs as well as to provide wider protection of the remaining Green Belt.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is CBC's understanding from meetings held under the Duty to Cooperate, that St Albans are able to meet all of their housing requirement in full and are therefore not seeking assistance from any neighbouring authorities. Whilst this is alluded to in paragraph 3.19c, the plan does not explicitly state that this is the case. For the sake of clarity, it would be helpful for this to be clearly referenced in the plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

LG1 - Broad Locations

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Broad Locations

In general, we support the allocation of the 'broad locations' for development set out in the draft Plan and we note the proximity of the allocations at North West Harpenden (B7) for 293 residential units and North East Harpenden (B2) for 762 residential units including a school, to Central Bedfordshire. The policies for both North West Harpenden and North East Harpenden commit to a master planning process to be led by the Council. CBC are supportive of this approach as well as the recognition at paragraph 3.32, that 'masterplanning is essential to guide a well-designed development' and that 'a coordinated approach will be required with the District and County Council and other parties to ensure essential infrastructure such as sustainable transport, roads, community facilities, open spaces and schools are provided in a timely manner'.

Given the close proximity to Central Bedfordshire of two of the Broad Locations for growth identified within the draft Local Plan, it is considered that the plan should explicitly identify neighbouring authorities as one of the 'other parties' with whom the Council will engage with as masterplans develop. CBC would welcome further discussions regarding the delivery of both these allocations in due course.

We would also request to be kept informed in relation to any public engagement which takes place as part of this process and would encourage residents and parish councils within Central Bedfordshire within close proximity to the two proposed allocations, to be included in any future engagement.

Central Bedfordshire Council supports the approach to the delivery of Suitable Alternative Natural Greenspace (SANG) and the inclusion of Strategic Policy SP10 – Natural Environment, Biodiversity and Green and Blue Infrastructure, which would apply to any further sites that come forward within St Albans and within the Chilterns Beechwoods Special Area of Conservation Zone of Influence.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

LG5 - Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

CBC welcomes the identification of the need for Green Belt Compensatory Improvements and considers the Policy approach identified is a logical approach rather than attempting to identify new Green Belt within the District of St Albans.

CBC would be interested to understand how the requirements of Policy LG6 differ, or indeed complement, the existing requirements for Biodiversity Net Gain (BNG) and SANG provision.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

LG6 - Green Belt Compensatory Improvements

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Outside of land identified to be released to accommodate growth, CBC considers Policy LG5 to be a positive approach to the consideration of proposals within the Green Belt that proactively seeks to manage and improve Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

During the Regulation 18 consultation, CBC sought clarification on how the identified need for Gypsies and Travellers was to be met within St Albans given there were no proposed site allocations. We note that two allocations are now included in policy HOU6 with two 15 to 20 pitch sites to be delivered within the East Hemel Hempstead South and East Hemel Hempstead Central allocations. The allocation of these two sites is supported, as is the recognition and confirmation within the Gypsy and Traveller Accommodation Needs Evidence Paper, that the G&T Needs arising within St Albans, can and will be met in full within the District.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We note the Council's strategic approach to employment land as set out in policy SP5 and generally support the approach of providing an oversupply within the allocations beyond St Alban's own needs, so that the excess will assist Dacorum Borough and potentially other South-West Herts local authorities in meeting some of their employment requirements.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Transport

Following the recent DtC meeting held between the two Councils on 28th October 2024, Central Bedfordshire Council are waiting for additional model outputs to be provided to quantify any potential cross boundary impact on key routes.

In the meantime, we have set out our current position in relation to the potential transport impacts within Central Bedfordshire and mitigation that may be required. However, as agreed at the DtC meeting, following a review of the traffic modelling data, we hope to revise our position and provide an updated response in relation to traffic impacts in due course.

At the current time, CBC do have some concerns relating to the cross-boundary traffic impacts arising from two proposed allocations in close proximity to Central Bedfordshire, and we are concerned that as drafted, the proposed St Albans Local Plan would not meet the Soundness Tests at Examination, specifically in terms of being Effective, the test for which includes being based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred. Our reasoning is outlined further below.

We note that the Council has updated the traffic modelling for the proposed allocations to ensure the most up to date assumptions have been included. However, the presentation of the modelling makes it very difficult to quantify what impacts to expect on cross boundary routes/ junctions on the B563 and A1081. It is therefore difficult to comment specifically on any mitigation requirements that may be required in the CBC area.

Within our Regulation 18 response, we advised that we would wish to review the specific model runs by site when they were available. This work has now been completed to support the Regulation 19 submission, however, the model output presented is very St Albans centric, with little clear data presented for the northern boundary of the authority area. The junction delay plots and journey time routes for example, stop short of sections of key routes into Central Bedfordshire (A1081, B653) but it appears that there are some locations that are impacted across the boundary, without a clear entry in the Infrastructure Delivery Plan (IDP) where this may warrant further investigation.

From the work on the Luton Rising DCO, it is known that the A1081 and B653 south of Luton are both sensitive to increases in traffic, with the A1081 junction with Newlands Road (which is due to be signalised), the junction with Half Moon Lane and the junction with West Hyde Road likely to be sensitive to increases in flow, whilst on the B653 the crossroads junction with West Hyde Road and Chiltern Green Road was identified as being particularly sensitive to increases in traffic, with increased flows on the B653 resulting in potentially significant levels of queuing on the side roads.

The journey times in tables 9-11 and 9-12 of the COMET St Albans LP modelling report forecast an increase on the A1081 (Route HPD1) and the B653 (Route HPD 2a). Unfortunately, as noted above, the journey time route pretty much ends at the District boundary for HPD1 and only extends partly across the boundary for HPD2a, but these would seem to be fairly clear indicators of increased congestion and delay on these routes, due to the additional levels of traffic demand modelled. It is likely that this would extend across into the CBC network.

It is considered that the majority of the increases on the CBC network would be attributable to the North-East Harpenden proposed allocation, with a lesser amount from North-West proposed allocation, and possibly some residual further traffic from the other proposed allocations routing north towards Luton.

On neighbouring authority growth, its noted that outside of Hertfordshire, National Trip End Model (NTEM) 7.2 levels of growth have been applied. The described rationale for this is understood, however with large scale development currently under consideration for the expansion of London Luton Airport, we could suggest that consideration is given to London Luton Airport both at its current operation and potentially expanded, as key cross boundary routes will be affected, and this is an area that SADC are seeking specific agreement on the SoCG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy TRA1 a) ii) states 'Proposals must demonstrate that development would not lead to highway safety problems or cause unacceptable impacts upon the transport network'. CBC consider that this section should be strengthened and improved by adding 'including the network in neighbouring authority areas.'

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CBC consider that this section should be strengthened and improved by adding 'including the network in neighbouring authority areas.'

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

NEB11 - Chilterns National Landscape

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the recognition in the plan and Policy NEB11 that some allocated sites are located close to the designated landscape and so have the potential to impact upon the setting of the Chilterns National Landscape. We agree that great weight should be given to conserving and enhancing the landscape and scenic beauty in the Chilterns National Landscape.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

Chapter 14 - Implementation

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

CBC welcomes the detailed Infrastructure Delivery Plan (IDP) that has been provided alongside the draft St Albans Local Plan. It is considered essential that all Infrastructure required as a result of growth within St Albans, is funded and delivered in a timely manner so as not to compromise the sustainability of new development or to detrimentally impact on existing residents and communities both within and neighbouring St Albans.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

B2 - North East Harpenden, AL5 5EG

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

It is stated that the development will result in increases of up to 200 Passenger Car Units (PCU's) on the local network including the B653. As referenced above we are interested in seeing the specifics for the cross-boundary section of the route to ascertain whether those increases relate to cross boundary routes into and out of CBC, rather than on the route further south in the SADC

area. If this is the case, CBC would expect to see specific policy requirements for this proposed allocation to ensure that these impacts are addressed and fully mitigated. Highway schemes referenced in the IDP schedule are mainly focussed on access and not any other type of mitigation, of which cross boundary/off site mitigation could be one.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

B7 - North West Harpenden, AL5 3NP

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As the quantum of development proposed for this allocation is not large, we would expect cross boundary impact to be low, but nevertheless some sight of the plots/modelling output on the key routes into Central Bedfordshire would be helpful to ascertain if there are likely to be any impacts that require mitigation. If this is the case. CBC would expect to see specific policy requirements for this proposed allocation to ensure that these impacts are addressed and fully mitigated.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19 - CBC Response_[R].pdf

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234 - Tanya Sanders

Submission Number: 234 Submission Date: 04/11/24 09:00

Respondent: Tanya Sanders

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am writing to you with regard to the proposed development of Site M9 Amwell Top Field.

This plot is not suitable for development.

There is no suitable access to the site, as already identified.

There is a large, high pressure gas pipeline crossing the field.

The joining of 2 footpaths, both already easily accessible, is not a justifiable reason to pass the development plan.

This is green belt land, currently used for arable purposes.

The local roads (Amwell Lane, Butterfield Road, particularly at the junction with Brewhouse Hill, and Brewhouse Hill itself) cannot cope with additional traffic that this development would produce.

There are many more sites in the Local Plan that are far more suitable for development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sanders_T_[R].pdf

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235 - Mrs Patricia Wright

Submission Number: 235 Submission Date: 07/11/24 20:53

Respondent: Mrs Patricia Wright

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The inclusion of this site is well within the methodology in the Arup Green Belt Review 2023

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

No

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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236 - Robert Greenhill

Submission Number: 236 Submission Date: 04/11/24 09:00

Respondent: Robert Greenhill

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The inclusion of M9 in the Draft Plan is not “justified” because:

1. There are “both policy and technical barriers to its use”.
2. There are reasonable alternatives offered in the Local Plan.

The policy and technical barriers include:

1. Amwell Lane cannot serve as an access.
2. The ADJACENT Amwell Conversation Area prevents use of the southern HALF of the site. This is an important corridor for the development of flora and fauna for the recently (2008/9) established Heartwood Forest. This is already a key recreational asset for St Albans District and beyond.
3. The presence of a 1200mm diameter, National, High Pressure Gas Main crossing the middle of the site from west to east will result in easement rules which will further restrict the utility of this site.
4. The adjacent recreation ground was the site of relatively recent land infill.

In my view, access is difficult to resolve due to:

a) The routes of important footpaths between the village and Heartwood Forest.

b) The presence of the recently completed Football Pavilion and its adjacent car parking area. The car park is regularly over capacity and can only be accessed through the only residential road into Old School Drive. This is a recent, medium-sized residential area which is already suffering from street-parking. I assume the pavilion will be the ‘home’ of the very successful Wheathampstead Wanderers Football Club established over 30 years ago and now serving the recreational needs of hundreds of boys and girls from Wheathampstead and the surrounding area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Greenhill_R_[R].pdf

237 - David Brooks

Submission Number: 237 Submission Date: 05/11/24 09:00

Respondent: David Brooks

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Objections to the above proposed development:

1. Access down Amwell Lane unacceptable.
2. Use of Old School Drive and loss of carpark near playing field would cause more problems with parking.
3. Loss of greenbelt
4. Excess traffic in rural area
5. Other more suitable sites earmarked for development plan in Wheathampstead
6. Proximity to major gas pipeline

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Brooks_D_[R].pdf

238 - Paul Wilkinson

Submission Number: 238 Submission Date: 05/11/24 09:00

Respondent: Paul Wilkinson

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am submitting my response by email as I have found the Portal arduous to use and, no doubt, a deterrent to other would be contributors, so I am sure you will have had less response than otherwise might have been the case.

Be that as it may I am aware that there is significant opposition to the inclusion of L2 (West of Watling Street) in the Plan to which I add my own opposition. Given the status of this land - Primary Green Belt / Productive Agricultural / Wildlife Habitat etc - I am astonished to see it included.

The Council's responses to the numerous valid objections to the inclusion of L2 are, in my opinion and that of others I have spoken with, superficial, lacking in important detail and perfunctory, with repeated comments like "noted" or "The inclusion of the site is in line with the methodology in the Arup Green Belt review 2023 ....." (This review was much criticised for its integrity at the recent public inquiry into the building of 95 dwellings and totally rejected by objectors).

In my opinion the Council's responses are an insult to the heartfelt, technically valid concerns and hard work that the community have contributed to the consultation process and are an undermining of the democratic process. This is very much to the Council's detriment

In conclusion, I do not accept that this draft Local Plan is sound and, as it relates to L2, it is certainly contrary to the wishes and well laid out legitimate objections of the overwhelming majority of local objectors.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wilkinson_P_[R].pdf

239 - Alison Joynson

Submission Number: 239 Submission Date: 06/11/24 09:00

Respondent: Alison Joynson

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As over a hundred other [redacted] of the Park Street/Frogmore villages have done, I have written several times objecting both to developments on this area and the inclusion of it in the Local Plan. All these perfectly-valid objections have been dismissed by the St Albans District planners without proper consideration and often by making incorrect statements.

I am repeating my prior objections to the inclusion of L2 in the Local Plan as all of these objections are stlll valid. This site should be removed from the local plan.

a) This area of the Green Belt is the only open space south of the Park Street roundabout along Watling Street between St Albans and Park Street and is beautiful open farmland. It is an integral part of the Green Belt between St Albans and How Wood and Park Street. Along with the rest of the Green Belt south of St Albans (Land Parcel 28) it has prevented coalescence of Park Street, How Wood and St Albans for decades. As the only Open space along Watling Street it fulfils the requirements of Green Belt purposes very well by maintaining an undeveloped gap between St Albans and Park Street/Frogmore and it should be retained as Green Belt and not developed.

b) If developed it would also break through the current strong, permanent, 2000 year old barrier of Watling Street. This would then violate two of the main reasons for maintaining the rest of the Green Belt in this area which are :- not joining St Albans to Park Street and having a strong permanent Green Belt border. Further encroachment on this countryside. between St Albans and Park Street and How Wood would then be facilitated. This is why developers are so keen to break into this area via this site.

c) There are no facilities within easy walking distance except a small convenience shop in the BP garage. All other shops will require a car journey. The junior school is too far away for children to walk so will also require additional car journeys. The bus services from this location are too unreliable to use on a regular basis. They only run infrequently during the day and not at all on Sundays and Bank Holidays. Park Street station is 750m away from the houses and only provides an approximately hourly but unreliable shuttle service between Watford and the small St Albans Abbey Station. As virtually all journeys will have to be made by car the site is not sustainable

Traffic along Watling Street at peak times is horrendous with queues tailing back up to the top of the hill. With this development, where everyone would need to use cars to get anywhere, the situation would be a lot worse. Access to the site would generate road blockages for traffic travelling south and aggravate the already long queue for those travelling north.

d) There is a wildlife reserve on this site and it has even been suggested that this should be built on. Neither the potential developers, nor ARUP, who carried out the Green Belt review, has carried out a thorough biodiversity survey of the effect of this development both on the wheat field and the wildlife reserve. There are protected species of animals both on and around the site, including badgers, bats, hedgehogs, reptiles and red-listed birds. These will be adversely impacted by development. An assessment of the significant negative effect of this development and a critique of the inadequate review done by the potential developer, was submitted in March 2022 as part of the response to the original planning application and is still valid.

In summary, this site is one of the most important Green Belt sites in the District and needs to be kept as Green Belt and not developed.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Alison reasons against development Local Plan 2024_[R].pdf

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240 - Mrs Cathy Mcardle

Submission Number: 240 Submission Date: 07/11/24 21:20

Respondent: Mrs Cathy Mcardle

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The council did not listen to new evidence regarding the selection of North St Albans and this site does not meet sustainable development due to factors such as elevated severe flood risk, No safe delivery option for sustainable active travel highway plus it goes against the recommendations of the second Green Belt Review ARUP.

This local plan fails the people of the district it allows over development, our roads will become permanent long traffic jams.

There is no strategy to deliver social housing operated by the council, instead to be run by Housing associations offering investors 15% profit. This is not good for those in most need within our community.

In the case of North St Albans the Local Cycling and walking plan is high level and has not been adequately evidenced.

This local plan fails our community as vast areas of productive farmland, open spaces and valuable wildlife habitats will be lost.

I do not see evidence that the proposed number of houses are required and I wonder why the council is so keen to push ahead with this flawed plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B1 - North St Albans, AL3 6DD

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The council did not listen to new evidence regarding the selection of North St Albans and this site does not meet sustainable development due to factors such as elevated severe flood risk, No safe delivery option for sustainable active travel highway plus it goes against the recommendations of the second Green Belt Review ARUP.

This local plan fails the people of the district it allows over development, our roads will become permanent long traffic jams.

There is no strategy to deliver social housing operated by the council, instead to be run by Housing associations offering investors 15% profit. This is not good for those in most need within our community.

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This local plan fails our community as vast areas of productive farmland, open spaces and valuable wildlife habitats will be lost.

I do not see evidence that the proposed number of houses are required and I wonder why the council is so keen to push ahead with this flawed plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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241 - Dr David Joynson

Submission Number: 241 Submission Date: 06/11/24 09:00

Respondent: Dr David Joynson

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I object to the inclusion of L2 - West of Watling Street in the District Local Plan it should be removed for the following reasons

1 Council Treatment of Existing Objections

1.1 ARUP Methodology

Over a hundred local residents have already presented Objections to the inclusion of this site in the previous Local Plan and these are still applicable. The council reply (in Ref 1) to more than sixty of these has been "The inclusion of this site is in line with the methodology in the ARUP Green Belt Review 2023, which recommends the site for further consideration'. However the council reply is not correct. I assume that the writer has not read the ARUP review (Ref 2) carefully nor the submission by Greebelt (Ref 3).

In the ARUP review there is a methodology for evaluating which sites within an ARUP buffer zone should be assessed for development,where a motorway, A-road or railway line forms a natural stop to the settlement,. This is shown on page 24 Fig 4.3 (Ref 2). The area of land near the bottom left is marked with a 'X' which ARUP defines as 'not assessed' thus any assessment of such land is contrary to the ARUP methodology.

The land L2 opposite the BP garage is wihin the ARUP buffer zones and is next to an A-road so it meets these criteria. It is definitively shown (in the Greenbelt submission Ref 3) that is in exactly the same relative position as the site marked with an 'X' on the ARUP Fig. 4.3 as not to be assessed (for development). Thus according to the ARUP methodology L2 should not have been considered for release from the Green Belt.

1.2 Consideration of Objections

In response to the sixty plus residents' Objections menioned above the council has not given one single reason why any of these Objections should be rejected. As well as noting the error made by the council as above (Section 1.1) it can be seen that the only comment made is for 'further consideration' of the site. 'Further considertaion' does not mean dismissing the Objection, but means considering whether the site should be released for development or not. This clearly has not taken place. Given the large number of valid objections, many agreed with by ARUP in their report, plus some not even considered by ARUP at all, together with the breach of so many NPPF guidelines, Green Belt purposes and even government policy the correct 'consideration' should be to accept the Objections and remove the site L2 from the Local Plan.

2 Biodiversity and the Environmental Value of this Site

According to The Local Plan in Chapter 10 it 'seeks to protect and enhance the natural environment and biodiversity' This is completely incompatible with proposing L2 for development.

The L2 site consists of an arable field and a wildlife reserve and the combination creates a relatively ecologically rich site. The reserve and associated field has a thriving badger and small mammal population (including red-listed hedghog) and creates a diverse and varied wildlife environment. A review, carried out, by a prospective developer, of the environmental value of the arable field was flawed as it did not include a) the effect of development on the wildlife reserve nor b) the widlife contribution of the field margins. It is well-documented that arable field margins are a rich habitat for butterflies and moths and the long narrow shape of the field mean that these are a bigger proportion of the field than usual. These insects, their caterpillars and the arable crops of the field also have a very positive efffect on the local bird population and significantly increase the biodiversity of the whole area.

I have undertaken surveys of the local area for a national wildlfe charity for about fifteen years during which time I have found 12 species of butterfly and 39 species of bird of which 36 have been seen in the last 4 years. (Most recently skylark singing over the field and peregrine falcon). Many of the birds and butterflies visit local gardens. Development of this site as a modern residential development with paved/tarmac drives and modern 'easy to maintain' rear gardens will reduce the biodiversity significantly. This is contrary to the Council policy stated in Chapter 10 of the Local Plan

3 Current Governnment Priorities for Development

The current government policy was made in a Ministerial Statement to the House of Commons on the 30th July (Ref 4 Page 2) and repeated in the latest Draft of the NPPF (Ref 5) on an order of priority for development . This is 'first to brownfield land, before moving onto grey belt sites and then to higher performing Green Belt land'. Grey Belt has been variously described by the government and draft NPPF as Green belt 'with little aesthetic or environmental value', as 'previously developed land', as being of 'poor quality and ugly areas' and 'having little ecological value'. This is the exact opposite of the Watling Street site which is of excellent quality serving as a productive arable field, is beautiful countryside, has a high biodiversity and ecological value.. It is thus clearly high quality Green Belt and should not therefore be prioritised for development.

There are in St Albans previously developed and ugly, heavily degraded Green Belt sites which have little or no ecological value and fulfil all the definitions of 'Grey Belt' and are not included in this proposed District Plan. .According to government policy' these sites should be developed first. The L2 site is productive agricultural land which has never been developed, has high biodiversty value and is a very important part of the Green Belt as highlighted in the previous objections . According to both the Ministerial Statement and the NPPF this land should not even be considered as a priority for development.

4 Summary

I object most strongly to the continuing inclusion of this site for devlopment in the Local Plan. As the council has ignored my previous objections I am including (in the Appendix below) a copy of those I raised to the Draft Local Plan in 2023 omitting duplication with the above. It can clearly be seen that L2 performs the functions of Green Belt extremely strongly with respect to maintaining gaps between settlements and preventing encroachment on the countryside. Developing this land also violates the NPPF on boundaries and is contrary to the government policy to prioritise degraded land that has already been developed ('Grey Belt') and it creates extended ribbon development. In suggesting L2 for development ARUP (Ref 2) misrepresented the nature of the land; included a judgement on the gap between St Albans and Park Street that is clearly untrue and broke their own rules on the sort of site that should be considered for development.

Reference 1 SADC Local Plan Consultation Summary Responses Table

Reference 2 ARUP St Albans Stage 2 Green Belt Review Final Report and Annex June 2023

Reference 3 'Draft Local Plan L2/SA108An assessment of the proposed release of sub-area SA108 from the Green Belt ....' Greenbelt July 2023

Reference 4 Statement by the Secretary of State for Housing, Commnities and Local Government 30th July 2024

Reference 5 Draft National Planning Policy Framework (latest Issue) 30th July 2024

Appendix: Objections already made to the Draft Local PLan 2023

The proposed development L2 - West of Watling Street should be removed from the District Plan for the following reasons

1 To stop the Merging of Settlements

Green Belt Purpose two is to prevent neighbouring towns and built-up areas from merging with each other. This piece of Green Belt represents 70% of the gap between St Albans and Park Street/Frogmore and if developed would leave a gap of only c150m. This is less than the minimum distances considered adequate (e.g. the 400m used by ARUP in their Green Belt Report Ref 1) and thus it would merge the two settlements in violation of Purpose two of the Green Belt .

2 Unique position of this area of Green Belt

The existing gap of 500m between St Albans and Parkstreet/Frogmore is the smallest of the remaining gaps between St Albans and any of the surrounding built-up settlements. This piece of Green Belt is therefore the only one of this size in the whole of the St Albans District which if developed would merge two settlements. As such it is uniquely important to maintain this area as undeveloped Green belt.

3 Avoidance of Ribbon Development

The Local Government Association Planning Advisory Service (LGA-PAS) identifies the prevention of ribbon development as one of the positive achievements of the Green Belt. This development would merge St Albans with Park Street/Frogmore by ribbon development along Watling Street (A5183) in contradiction to the LGA-PAS. Even worse it would create ribbon development all the way from the M25 to the centre of St Albans.

4 Violation of National Planning Policy Framework (NPPF)

As well as breaking Green Belt rules, proposing to develop this area of land violates the NPPF. Firstly the NPPF states that when assessing Green Belt for development first consideration should be given to land that has been 'previously developed and/or is well served by public transport'. There are areas of underutilised brownfield sites and some Green Belt land that falls into this category. This site, however, is productive agricultural land which has not been developed and public transport is very poor.According to The NPPF this land should never have been considered as a priority for development.

5 Green Belt Boundaries

Secondly, according to the NPPF, Green Belt boundaries should be recognisable and permanent. The current boundary is the 2000 year old Roman Road, Watling Street and is both recognisable and permanent.. The new boundary would be a row of sparsely planted trees in the middle of a field which is neither permanent not even adequate according to the ARUP report (Ref 2). Developing this area thus violates this important NPPF principle of Green Belt boundaries.

6 Assist in Safeguarding the Countryside from Encroachment

The NPPF emphasises purpose three of the Green Belt which is to 'assist in safeguarding the countryside from encroachment' . The whole area west of Watling Street and north of Park Street Lane/Tippendell Lane is countryside including wheat fields, grassland and a nature reserve. The strong and permanent boundary of Watling Street protects all of this area from encroachment. Replacing this boundary with a weak impermanent one would facilitate later encroachment on the rest of this countryside. Developing SA108 is thus contrary to the NPPF and Green Belt policy as a whole.

7 Separation of sub-area SA108 from SA107

It has never been suggested before, neither in the 2013 SKM Green Belt review nor the 2017 AECOM review, that the area of Green Belt west of Watling Street between Park Street and St Albans (Land Parcel 28) should be split into two separate Sub-Areas nor that the 'new' SA108 should be released for development. Land Parcel 28 is an integral whole much of which is farmed by the same farmer for wheat and other cereal crops. As noted above, artificially dividing this area into two replaces a strong permanent boundary by a weak impermanent one and thus the creation of sub-area 108 is in breach of the NPPF. SA108 and SA107 should be merged together again as a single unit.

8 Development of SA108

ARUP made a number of serious errors in proposing this area for development. For Green Belt Purpose 2 ARUP have classified SA108 as being 'enclosed' by built development. This is a complete misrepresentation. This site is Open and is substantially surrounded by undeveloped Green Belt. In the photograph that ARUP took of this site there is not a building in sight. They also state that this development will not close the gap between St Albans and Park Street which is manifestly untrue (Points 1-3 above)

9 Traffic at Park Street Roundabout

There are already long queues during rush hours and the building of the Rail Freight Terminal will generate 10,000 to 15,000 vehicle movements per day many of which will use Watling Street past this development. Even more will cross the Park Street roundabout, causing additional queuing. No proper assessment of this has been done. The potential developer carried out their survey during COVID when driving restrictions applied. It is ridiculous to then build a housing development here before the effect of the Rail Freight Terminal is known.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

L2 - West of Watling Street site should be removed.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. David Objections to the Local Plan 2024 Final_[R].pdf
2. Joynson_D_[R].pdf

242 - Steve Barker

Submission Number: 242 Submission Date: 07/11/24 21:29

Respondent: Steve Barker

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I express my dissatisfaction with the responses provided in the “Local Plan Consultation Summary Response Table” regarding site L2, specifically on pages 114 to 130. It is disheartening to see that the Council's responses to the numerous comments, including mine, have been largely dismissive and lack substantive engagement.

Many people raised concerns about the Plan during the Regulation 18 consultation last year, particularly about the impact on green belt and traffic congestion. However, these concerns appear to have been dismissed with standard, non-specific responses such as “Noted,”“The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023,” or “The Council is working with Herts County Council as the Highway Authority to undertake the transport impact assessments for the Reg 19 draft Plan.” etc.

It is frustrating to see that the feedback process seems to be a mere formality, with little to no genuine consideration given to the concerns of the community. This indicates the the feedback has not been considered.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

243 - Network Rail

Submission Number: 243 Submission Date: 06/11/24 09:00

Respondent: Network Rail

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Network Rail is reiterating the previous comments (Regulation 18, attached) in relation to the Hemel Garden Village proposals.

Network Rail are keen to work with St Albans Council to help shape and bring forward the plans set out in the consultation draft. We have the following specific comments to make following review of the draft plan: Network Rail would like to highlight that there is potential interface with NR interests, including at Hemel Station with the construction of the Hemel Garden Village proposed.

Given the scale of the development (over 4,000 dwellings) it is likely that there will be a significant increase in patronage of Hemel station. This may affect the current capacity of the station (including car parking provision) and needs to be taken into consideration in any emerging plans.

We would like to work with the council and future developers as these plans mature but the requirement for developer contributions towards improved facilities should be highlighted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would like to work with the council and future developers as these plans mature but the requirement for developer contributions towards improved facilities should be highlighted.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NETWOR~4.pdf
2. Network_Rail_Email_[R].pdf

EMP2 - Strategic Rail Freight Interchange (SRFI)

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We also note and fully support the allocation of the Radlett SRFI as making an important contribution to the Government's sustainability agenda in increasing opportunities to put more freight on the railway.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NETWOR~4.pdf
2. Network_Rail_Email_[R].pdf

UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Network Rail is reiterating the previous comments (Regulation 18, attached).

For the St Albans Abbey branch line, proposals include a large supermarket site at St Albans Abbey station, with intensification of the car park for housing. We wish to highlight that there is a nearby level crossing at Cottonmill Lane. We would encourage early discussion with Network Rail to ensure that the level crossing is given suitable consideration as plans develop.

There doesn't appear to be anything in the 'key development requirements' about the level crossing at Cottonmill Lane. Developments should be accompanied by a TS/TA which includes consideration of the impact of proposals upon any Cottonmill LC with mitigation implemented as required. We would encourage the Council to adopt specific policy wording to ensure that the impact of proposed new development (including cumulative impact) on the risk at the existing level crossing is assessed by the developer(s), and suitable mitigation incorporated within the development proposals and funded by the developer(s). TS/TAs should be undertaken in conjunction with the local highways authority with advice from Network Rail. Contributions will be sought where proposals impact on level crossings to mitigate the impacts of those developments. Where level crossing closure is the only option, the applicant is advised that closure would be via s257 of the T&CPA, and that closure would be required before the occupation of any dwellings.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would encourage the Council to adopt specific policy wording to ensure that the impact of proposed new development (including cumulative impact) on the risk at the existing level crossing is assessed by the developer(s), and suitable mitigation incorporated within the development proposals and funded by the developer(s).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NETWOR~4.pdf
2. Network_Rail_Email_[R].pdf

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244 - Miss Louise Noonan

Submission Number: 244 Submission Date: 07/11/24 21:29

Respondent: Miss Louise Noonan

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The traffic assessment for L2 is seriously lacking. There hasn't been any traffic study that considers the impact of the new Rail Freight Terminal. The Rail Freight Terminal is expected to generate over 10,000 vehicle movements daily, with many of these passing along Watling Street near L2.

Has any traffic study been done to address the fact that additional developments will compound any other assessments that have taken place?

The site is located near three already busy roads and an extremely hazardous roundabout, yet no traffic assessment appears to have been carried out. We were assured that a traffic assessment would be done, but it seems this hasn't been fulfilled.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

245 - Rose Soulsby

Submission Number: 245 Submission Date: 06/11/24 09:00

Respondent: Rose Soulsby

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I am writing to object to the building of 60 houses on M9 - Amwell Top Field, Wheathampstead.

My main reason is the vehicle access to the site. Amwell lane is already a narrow road making it at times dangerous and hard to see on coming traffic when driving on it. This is without the additional traffic the development would create, only amplifying this challenge further if more houses were developed with access being via it.

Secondly, I believe there is a high pressure gas pipeline within the site which should not be built near.

Thirdly, this greenbelt field is extremely close to Amwell conservation area, and development this close will have a negative impact on the wildlife within it.

It also provides key walking g routes to nomansland which would be impacted by such a development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Soulsby_R_[R].pdf

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246 - Alison Sharp

Submission Number: 246 Submission Date: 06/11/24 09:00

Respondent: Alison Sharp

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

It has just been brought to my attention that it is proposed to build 60 homes on land off Amwell Lane, Wheathampstead.

I understand access cannot be made off Amwell Lane and surely before this can go any further it should be made known to those who may be involved where the access to the new development would be sited. Also on the information given under M9, no mention is made of the very large gas pipe which runs under the land of the proposed site.

I presume consideration has been made that there is only one doctors surgery, one chemist and two shops selling produce in Wheathampstead. It is difficult to get doctor's appointments and school places which 60 homes will need and would make it even more difficult.

As you can tell from the above I am very much against this project.

It would be appreciated if you could reply to this email with any relevant information.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sharp_A_[R].pdf

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247 - Mr Matthew Johns

Submission Number: 247 Submission Date: 07/11/24 21:47

Respondent: Mr Matthew Johns

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The site allocation process has ignored the feedback concerning the appropriateness of some of the sites concerned and as such is legally flawed and fails in respect of the duty to cooperate.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The proposal to develop the site has not taken into consideration the comments of the local residents (including myself) and appears to be based upon false comments as to the appropriateness of the site. As such the site allocation process is flawed and fails in the Duty to Cooperate. In particular the Traffic Assessment is based upon atypical traffic flows and so extrapolation as to the impact are misleading. The assessment of the site's panorama and space in the proposal are presented using photographs that have been modified, giving an unrealistic impression of the site's current position and meaning that any decision based upon them will be found to be flawed.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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248 - Historic England

Submission Number: 248 Submission Date: 06/11/24 09:00

Respondent: Historic England

LG1 - Broad Locations

Comment Number: 19

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

LG1- Broad Locations

We welcome criterion q which requires proposals to be informed by a detailed Heritage Impact Assessment and Archaeological Desk-Based Assessment which address the recommendations of the HIAs prepared in 2024.

Figure 3.2 Indicative Concept Plan for HGC Growth Areas

We note that existing farmsteads (many of which include listed buildings) are shown as focal points. It is important to recognise that there will need to be appropriate protection and enhancement of heritage assets through sensitive masterplanning of the site including setbacks, landscaping etc. This requirement should be included in the policy and supporting text.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Figure 3.2 Indicative Concept Plan for HGC Growth Areas

We note that existing farmsteads (many of which include listed buildings) are shown as focal points. It is important to recognise that there will need to be appropriate protection and enhancement of heritage assets through sensitive masterplanning of the site including setbacks, landscaping etc. This requirement should be included in the policy and supporting text.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 20

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

LG3 - Hemel Garden Communities Growth Areas Place Principles

There is currently no mention of the historic environment in the Place principles. We recommend an additional criterion be included to recognise the importance of the conservation and enhancement of the historic environment as well as its key role in placemaking.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend an additional criterion be included to recognise the importance of the conservation and enhancement of the historic environment as well as its key role in placemaking.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

LG4 - Large, Medium and Small Sites

Comment Number: 21

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

LG4 — Large, Medium and Small Sites

We welcome criterion o which requires proposals to be informed by a detailed Heritage Impact Assessment and Archaeological Desk-Based Assessment which address the recommendations of the HIAs prepared in 2024.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

Strategic Policy SP11 - Historic Environment

Comment Number: 62

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the inclusion of a strategic policy for the historic environment.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf

HE1 - Designated heritage assets

Comment Number: 63

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome a policy on designated heritage assets.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf

HE2 - Non-designated heritage assets

Comment Number: 64

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the reference to setting in the policy.

The Plan should include criteria for the local designation. We refer you to our advice in HEAN 7 Local Heritage Listing (see pages 9 and 10). We recommend that this be included as an appendix in the Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Plan should include criteria for the local designation. We refer you to our advice in HEAN 7 Local Heritage Listing (see pages 9 and 10). We recommend that this be included as an appendix in the Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf

HE3 - Archaeology

Comment Number: 65

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the reference to setting in the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf

HE4 - Scheduled Monuments

Comment Number: 66

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the change to refer to Scheduled Monument and also the addition of the reference to setting.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf

HE8 - Responsible retrofitting

Comment Number: 67

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Typo in 11.29 - 'from', not 'form'. We also recommend including reference to our new Historic England Advice Note 18 Adapting Historic Buildings for Energy and Carbon Efficiency in footnote 27.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Typo in 11.29 - 'from', not 'form'. We also recommend including reference to our new Historic England Advice Note 18 Adapting Historic Buildings for Energy and Carbon Efficiency in footnote 27.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf

DES6 - Building Heights

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

DES6 - Building Heights

At regulation 18, we raised the issue of lack of evidence to support the Building Heights Policy. We are pleased to see that you have now reviewed the evidence base and refined the corresponding Map 12.1.

However, in our response we recommend that you review a number of additional key viewpoints around the city and include these in the Review document. The map should also be amended accordingly. In addition, we have suggested some changes to the policy wording itself.

We welcome the reference to heritage assets in criterion a ii. We also welcome reference to historic features at b v.

We recommend that the policy should also refer to the need for applicants to demonstrate and quantify the potential harm of proposals for the significance of heritage assets.

The policy should refer to the importance of kinetic views.

Map 12.1

Once the other viewpoints listed above have been considered and assessed, the map should be amended to reflect these other viewpoints.

Evidence Base

We welcome the review of the Building Height Control Area.

We note that you have revisited the viewpoints from the previous study and updated the map to reflect any changes in views.

We suggest that a number of other views should also be considered.

Further to our recent DtC meeting, we acknowledge that for LVIA purposes the focus should consider views from local communities focusing on the way that a community currently experiences views from public locations such as streets and open spaces and how those will change. Views from houses and individual properties are a matter of private amenity. (Landscape Institute / IEMA guidance (GLVIA3))

We are advocating for additional viewpoints to assist in understanding heritage impacts. Good Practice Advice Note 3 on the Setting of Heritage Assetsmakes it clear that *The contribution that setting makes to the significance of the asset does not depend on there being public rights or an ability to access or experience that setting'.* Moreover, it is also worth bearing in mind that

Gorhambury Drive has permissive access for most of the year, enabling access to the EHT property at Old Gorhambury House and with part of its length even promoted as the Hertfordshire Way Recreational Route: https://www.gorhamburyestate.co.uk/gorhambury-drive/& https://www.english-heritage.org.uk/visit/places/old-gorhambury-house/.

Please explore these views and amend the review document and map if needed. b)

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy DES6

We recommend that the policy should also refer to the need for applicants to demonstrate and quantify the potential harm of proposals for the significance of heritage assets.

The policy should refer to the importance of kinetic views.

We suggest that a number of other views should also be considered.

These include:

- Bacons Mound - there is a designed view towards the Abbey from this outlying part of the Gorhambury RPG which lies within the scheduled monument.
- Gorhambury Estate and Drive - various views from this higher land across towards the city
- The Roman Theatre - there should be a viewpoint from the theatre.
- Sopwell Priory - there are important historical connections between the Priory and Abbey. The Building Height Control Area viewpoint review and Conservation Management Plan review currently being undertaken by the Council should both explore the setting of the priory and any important views towards the Abbey. We recommend that you liaise with the City Archaeologist to work up any designated view here in tandem with the project to prepare a Conservation Management Plan for the priory.
- Wheathampstead - Check for any views of the city/abbey tower from Wheathampstead, including the iron age oppidum.
- We note that viewpoint E has been changed to run along the public footpath through the park. Whilst we agree that the footpath is an important view, views from higher up the hill are also important and should be retained as a viewpoint.

We are advocating for additional viewpoints to assist in understanding heritage impacts. Good Practice Advice Note 3 on the Setting of Heritage Assetsmakes it clear that *The contribution that setting makes to the significance of the asset does not depend on there being public rights or an ability to access or experience that setting'.* Moreover, it is also worth bearing in mind that Gorhambury Drive has permissive access for most of the year, enabling access to the EHT property at Old Gorhambury House and with part of its length even promoted as the Hertfordshire Way Recreational Route: https://www.gorhamburyestate.co.uk/gorhambury-drive/& https://www.english-heritage.org.uk/visit/places/old-gorhambury-house/.

Map 12.1

Once the other viewpoints listed above have been considered and assessed, the map should be amended to reflect these other viewpoints.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

DES8 - Shopfronts and Advertisements

Comment Number: 68

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the additional references to restoring and enhancing shop fronts in the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf

Part B - Local Plan Sites

Comment Number: 3

Type:

* Site

Number:

Site OS2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

OS2 Toulmin Drive / Highelms, St Albans, AL3 6DX

This site lies approximately 150m from a scheduled monument, the Batch Wood Moated Manorial Site. The Childwickbury Conservation Area lies to the north west of the site. Development of this site has the potential to impact on the setting of the scheduled monument.

We welcome the preparation of the HA by Place Services. The HA references the potential for funding of improvement management and promotion of the monument.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend that a criterion is added to the policy to conserve and enhance the significance of the scheduled monument and reference to potential for contributions to improved management and promotion of the monument.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

H1- North Hemel Hempstead, AL3 7AU

Whilst there are no designated heritage assets within the site, there are a number of grade H listed buildings to the north and east. In addition, the Aubrey's Camp scheduled monument (LEN: 1003520) lies to the east of the site. Any development of the site has the potential to impact these heritage assets by affecting their settings.

We welcome the preparation of the HA. We broadly welcome the inclusion of criterion 16 and 17 in relation to heritage assets and Aubrey's Camp scheduled monument.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend that criterion 16 would be further improved if amended to read:

Through Masterplanning the layout and design of development should conserve and where appropriate enhance the significance of the Grade II Listed Holtsmere Manor, the Grade II Listed Great Revel End Farmhouse, the Grade II Listed Barn at Great Revel End Farmhouse and the Grade II Listed Wood End Cottages and their settings; this should include the incorporation of appropriate set backs of development and creation of open spaces.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

H2 - East Hemel Hempstead (North), HP2 7HT

The site contains three Grade H listed buildings centred on Wood End Farmhouse. As a farm, these buildings have a direct association with the rural landscape. Further afield, the remains of Old Gorhambury, listed at Grade I, Gorhambury listed at grade H*, Bacons House scheduled monument and Gorhambury Registered Park and Garden and a number of other grade H listed buildings lie to the east of the site. Any development of H2 has the potential to impact these heritage assets by affecting their settings.

We welcome the preparation of the HA. We broadly welcome the inclusion of criterion 17 and 18 in relation to heritage assets and Aubrey's Camp scheduled monument.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend that criterion 17 would be further improved if amended to read:

Through Masterplanning the layout and design of development should conserve and where appropriate enhance the significance of the Grade II Listed Wood End Farm Cottages, Grade II Listed Wood End Farmhouse, Grade II Listed Large Barn at Wood End Farm, and The Aubreys Camp Scheduled Monument; this should include the incorporation of appropriate set backs of development and creation of open spaces.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

H3 — East Hemel Hempstead (Central), HP2 7LF

The proposed site includes the Grade H listed Breakspear House, the setting of which has already been compromised by the construction of Junction 8 of the M1 motorway, directly adjacent to it. Further afield, the remains of Old Gorhambury, listed at Grade I, Gorhambury listed at grade H*, Bacons House scheduled monument and Gorhambury Registered Park and Garden and a number of other grade H listed buildings lie to the east of the site. Any development of the site has the potential to impact these heritage assets by affecting their settings.

We welcome the preparation of the HA. We broadly welcome the inclusion of criterion 20 in relation to heritage assets.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend that criterion 20 would be further improved if amended to read:

*Through Masterplanning, the layout and design of development should conserve and where appropriate enhance thesignificance of Grade II Listed Breakspear, Grade II Gorhambury Registered Park and Garden and Grade II * Listed Gorhambury mansion; this should include the incorporation of appropriate set backs of development and creation of open spaces.*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

H4 - East Hemel Hempstead (South), HP2 4PA4

The proposed site includes the Grade H* listed Westwick Cottage, as well as a number of other grade H listed buildings including King Charles H Cottage, and Dell Cottage. There are further grade H listed buildings, off site, immediately to the south-east; west range of outbuildings bounding

the main yard at corner farm, including pigsty north and east ranges of outbuildings bounding the main yard at corner farm (grade ii), corner farmhouse and [plan range of outbuildings on south and east sides of east yard at corner farm.

Further afield, the remains of Old Gorhambury, listed at Grade I, Gorhambury listed at grade H*, Bacons House scheduled monument and Gorhambury Registered Park and Garden and a number of other grade H listed buildings lie to the east of the site. The scheduled monuments of Verulamium also lie to the east of the site. Any development of the site has the potential to impact these heritage assets by affecting their settings.

We welcome the preparation of the HA. We broadly welcome the inclusion of criterion 19 in relation to heritage assets.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend that criterion 19 would be further improved if amended to read:

Through Masterplanning, the layout and design of development should conserve and where appropriate enhance thesignificance of the Grade II Listed King Charles II Cottage, the Grade II Listed Westwick Cottage, the Grade II Listed Westwick Row farm group, the Grade II Listed Corner*

*Farm group, the Grade II Listed Dell Cottage, the Grade II Listed Beechtree Cottages, Grade II Gorhambury Registered Park and Garden and Grade II * Listed Gorhambury mansion; this should include the incorporation of appropriate set backs of development and creation of open spaces.*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

B1 - North St Albans, AL3 6DD

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B1- North St Albans, AL3 6DD

There are no designated heritage assets on or within the immediate vicinity of site, the nearest being the Iron Age territorial boundary known as Beech Bottom Dyke SM (LEN: 1019136) to the south, and a number of grade H listed buildings to the east of the site, in Sandridge. Given the distance, topography, intervening vegetation and buildings, we consider that development of this site would have little impact on the setting of these heritage assets.

We welcome the preparation of the high level HA by Place Services.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

B2 - North East Harpenden, AL5 5EG

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B2 - North East Harpenden, AL5 5EG

Whilst there are no designated heritage assets on the site, it falls within the wider setting of the Mackerye End Conservation Area and the grade I listed Mackerye End. Development here has the potential to impact these heritage assets by affecting their settings.

We welcome the preparation of the high level HA by Place Services.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B3 - West Redbourn, Redbourn, AL3 7HZ

Whilst there are no designated heritage assets on site, there are a number of listed buildings immediately to the east of the site, including the grade I listed Parish Church of St Mary (LEN: 1295584). In addition, the Aubreys Camp scheduled monument (LEN: 1003520) lies to the west of the site, across the M1 motorway. It is evident that development of B3 has the potential to impact the Parish Church of St Mary and Aubreys Camp scheduled monument by altering their settings.

We welcome the preparation of the detailed Heritage Impact Assessment (HIA) by Place Services.

Whilst we broadly welcome criterion 5, we had provided detailed advice to you by e-mail on 30.7.24 setting out some requirements for this site, in particular that the southern tip should remain open space, that the masterplan will need to be informed by high quality design and that careful consideration should be given to heights in the southern part of the site.

We therefore recommend that these requirements should be incorporated into the policy wording at criterion 5.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst we broadly welcome criterion 5, we had provided detailed advice to you by e-mail on 30.7.24 setting out some requirements for this site, in particular that the southern tip should remain open space, that the masterplan will need to be informed by high quality design and that careful consideration should be given to heights in the southern part of the site.

We therefore recommend that these requirements should be incorporated into the policy wording at criterion 5.

We recommend amending the policy wording to strengthen the policy throughout the Plan. We recommend two slight changes to policy wording throughout the Plan (including this site) which would address this:

1. Instead of ‘minimise any harm to the setting and significance of the… [list assets]’ we would recommend ‘conserve and where appropriate enhance the significance of the...[list assets]’
2. We would recommend amending `may include setbacks etc.' to read `should include setbacks etc'.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B5 — Glinwell, Hatfield Road, St Albans, AL4 OHE

As identified in the SA, the grade H listed Railway Station lies immediately to the south of the proposed site. Any development here will need to ensure that is conserves and enhances its setting.

We welcome the preparation of the high level HA by Place Services. We welcome criterion 4 of the policy which relates to Smallford Station.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

B6 - West of London Colney, AL2 1LN

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B6 - West of London Colney, AL2 1LN

This site lies adjacent to the Napsbury Hospital Registered Park and Garden (RPG) (grade H listed) and the Napsbury Conservation Area. The Colney Chapel Moated site, a scheduled monument, lies to the south of the site, together with a cluster of listed buildings including the All Saints Pastoral Centre (grade H* listed) and several grade H listed building a or structure including the Voluntary Mission Movement, London Coal Duty Marker and Farm Cottage garden wall. Any development of the site has the potential to impact these heritage assets by affecting their settings.

We welcome the preparation of the detailed Heritage Impact Assessment (HA) by Place Services.

We broadly welcome criterion 7. However, the policy should be amended to be more specific and reflect the recommendations of the HA in particular the need to retain open space in the northern portion of the site.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We broadly welcome criterion 7. However, the policy should be amended to be more specific and reflect the recommendations of the HA in particular the need to retain open space in the northern portion of the site.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

B7 - North West Harpenden, AL5 3NP

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B7 - North West Harpenden, AL5 3NP

The grade H listed Cooters End Farm falls within the site boundary, and The Old Bell Public House, also grade H, is located to the west of the site, on the opposite side of Luton Road; development here has the potential to impact these heritage assets by affecting their settings.

We welcome the preparation of the high level HA by Place Services. We welcome criterion 4 of the policy which relates to the need for setbacks of development from Cooters End Farm.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend two slight changes to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*
2. We would recommend amending `may include setbacks etc.' to read `should include setbacks etc'.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B8 - Harper Lane, north of Radlett, WD7 7HU

The grade H listed Harper House (LEN: 1033362) is adjacent to the site; any development here will need to ensure that it conserves and enhances its setting.

We welcome the preparation of the high level HA by Place Services. We welcome criterion 5 of the policy which relates to the need for open space between Harper lane and the Listed Building and Coach House.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

LI - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS

As identified in the SA, the site contains the grade H* listed Burston Manor House LEN: 1102862). It is evident that development of L1 has the potential to impact this listed building by altering its setting.

We welcome the preparation of the high level HA by Place Services. However, the proposed policy wording does not adequately reflect the recommendations of the HA. We had also provided detailed advice to you by e-mail on 30.7.24 setting out some requirements for this site, in particular that the eastern half of the site should remain open space to protect the setting of the Listed Building, with development confined to the western half of the site.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific.

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Policy should be revised to make it clear that development in the western part of the site and eastern part left open to protect setting of the Listed Building.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. We would recommend amending `may include setbacks etc.' to read `should include setbacks etc'.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

L2 - West of Watling Street, Park Street, AL2 2PZ

The site adjoins the Park Street and Frogmore Conservation Area on its western boundary. Development of L2 has the potential to impact the Conservation Area through a change in its setting.

We welcome the preparation of the high level HA by Place Services. The HA recommends linear form of development (along Roman Road). This should be reflected in the policy wording.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We welcome the preparation of the high level HA by Place Services. The HA recommends linear form of development (along Roman Road). This should be reflected in the policy wording.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 18

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

There area number of grade II listed buildings to the west of the site. However, given the distance, topography, intervening vegetation and buildings, we consider that development of this site would have little impact on the setting of these heritage assets.

We welcome the preparation of the high level HA by Place Services which has confirmed that development unlikely to affect nearby designated heritage assets.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M2 - Hill Dyke Road, Wheathampstead, AL4 8TR

Comment Number: 24

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M2 - Hill Dyke Road, Wheathampstead, AL4 8TR

We have raised serious concerns regarding the potential allocation of this site which is adjacent to Wheathampstead earthwork incorporating Devils Dyke and the Slad Scheduled Monument (LEN: 1003521) at Regulation 18. It is evident that development of M2 has the potential to cause a high level of harm to the Scheduled Monument by altering its setting. Furthermore, given the proximity of the scheduled monument, it is possible that further contemporaneous, and equally

significant, archaeology may extend into the allocation area. This would be considered subject to the policies for designated heritage assets in accordance with NPPF footnote 72. If this were to be the case, then it could significantly reduce the potential capacity of the site for development, and therefore its suitability and achievability. We have previously recommended that the site should be deleted.

We note that you are continuing to propose this site for allocation. To support the allocation, we note that a detailed H IA has been prepared by Place Services which is welcomed.

In Summer 2024 we indicated that we were content for site to go forward for allocation on the understanding of an approximately 60-40 split between development and open land (with 40% of site being left open at eastern end). This should be included in the policy. The HA also refers to funding for improved management of the monument. This should also be included in the policy.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In Summer 2024 we indicated that we were content for site to go forward for allocation on the understanding of an approximately 60-40 split between development and open land (with 40% of site being left open at eastern end). This should be included in the policy. The HA also refers to funding for improved management of the monument. This should also be included in the policy.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend two slight changes to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*
2. We would recommend amending `may include setbacks etc.' to read `should include setbacks etc'.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 27

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site M3 - Edmond Lane, St Albans, AL3 4AH

We continue to have significant concerns about the allocation of M3 - Bedmond Lane, St Albans, AL3 4AH. In the absence of additional archaeological assessment, we recommend that this site should be deleted. Further consideration is given in our detailed comments below.

The site is located between the Verulamium, site of Scheduled Monument (LEN: 1003515) to the north, the Verulamium, The Fosse Scheduled Monument (LEN: 1003517) to the northwest, and Verulamium, Prae Wood settlement Scheduled Monument (LEN: 1003518) to the south-west. While we do not object in principle to the allocation of this site, further assessment will be required to confirm its suitability, evaluate its capacity, and to identify any necessary mitigation measures.

We therefore welcome the preparation of the high level HA by Place Services. Criterion 4 reflects the comment that the northern third of the site is most sensitive in heritage terms and requires that this area should be kept free from new buildings.

However, as we advised in Summer 2024, the fundamental point of the HA is that extensive Roman remains may be present across the whole site, especially given its location between two Roman roads as they enter the Roman city which is where they put their cemeteries. In the absence of field evaluation, we are concerned that there is a high risk of very significant and well-preserved Roman archaeology (including dense concentrations of human remains) that the LPA may be compelled by NPPF fn 72 to treat as equivalent in significance to a designated asset.

We re-iterate that we would be cautious about allocating the site for development without further archaeological assessment. Inclusion as an allocated site would not only pose a risk to important remains, but also a risk to the finances of a developer who uncovered them after designing a scheme.

We therefore recommend that the site is deleted on the basis of the current understanding of the site unless further archaeological assessment is undertaken to inform suitability as an allocation.

We appreciate that you have indicated that the promoter has started some site clearance in advance of some archaeological work. However, without knowing more about the scope and methodology of the archaeological evaluation, let alone the results (which could be many months away) we maintain our current position.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In the absence of additional archaeological assessment, we recommend that this site should be deleted.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 28

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

The site is adjacent to the Redbourn Conservation which includes a high concentration of listed buildings. Development of M6 therefore has the potential to impact the Conservation Area and its listed buildings through a change in their settings.

We therefore welcome the preparation of the high level HA by Place Services. Criterion 7 references the Conservation Area which is welcomed.

However, the policy should be more specific and draw on the recommendations from the HA including setting back development from Harding Close and Water End Lane, concentrating development to the north of the site and/or south of the site. Development should respond positively to local character and distinctiveness.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

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The policy should be more specific and draw on the recommendations from the HA including setting back development from Harding Close and Water End Lane, concentrating development to the north of the site and/or south of the site. Development should respond positively to local character and distinctiveness.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of ‘minimise any harm to the setting and significance of the… [list assets]’ we would recommend *‘conserve and where appropriate enhance the significance of the...[list assets]’*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M8 - Verulam Golf Club, St Albans, AL1 1JG

Comment Number: 29

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M8 - Verulam Golf Club, St Albans, AL1 1JG

The site is adjacent to the St Albans Conservation Area. We recommend that an HIA is prepared to confirm its suitability.

We welcome the preparation of a high level HA by SADC. Criterion 6 references the Conservation Area which is welcomed.

However, the HA also makes recommendations in relation to the scheduled monument at Sopwell Nunnery, both in relation to further assessment needed and also potential for contributions towards monument management. This should be included in the policy.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

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incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The HA also makes recommendations in relation to the scheduled monument at Sopwell Nunnery, both in relation to further assessment needed and also potential for contributions towards monument management. This should be included in the policy.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 30

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

The site is adjacent to the Amwell Conservation Area.

We welcome the preparation of a high level HA by SADC. We welcome criterion 5 of the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M17 - North of Wheathampstead Road, Harpenden, AL5 1AB

Comment Number: 22

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M17 - North of Wheathampstead Road, Harpenden, AL5 lAB

The site is immediately adjacent to two grade H listed buildings. Development has the potential to impact these listed buildings through a change in their settings.

We welcome the preparation of the high level HA by Place Services.

We welcome criterion 3 that references the grade H listed buildings and the need for set backs.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend two slight changes to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*
2. We would recommend amending `may include setbacks etc.' to read `should include setbacks etc'.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M18 - North East of Austen Way, St Albans, AL4 0XH

Comment Number: 23

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M18 - East of Austen Way, St Albans, AL4 0XH

The site is immediately adjacent to two grade H listed buildings. Development has the potential to impact these listed buildings through a change in their settings.

We welcome the preparation of the high level HA by Place Services.

We broadly welcome criterion 3 of the policy. However, the policy should include the recommendations from the HA relating to the retention of open space to the north and west of the listed buildings with built form located to the northeast of the Site as well as an appropriate landscaping scheme.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

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The policy should include the recommendations from the HA relating to the retention of open space to the north and west of the listed buildings with built form located to the northeast of the Site as well as an appropriate landscaping scheme.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend two slight changes to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*
2. We would recommend amending `may include setbacks etc.' to read `should include setbacks etc'.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M21 - Rothamsted Lodge, Hatching Green, AL5 2JS

Comment Number: 25

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M21 - Rothamsted Lodge, Hatching Green, AL5 2GT

The site lies within the Harpenden Conservation Area, and is adjacent to a Grade H Listed Building, and has Locally Listed Buildings to the east side. Development has the potential to impact these listed buildings through a change in their settings.

We welcome the preparation of the high level HA by Place Services. However, we note that the HA incorrectly states that Rothamsted Manor House is grade II when it is actually grade I. (page 74).

We broadly welcome criterion 3 of the policy. However, the policy should include the recommendations from the HA relating to setbacks from the northern and eastern edges of the site as well as high quality materials to affect the local distinctiveness of the area.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

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The policy should include the recommendations from the HA relating to setbacks from the northern and eastern edges of the site as well as high quality materials to affect the local distinctiveness of the area.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend two slight changes to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*
2. We would recommend amending `may include setbacks etc.' to read `should include setbacks etc'.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

M22 - Wood End, Hatching Green, Harpenden, AL5 2JT

Comment Number: 26

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M22 - Wood End, Hatching Green, Harpenden, AL5 2JT

The site lies within the Harpenden Conservation Area. Development has the potential to impact the Conservation Area and its setting.

We welcome the preparation of the high level HA by Place Services.

We welcome the wording of criterion3 and 4 which references the Conservation area and Locally Listed Building Wood End and well as the density and form of development.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

P2 - Land at North Orbital Road, AL2 1DL

Comment Number: 33

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

P2 - Land at North Orbital Road, AL2 1DL

This site is adjacent to the Grade II listed Lys Eira.

We welcome the preparation of the high level HA by SADC.

We welcome criterion 3 which relates to the nearby grade H listed Lys Eira.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

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We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of ‘minimise any harm to the setting and significance of the… [list assets]’ we would recommend *‘conserve and where appropriate enhance the significance of the...[list assets]’*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

U2 - Land South West of London Colney Allotments, AL2 1RG

Comment Number: 34

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

U2 - Land South West of London Colney Allotments, AL2 1R

The site is adjacent to two grade listed buildings.

We welcome the preparation of the high level HIA by SADC.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU

Comment Number: 35

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC1 - Sainsbury's Supermarket, Everard Close, St Albans
We welcome criterion 4 that refers to the Conservation Area.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC2 - Civic Close Car Park Bricket Road, St Albans, AL1 3JX

Comment Number: 42

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC2 - Civic Close Car Park Bricket Road, St Albans, AL1 3JX

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to listed and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC3 - London Road Car Park, London Road, St Albans, AL1 1NG

Comment Number: 47

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC3 London Road Car Park, London Road, St Albans, AL1 1NG

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as listed and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC4 - Car Park to rear of 32-34 Upper Marlborough Road, St Albans, AL1 3UU

Comment Number: 50

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC4 Car Park to rear of 32-34 Upper Marlborough Road, St Albans, AL1 3UU

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as listed and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC5 - 18-20 Catherine Street, St Albans, AL3 5BY

Comment Number: 53

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC5 - 18-20 Catherine Street, St Albans, AL3 5BY

We welcome the preparation for the high level HA by Place Services.

We welcome criterion 2 that refers to the Conservation Area as well as listed and locally listed buildings.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC6 - 13-19 Sutton Road & 5-11a Pickford Road, St Albans, AL1 5JH

Comment Number: 58

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC6 - 13-19 Sutton Road and 5-11a Pickford Road, St Albans, AL1 5JH

We note that there is a grade II listed building to the north of the site. Development of the site has the potential to impact on the significance of the listed building. We therefore recommend that an additional criterion is added to the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC7 - 5 Spencer Street, St Albans, AL3 5EH

Comment Number: 59

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC7 5 Spencer Street, St Albans, AL3 5EH

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as listed and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

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1. Instead of ‘minimise any harm to the setting and significance of the… [list assets]’ we would recommend *‘conserve and where appropriate enhance the significance of the...[list assets]’*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC8 - Public Hall, 6 Southdown Road, Harpenden, AL5 1TE

Comment Number: 60

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC8 Public Hall, 6 Southdown Road, Harpenden

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as listed and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC9 - Keyfield Terrace Car Park, Keyfield Terrace, St Albans, AL1 1PD

Comment Number: 61

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC9 Keyfield Terrace Car Park, Keyfield Terrace, St Albans, AL1 1PD

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as listed and locally listed buildings and criterion 4 which refers to trees.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

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where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC11 - 50 Victoria Street, St Albans, AL1 3HZ

Comment Number: 36

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC11 50 Victoria Street, St Albans, AL1 3HZ

We welcome the preparation for the high level HA by SADC.

We welcome criteria 2 and 3 that refer to the retention of the locally listed Baptist Church and to the Conservation Area as well as locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 37

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

We welcome the preparation of a high level HA by Place Services.

Criterion 5 references the Conservation Area and Locally Listed buildings but there is no currently no reference to the listed buildings. The policy should be amended to include this.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

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Criterion 5 references the Conservation Area and Locally Listed buildings but there is no currently no reference to the listed buildings. The policy should be amended to include this.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 38

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC16 - Garage Block west of Thirlestane, St Albans, AL1 3PE

Comment Number: 39

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC16 Garage Block west of Thirlstane, St Albans, AL1 3PE

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

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We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC18 - Garage block to front of 94-142 Riverside Road, St Albans, AL1 1SE

Comment Number: 40

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC18 Garage Block to front of 94-142 Riverside Road, St Albans, AL1 1SE

We welcome the preparation of a high level HA by Place Services.

We welcome criterion 3 that refers to the Conservation Area as well as locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC19 - 50-54 Lemsford Road St Albans, AL1 3PR

Comment Number: 41

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC19 54 Lemsford Road, St Albans, AL1 3PR

We welcome the preparation for the high level HA by SADC.

Criterion 2 should be amended as there are two locally listed buildings within the site which should be retained.

We welcome criterion 3 that refers to the Conservation Area as well as locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

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Criterion 2 should be amended as there are two locally listed buildings within the site which should be retained.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC20 - 104 High Street, London Colney, AL2 1QL

Comment Number: 43

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC20 - 104 High Street, London Colney, AL2 1QL

We welcome the preparation for the high level HA by SADC.

We welcome criterion 2 which references the grade II listed Golden Lion PH opposite.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC22 - Car Park to rear of 77-101 Hatfield Road, Hatfield Road, St Albans, AL1 4JL

Comment Number: 44

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC22 Car Park to rear of 77-101 Hatfield Road, Hatfield Road, St Albans, AL1 4J L

We welcome the preparation for the high level HA by SADC.

We welcome criterion 2 that refers to the Conservation Area.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC23 - Garage Site adj. Verulam House, Verulam Road, St Albans, AL3 5EN

Comment Number: 45

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC23 - Garage Site adj. Verulam House, Verulam Road, St Albans, AL3 5EN

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as listed and locally listed buildings

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC27 - Berkeley House, Barnet Road, London Colney, AL2 1BG

Comment Number: 46

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC27- Berkeley House, Barnet Road, London Colney, AL2 1BG

We welcome the preparation for the high level HIA by SADC.

Berkeley House is a Grade H listed building. We welcome the inclusion of criterion 2 which states that the grade II listed building must be retain and proposals must minimise any harm to its significance and setting.

We also welcome criterion 3 which refers to the Conservation Area and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC35 - Market Depot, Drovers Way, St Albans, AL3 5FA

Comment Number: 48

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC35 - Market Depot, Drovers Way, St Albans, AL3 5FA

We welcome the preparation of the high level HA by SADC.

Given the presence of the Roman cemetery and potential impacts this should also be included in the policy criterion.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

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Given the presence of the Roman cemetery and potential impacts this should also be included in the policy criterion.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC36 - Garages off Park Street Lane, Park Street, AL2 2ND

Comment Number: 49

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC36 - Garages off Park Street Lane, Park Street, AL2 2ND

We welcome the preparation of the high level HA by SADC.

Criterion 3 states that the site lies adjacent to the Conservation Area when part of the site lies within the Conservation Area. Please amend the wording accordingly.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC43 - Garage block to west of 32-46 Riverside Road, St Albans, AL1 1SD

Comment Number: 51

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC43 - Garage block to west of 32-46 Riverside Road, St Albans, AL1 1SD

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as the setting of Sopwell Priory.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC48 - Car Park adj. to 42-46 Adelaide Street, St Albans, AL3 5BH

Comment Number: 52

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

UC48 - Car Park adj. to 42-46 Adelaide Street, St Albans, AL3 5BH

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as the nearby listed and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

The criteria are also quite vague and rather weak ...e.g. `minimise harm', this may include setbacks etc'.

It is important that policies include sufficient information regarding criteria for development. Paragraph 16d of the NPPF states that policies should provide *`a clear indication of how a decision maker should react to a development proposal'.*

Planning Practice Guidance Paragraph: 002 Reference ID: 61-002-20190315Revision date: 15 03 2019 also makes it clear that, *`Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'*

Historic England's Advice Note on Site Allocations HEAN3 includes a section on site allocation policies at paragraphs 3.1 - 3.2. It states, *`The level of detail required in a site allocation policy will depend on aspects such as the nature of the development proposed and the size and complexity of the site. However, it ought to be detailed enough to provide information on what is expected, where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'*

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We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of ‘minimise any harm to the setting and significance of the… [list assets]’ we would recommend *‘conserve and where appropriate enhance the significance of the...[list assets]’*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC53 - Motor Repair Garage, Paynes Yard, Park Street Lane, AL2 2NE

Comment Number: 54

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC53 - Motor Repair Garage, Paynes Yard, Park Street Lane, AL2 2NE

We welcome the preparation for the high level HA by SADC.

We welcome criterion 2 that refers to the Conservation Area as well as the nearby listed and locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

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UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 55

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as the nearby locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

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where it will happen on the site and when development will come forward including phasing. Mitigation and enhancement measures identified as part of the site selection process and evidence gathering are best set out within the policy to ensure that these are implemented.'

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

UC55 - 44-52 Lattimore Road, St Albans, AL1 3XW

Comment Number: 56

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC55 - 44-52 Lattimore Road, St Albans, AL1 3XW

We welcome the preparation for the high level HA by SADC.

We welcome criterion 2 that refers to the Conservation Area as well as the nearby locally listed buildings.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

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2. Historic_England_Email_[R].pdf

UC57 - Telford Court, Alma Road, St Albans, AL1 3BP

Comment Number: 57

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC57 - Telford Court, Alma Road, St Albans, AL1 3BP

We welcome the preparation for the high level HA by SADC.

We welcome criterion 3 that refers to the Conservation Area as well as the nearby locally listed buildings.

The policy should also discuss the issue of height. We appreciate that the current development on the site is 11 storeys. We would be looking for a significant reduction in height on this site to improve the townscape within the Conservation Area. The HA identifies the current height as an issue to be addressed.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
2. Historic_England_Email_[R].pdf

OS3 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

Comment Number: 31

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

OS3 Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

We are surprised that there is no HA for this site, given that it is located within the Conservation Area and the proximity to Rothamsted Manor.

We recommend that an HA should be prepared for this site.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

We note that the policies generally include a criterion relating to heritage which is good. However, the criteria are do not always include all of the recommendations from the HIA. Ideally all recommendations should be incorporated into the policy.

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We recommend that an HA should be prepared for this site.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*

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1. 241106 HE Response Reg 19 LP 2041_[R].pdf
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OS4 - Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

Comment Number: 32

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

OS4 (formerly site M11) Extension to Rothamsted Research, Harpenden Campus, AL5 2JQ

The site is located within the wider setting of the Grade I listed Rothamsted Manor House, and associated Grade II listed buildings. Development has the potential to impact these listed buildings through a change in their settings.

We welcome the preparation of the detailed HA by Place services for this site. However, we note that there are some inconsistences in the assessment e.g. para 5.7 states that development of the site `would result in high level of harm to the Grade I listed Rothamsted Manor House, and

moderate level of harm to the Grade II listed Kitchen Garden Walls and adjoining outbuilding, Grade II listed Storage Barn.' However, para 6.3 states that `the proposed Allocation would result in high level of harm to the Grade I listed Rothamsted Manor House, and low level of harm to the Grade II listed Kitchen Garden Walls and adjoining outbuilding, Grade II listed Storage Barn' (emphasis added).

We are particularly concerned about the high level of harm identified to the Manor House through the loss of parkland in an area of importance.

We note that the HA recommends the site be used to commercial/research use instead of residential. This would seem to be an unusual form of mitigation.

We broadly welcome the reference to heritage in criterion 5 and restriction of development to eastern half of site in criterion 1.

We are concerned about the potential height and mass of research buildings. Whilst we appreciate that the deciduous trees along the access road/avenue offer some visual mitigation in the summer months, the impact on winter views will need to be carefully considered. We would also recommend a height limit of 2.5 storeys.

Policy wording for site allocations should incorporate HIA recommendations and be clearer, stronger and more specific

We are pleased to see the preparation of high-level Heritage Impact Assessments (HIAs) by SADC and Place Services as well as the preparation of more detailed HIAs for a number of more sensitive sites.

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We recommend an additional criterion to read:

Development should be discreet and of high-quality design, with a maximum height of 2.5 storeys. Consideration should be given to both summer and winter views.

We recommend amending the policy wording to strengthen the policy throughout the Plan (including this site). We recommend a slight change to policy wording throughout the Plan which would address this:

1. Instead of 'minimise any harm to the setting and significance of the… [list assets]' we would recommend *'conserve and where appropriate enhance the significance of the...[list assets]'*

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249 - Dr Phil Wadey

Submission Number: 249 Submission Date: 07/11/24 22:06

Respondent: Patchetts Green Bridleways Trust Dr Phil Wadey

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 2

Type:

* Paragraph

Number:

4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The planning system in England and Wales is a plan-led system, in conformance with the National Planning Policy Framework (NPPF).

NPPF (December 2023 edition) says at para 104,

"Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails."

The Plan often includes reference to footpaths and cycling, and to the Local Cycling and Waking Infrastructure Plan (LCWIP), but doesn't mention the Rights of Way Improvement Plan (ROWIP) for the area. Because of the extensive public consultation that the County Council must go through to finalise its ROWIP, this surely counts as at least worthy of being considered as supplementary planning guidance.

In addition, LCWIPs are only really considering foot and cycle routes. However the ROWIP considers all public rights of way and so encompasses footpaths (users on foot), bridleways (users on foot, horse or cycle) and restricted byways (users on foot, horse, cycle, horse-drawn vehicle) so allowing better targeting of equestrian rights where appropriate (i.e. for those developments where bridleway provision is more appropriate than a footpath or cycle track). This is the case in large parts of St Albans District as we have rural as well as city areas, and large horse populations.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To ensure its results are taken into account in planning decisions, all references in the plan to 'LCWIP' should be replaced by 'LCWIP and ROWIP'.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I am indicating that if the inspector wishes to hear more on the subject I will make myself available to explain in more detail or to provide counter information should the council reject the request.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Promoting Sustainable Design, construction and building efficiency is only part of the climate change solution. It is necessary not just to consider such aspects at the design and building stage, but throughout the lifetime of the development, in order to reduce carbon overall.

Accordingly, how people will access the buildings is important, since it is easy and perhaps the default option to design based around the car/motor vehicle.

When developments are created, if a network of paths to enable residents to get to the shops, get to local employment opportunities, get to public transport or get tout to the countryside are provided, the use of the car is reduced and walking, cycling and (in places) riding will be encouraged.

It follows that to maximise long-term sustainable design, policy CE1 needs an additional para (g) detailed below.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In Policy CE1, add new para (g):

g. Creating travel options for non-motorised users (walkers, riders, cyclists) to encourage longer-term sustainable travel options to shops, amenities, public transport nodes and to places of recreation.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG2 lists various policies that will be taken into account. It says, "All development in the HGC Programme Area must follow a planned and coordinated approach to growth and infrastructure and is expected to be in accordance with Local Plan Infrastructure Delivery Plans (IDPs), Hemel Garden Communities Spatial Vision, the supporting HGC Framework Plan evidence base including HGC Concept Plan, HGC Local Plan Policies, and supporting SPDs and Design Codes."

However, it ought to refer also to the County Council's Rights of Way Improvement Plan (created under the duty in s.60 Countryside and Rights of Way Act 2000) to ensure that the effect of development on public rights of way is properly assessed.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Add "Rights of Way Improvement Plan (ROWIP)" after "HGC Local Plan Policies" in para 3 of LG2

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG3 para (h) says, "Enhance and improve Public Rights of Way including to existing local footpath links and wider countryside access;"

This unduly restricts the policy to existing local footpaths. It should be broadened to 'existing public rights of way' or should make explicit a wider set of paths such as 'footpaths, bridleways and byways' before going on to wider countryside access.

At para (f) it refers to walking and cycling. It would be more inclusive to refer to 'non motorised modes of travel' or 'walking, cycling and riding'.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

LG3

At (h) replace 'local footpath links' with 'local rights of way links'

At (f) replace 'walking and cycling' with 'walking, riding and cycling'.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

250 - Mr Laurence Pilgrim

Submission Number: 250 Submission Date: 07/11/24 22:23

Respondent: Mr Laurence Pilgrim

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The plan is not a complete plan. It does not address the following issues:

It creates increased traffic in Hemel Hempstead/Leverstock Green and around St Albans. It assumes wishful thinking with regard to people using cycling or walking and does not include sufficient infrastructure creation. A new motorway junction north of Hemel is required. The planning of this needs to be included rather than passed of to another party. It should be ONE plan/strategy.

There is no plan to tackle the insufficient health provision across the area. Building surgeries is not sufficient, they need staffing and the hosipital situation for the whole of Herts has not been addressed. You cannot add thousands of houses without the required services.

I am not confident that significant investigation has been carried out of potential flooding caused by the large number of houses proposed around Leverstock Green/Hemel Hempstead. Questions raised at the consultation regarding this were not answered sufficiently.

How will the new schools be staffed and funded. Building schools is only part of the problem, they need staff and fudning. There are already issues fudning current schools and getting staff in Hertfordshire. Placement of the schools so children are not travelling across Hemel Hemsptead or St Albans is also key. This again shows it is only addressing some of the issues, not all of them.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Type:

* Paragraph

Number:

Chapter 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The plan places a large element of the housing on the edge of Leverstock Green/Hemel Hempstead as opposed to on the edge of St Albans. This means in reality Hemel Hempstead will have to provide the services to the people in the area, yet St Albans will be getting the council tax.

This placement of hosuing also provides all of the disruption and traffic of the new housing on Leverstock Green and Hemel Hempstead and not St Albans. A nice result for St Albans but not Dacorum.

There is already a signifcant amount of traffic and resultant air polution in the areas proposed around Leverstock Green, this proposal will only increase this and increase the noise polution.

The proposed hosuing is not near any railway stations so is not appropriate for London commuters. Transport across Hemel and St Albans to stations takes too long during rush hours.

The plan continues to put the large elements of housing development on the edge of the St Albans district rather that closer in near the transport hubs and services already existant in St Albans. It also is moving the problems away from St Albans and putting them on neighbouring boroughs, this not not sound or cooporative.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 8 - Transport

Comment Number: 1

Type:

* Policy

Number:

Chapter 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

It creates increased traffic in Hemel Hempstead/Leverstock Green and around St Albans. It assumes wishful thinking with regard to people using cycling or walking and does not include sufficient infrastructure creation. A new motorway junction north of Hemel is required. The planning of this needs to be included rather than passed of to another party. It should be ONE plan/strategy.

The proposed housing in Dacorum and Redbourne are not near any railway stations so is not appropriate for London commuters. Transport across Hemel and St Albans to stations takes too long during rush hours.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The plan places a large element of the housing on the edge of Leverstock Green/Hemel Hempstead as opposed to on the edge of St Albans. This means in reality Hemel Hempstead will have to provide the services to the people in the area, yet St Albans will be getting the council tax.
This placement of housing also provides all of the disruption and traffic of the new housing on Leverstock Green and Hemel Hempstead and not St Albans. A nice result for St Albans but not Dacorum.

There is already a signifcant amount of traffic and resultant air polution in the areas proposed around Leverstock Green, this proposal will only increase this and increase the noise polution.There is no plan to tackle the insufficient health provision across the area. Building surgeries is not sufficient, they need staffing and the hosipital situation for the whole of Herts has not been addressed. You cannot add thousands of houses without the required services.

I am not confident that significant investigation has been carried out of potential flooding caused by the large number of houses proposed around Leverstock Green/Hemel Hempstead. Questions raised at the consultation regarding this were not answered sufficiently.

How will the new schools be staffed and funded. Building schools is only part of the problem, they need staff and funding. There are already issues fudning current schools and getting staff in Hertfordshire. Placement of the schools so children are not travelling across Hemel Hemsptead or St Albans is also key. This again shows it is only addressing some of the issues, not all of them.

The plan continues to put the large elements of housing development on the edge of the St Albans impacting neighbouring boroughs rather than St Albans, not a sound or cooprative approach.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

More investigatios on flooding.

Proper funding for all services and facilities, not just the buildings.

Better planning around school locations and also travel to and from the schools.

Keep the major developments closer to the centre of St Albans and the services and infrastructure rther tha load neighbouring boroughs.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

252 - MT Howard Gray

Submission Number: 252 Submission Date: 07/11/24 23:27

Respondent: MT Howard Gray

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

There has been significant flaws in the Regulation 18 process, lack of scrutiny of the draft plan prior to the regulation 18 process and the comments from those who live and work in St Albans are being ignored and pushed away. It feels like there has been no due process for the identification of potential greenbelt sites, rather more driven by speculative developer interest in an effort to shortcut previous council failures to keep pace with housing delivery. As impacted residents we have very little confidence there will be any valid assessment of these Regulation 19 comments, since the Council intend to go to Examination only three weeks after the Regulation 19 consultation ends.

The Arup Green Belt Review methodology is flawed in relation to sub-areas, defensible boundaries and buffers with respect to L2, this has been pointed out by many within the Regulation 18 consultation process - the planning team continue to ignore these comments. When will these be addressed, if ever?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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253 - Mr Howard Gray

Submission Number: 253 Submission Date: 07/11/24 23:39

Respondent: Mr Howard Gray

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Arup Green Belt Review methodology is flawed in relation to sub-areas, defensible boundaries and buffers with respect to L2, this has been pointed out by many within the Regulation 18 consultation process - the planning team continue to ignore these comments. When will these be addressed, if ever?

In relation to site L2, a significant number of comments have been raised in relation to the impact on traffic and as of yet a proper traffic assessment has not been completed, especially within the context of the Strategic Rail Freight Terminal development.

The SRFT suggests a further 10,000 vehicle movements, a large number of which will travel along Watling Street/past L2, this essential traffic assessment has been requested but never actioned by the planning team throughout this process.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

254 - Sarah Jenkins-Greig

Submission Number: 254 Submission Date: 08/11/24 00:34

Respondent: Sarah Jenkins-Greig

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please see my comments below.

My comments below relate to site M16 - Falconers Field, Harpenden, AL5 3ES (HELAA Ref HT-04-21; Green Belt Sub Area Ref SA-17 / RA-14), which is known locally as the horse field so I will refer to it as the "horse field". The horse field should not be released from the green belt given its importance and the incorrect assessment that has occurred as demonstrated below.

Summary:

The horse field is part of an important and identified conservation area (the Chilterns Beechwoods Special Area of Conservation Zone of Influence) and it seems the only reason it has been considered for release now is because it is owned by a developer that has put it forward and it was only then included in the most recent plan. It passes the green belt purposes tests to the same extent as the rest of that conservation area which is not being released.

The fact that the plan is looking to release land beyond the building line and beyond a previous map drawn up by the council's advisers (attached) shows it is being influenced by what the developer has put forward and this has completely skewed wrongly the analysis. In particular, extending beyond the building line encourages encroachment on the rest of the land as well as further urban sprawl. In addition, the site is accessed from a rural road and there are important safety concerns if traffic and the number of pedestrians are to increase (as would be inevitable).

Openness and Encroachment

The openness of the area created by the horse field extends whether looking out between the large gap in houses by the horse field on

Falconers Field looking over towards New Farm, or looking from the end of the cul-de-sac

over to the school field beyond, or indeed also when looking in any direction from the public right of way behind horse field on New Farm. From Roundwood Lane itself the jutting out section is also particularly visible and part of the benefit of that openness. Accordingly, the horse field is strongly performing an important function of the green belt and is key to creating and maintaining the character of the area.

Allowing a development which juts out into the open conservation land beyond the building line and has plans already drawn up which include a cul-de-sac ending at the boundary of the site and apparently ready to head into the adjoining green belt land at New Farm is clear and strong evidence that it puts the rest of the conservation green belt area at risk. It strongly suggests that the

assessment of all the horse field has been influenced by who owns that part of the land and put it forward, rather than by the outcomes of successive previous green belt assessments which deemed that the horse field should be kept in green belt and conservation area and was not suitable for development. Accordingly, when the selection of the horse field is apparently driven by who owns that part of the land rather than by applying common sense as well as the correct regulations about not allowing a build to jut out into a green belt (and conservation) area, it is clear that the assessments of all of that field are fundamentally flawed and none of the field should be released.

Access/Traffic:

Falconers Field is accessed by two roads. Both are steep and uphill from the main road. One access road is a designated rural road - Roundwood Lane. So by designation as a rural road it is not allowed to have development which would increase its use more than minimally. Further up Roundwood Lane it is often not possible to use it when there has been a lot of rain or snow and many avoid it anyway as it is mostly a single-track lane. The severe limitations of these access roads are partly why a residents group of over 200 members campaigned against and defeated a planning application to change use (to playing fields) of a parcel of the green belt ten years ago (known as 'New Farm') which this horse field site is part of. Although the applicant withdrew its plans this was done after the residents submitted their own commissioned traffic report. Indeed I note those opposing the L&G development on the A1081 north of Harpenden have commissioned their own traffic report which shows that the amount of traffic has been underestimated and there will be major queues and rat runs locally as well as safety issues.

The other access road is Roundwood Park which, due to Roundwood Park School, is already at full capacity with considerable parking restrictions and is also heavily used by school buses. It is the only road the school buses are allowed to come up given the rural road designation of Roundwood Lane. Roundwood Park in turn leads to Luton Road via Park Hill. Given the protected Nickey Line and bridge over the A1081 it is not possible to improve access to the Roundwood area and it is already suffering bottlenecks and drivers resorting to dangerous manoeuvres on pavements busy with schoolchildren as well as the road into Harpenden being heavily congested. These roads get worse when there are problems with the local section of the M1 and such problems are not infrequent. Even without any additional L&G housing on Luton Road the roads are already at capacity in the Roundwood area. If L&G do build then the area around, including the Roundwood area, will absolutely need protecting from any additional development.

With so many people suffering with breathing difficulties it is important to consider this is not just about adding time to people's journeys when traffic increases. It is not London or other city with its public transport system and nor should it be that residents of a small town like Harpenden end up living in a place as busy as a city and with levels of pollution to match.

Having done the school and train drop-off run for the last 17 years it is very noticeable how much longer my journey takes each year as more houses are built, showing our roads have become much busier.

Falconers Field itself is a winding road with sharp bends and a fork. Visability at the fork is particularly limited. I have had many near misses as cars appear and as we negotiate and allow each other to pass. When Roundwood Park was recently blocked the fork on Falconers Field became extremely busy with traffic and getting in and out of the cul-de-sac safely was incredibly difficult. Traffic measures cannot remedy this due to the houses which are built by the junction. Safety is a genuine and major concern if Falconers Field and nearby roads were to see an increase in traffic.

A resident who has been living here a long time has confirmed that a post box was moved to Roundwood Park from Falconers Field given the difficulties of the road.

The fact that Falconers Field has a grit bin also demonstrates its status as treacherous in winter. It is always a degree or two colder than the main road and Falconers Field remains covered in snow and ice for longer than other nearby roads. Indeed plans submitted by a developer in the past have been thrown out as the road is not safe for an increase of traffic and for the safety of the many schoolchildren and families who use it to access Roundwood Park School and Wood End School. Even if footpaths and cycling lanes are put in place as alternative means of access to the schools, they will not be used by the majority of road users and will have minimal beneficial impact.

With the parking restrictions on Roundwood Park more congestion has been pushed into Falconers Field so the situation on Falconers Field is worse not better now than when those planning decisions were made in the past. Some residents recently took it in turns to observe and log the number of children crossing the fork on foot, which is particularly high, and we observed cars having to quickly stop due to, for example, children crossing the road and groups spilling onto the road as they pass each other and pass pushchairs. If in the past it was considered too dangerous to increase the use of Falconers Field and traffic on nearby roads then why should it be considered more acceptable now to put the lives of pedestrians - the majority of them children - at risk?

Preserving the green belt land next to Falconers Field - land which is in the Chilterns Beechwoods Special Area of Conservation Zone of Influence - is very effective in keeping urban sprawl restricted as, inter alia, it keeps the number of road users down.

Character of the area/Community importance:

When we first drove into Falconers Field what attracted us to the area was the sight of the horse field which you can see from the Falconers Field in two places and from Roundwood Lane. Having visible open green land from a road is really precious for the nature and character of the area. With the increase in walkers and dog walkers since covid and more people working from home the wellbeing of its residents seeing and feeling attached and connected to green land is not some ‘nice to have’ but imperative for many. Both children and adults have for years visited the horses as a focal point for a walk. Equally for a nice shorter walk on the right of way behind the horse field it makes that so much more pleasant given it is not close to housing. There is a recognised national need to protect natural environments and eg the ‘Restore Nature Now’ rally was in response to the state of nature report and it was backed by significant conservation and wildlife charities. The horse field is exactly the type of space these charities want to protect given it falls within the Chilterns Beechwoods Special Area of Conservation Zone of Influence. If you allow buildings on this land restoring it won’t be possible. The draft local plan green belt review report’s recommendation that the loss of the horse field from the green belt would require replacement through the addition of land elsewhere to the green belt is a real kick in the teeth – far better, surely, not to allow the horse field to be removed from the green belt in the first place.

Having the focal point of a horse field in the area is also really precious to the community as a place to walk. Although crossing the road at the junction of the fork is dangerous if a vehicle is present, if you do the short walk into the cul-de-sac to the horse field and around it as part of a walk it’s a really pleasant way for locals to exercise. For example, older people can walk into the cul-de-sac to see the horse field at the end as they recuperate from operations. Families with pushchairs walk down it as they help a child to settle or to see the horses. Children for decades have learnt to ride their bike in the cul-de-sac. Many street parties take place in it. Every year we make a big effort with Christmas decorations and Halloween decorations. We have a formal street Christmas lights-switch-on and we stand in the quiet cul-de-sac end to talk to and celebrate with our neighbours on those occasions. We even have a cul-de-sac book group. It’s a really important way all generations can stay connected and support each other and the horse field has been integral to creating the character of this area and as a rural backdrop. Spaces like the horse field need protecting in a community for many real and vital reasons. Photographs of this part of the

green belt have even regularly been used as picturesque backdrops for ITV weather news. A lot of residents have said they would love to protect it for the town and future generations by owning it as a local community.

An important function of the green belt is to safeguard the character of a community and the horse field has been an integral part of the community as it is visible open green land in the Roundwood area and the only such land with an adjacent pavement (the only other visible green land in the area - and indeed the horse field is part of it - is that which is visible from Roundwood Lane which leads away from Harpenden and which has more limited pedestrian access). Accordingly, the horse field meets an important criteria of green belt that should have been given far greater weight in its assessment.

Any houses that get built on the horse field won't be genuinely affordable housing. It will not benefit the community. They won't be cheap enough for first time buyers nor to make it possible for local residents to move elderly parents closer. It's a sad reality and any pretence otherwise is simply that. So the only real benefit will be to the developers' pockets and not to the community whose local area will be irrevocably damaged for only the developer's pocket. The horse field is not some piece of 'grey belt land' (to use the new government's terminology in its draft revised NPPF) but genuinely important green belt land and part of a conservation area. Of course new houses need to be built in the UK today and we recognise that local authority new housing targets are a reality, but there needs to be proper planning with new towns and better use of brownfield land.

Every year the number of dwellings which are not lived in increases significantly. The purposes of why the green belt came about in the first place are more important now and not less, particularly as climate issues have become so vital.

Additional important functions of the horse field:

An easement of access exists from the gate (where the horse field abuts Falconers Field on the bend in the road) across to the Roundwood Park School playing field. This right of access is not taken into account either in the plans or elsewhere in the Green Belt Review.

Residents (not the owner of the horse field or the council) have used and maintained the strip of land at the end of the cul-de-sac on Falconers Field for decades and claim ownership of it due to adverse possession.

The horse field is often under water in heavy rain and absorbs a lot water for the area which, given the frequent flooding on the main road (even with recent changes made to improve the road) at the bottom of the hill, serves a very important function. Indeed, a neighbour was told exactly this by the Fire Brigade, during an incident. The horse field absorbs water like a sponge and hence performs an invaluable function which would be lost if the site were developed.

Not only does controlling congestion help our air quality, the green belt is an effective and important way to reduce pollutant concentration in the ambient air. Given Harpenden itself is in a valley this is particularly important.

The wildlife that use the horse field and this conservation area should not be underestimated. The small stable buildings in the horse field house bats and a regular topic on the street WhatsApp is enjoying the local wildlife spotted.

Serious concerns about how the horse field has been included:

There are serious concerns about how the horse field has come to be included in this list of sites for consideration for development. In 2013 a review of the green belt took place. It recommended a further look at half of the horse field – but only up to a line level with the gardens of the houses at the end of the cul-de-sac part of Falconers Field. Even this recommendation was flawed as hedges do not make land any less open nor make that land fulfil the green belt criteria any less. Photos were taken from confusing angles. But in any event the plan called SS4 that I have a copy of from this review (and which I've attached to this response) clearly shows only half of the horse

field and the school field as meriting more investigation. However, during this process the area under consideration suddenly became all of the horse field, therefore jutting way out into the green belt. Which happens to coincide with the land owned by the developer. I have retained a long email exchange that I had with the council at the time which shows they were unable to provide any explanation whatsoever for this change. Indeed it could be argued that what went on was all rather suspicious.

Now turning to the fact that the horse field - although being part of green belt and hence considered vitally important - is now deemed by the Green Belt Review not to be serving particularly well the purpose of “preventing neighbouring towns from merging”. If you cut off a section of the green belt – as is the proposal in relation to the horse field - then it will always serve the purpose less and it’s why all of the relevant green belt land is meant to be judged as a whole. The horse field should not have been treated differently to the green belt that it is part of just because a developer owns it. However what this latest Green Belt Review has done is group it together with the adjoining school field and incorrectly assess that whole area in terms of its contribution to the green belt. In that context it is not surprising that the land scored less well on achieving the above mentioned green belt purpose – though it should be noted that the horse field scored very highly for achieving other green belt purposes. So the Green Belt Review assesses the wrong area in relation to this site and that also means it ignores the fact that the development of the horse field as currently proposed will jut into the greenbelt and beyond the houses/building line of Falconers Field. Having seen a plan of the proposed development on the horse field, I have to question why does the proposed new road stop adjacent to the green belt owned by Herts County Council instead of that part of land being used for a house? Does this mean it threatens its adjacent Green Belt too? Given the flawed assessment both in 2013 and in the new Green Belt Review and the inexplicable change in the area being assessed you can see why I have serious concerns as to why the whole horse field is now being put forward as it has been. The horse field was not in previous draft local plans so it should not be considered less important - or more suitable for release for development - just because a developer put it forward. For the character of the area and the safety of road users it would be terrible to lose even part of the horse field but to have the whole of the horse field developed and it jutting well out into the green belt makes no sense and would be devastating for the area.

As a broader comment, it should be noted that I understand the Harpenden Green Belt Association (“HGBA”) was primarily set up by residents who were very focused on resisting building on what is now the proposed L&G development site (i.e. site B7 - North West Harpenden, AL5 3NP) but this should in no way be seen as any kind of tacit endorsement (by the HGBA or any other local residents) of the idea of the development of any of the other green belt sites in or around Harpenden. The horse field, for example, is totally unsuitable for development and each site must be considered on its own merits – and there can certainly be no question of smaller sites such as the horse field being earmarked for development in order to ‘make up the numbers’ for the SADC housing target if one or more of the larger sites are rejected for development as part of this process. Any build in this part of Harpenden will be problematic but given the already difficult access we have going up Park Hill and Roundwood Lane it would be better that any new houses are sited on, or closer to, a main road or at least a road with better access and less congestion.

Given that, due to the recent change in the UK Government’s planning policy, the Council now has discretion as to how many houses it allows to be built over the course of the new local plan, it should be delivering on its election promises to protect the green belt. Green belt should only be used in very special circumstances so the presumption should be to protect it and that presumption should be difficult to rebut. The land at Falconers Field should not be a sacrificial lamb to help SADC hit its new build housing numbers. Just because a developer owns the horse field it should not mean it is assessed differently or wrongly in order to get it through this process.

Even leaving aside what this site's release for development will do to the local community's wellbeing, it will greatly exacerbate already congested and 'full' roads, put children and others in danger and adversely impact the nature and character of the Roundwood area very considerably.

Conclusion:

Suggesting (as the Green Belt Review does) that the footpath is improved will make little if any difference. An area which 1) falls within the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI), 2) if lost will also require provision to be made for a new Suitable Alternative Natural Greenspace (SANG), and 3) has all of the other factors set out above making development not only hugely undesirable but also unlawful under current planning rules, should remain in the green belt. Just because it is a field owned by a developer does not mean it becomes a 'grey belt' area. Being on the edge of a conservation area is also not a reason to allow it to become a 'grey' area or to allow new houses to be built which will go beyond the housing line, requiring the conservation area lost to be replaced and imposing a real threat to the rest of the local green belt. All of this, plus all the access issues highlighted above, means the horse field must remain in the conservation area and in the protected green belt.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

M16 Falconers Field, the horse field, must remain in the conservation area and in the protected green belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Horse field map to building line_[R].pdf
2. SJGâ□□s representations to SADC local plan consultation - Nov 2024_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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255 - Ms Constance Jenkins

Submission Number: 255 Submission Date: 08/11/24 00:36

Respondent: Ms Constance Jenkins

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I do not consider that the green belt should be used for housing. My particular concerns relate to site M16 - Falconers Field, Harpenden, AL5 3ES (HELAA Ref HT-04-21; Green Belt Sub Area Ref SA-17 / RA-14), which is known locally as the horse field. The horse field is part of an important conservation area (the Chilterns Beechwoods Special Area of Conservation Zone of Influence). Just because it is owned by a developer that has put it forward seems to be why it is being considered for release. It is particularly concerning that the area identified goes beyond the building line. It passes the green belt purposes tests to the same extent as the rest of that conservation area which is not being released.

In particular, releasing it encourages encroachment on the rest of the land as well as further urban sprawl. In addition, the site is accessed from a rural road and there are important safety concerns if traffic and the number of pedestrians are to increase. It will ruin an important part of the area's character which I was lucky to grow up with and would wish children and people to continue to benefit from a safe and characterful area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I do not consider that the green belt should be used for housing. My particular concerns relate to site M16 - Falconers Field, Harpenden, AL5 3ES (HELAA Ref HT-04-21; Green Belt Sub Area Ref SA-17 / RA-14)

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. RESPON~2.pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

256 - Mr William Jenkins-Greig

Submission Number: 256 Submission Date: 08/11/24 00:40

Respondent: Mr William Jenkins-Greig

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Local Plan does not currently reflect the requirements of/guidance in the NPPF and I have identified a number of flaws in the process that has been used - for more details of these please see the supporting documents that I have uploaded (see box 6 below).

Supporting Document Text:

The following comments relate to site M16 - Falconers Field, Harpenden, AL5 3ES (HELAA Ref HT-04-21; Green Belt Sub Area Ref SA-17 / RA-14). For ease in my comments I will refer to this site as the "horse field" as that is what it is known as by the local community, which greatly values the amenity of this site.

In 2013 I helped form a large local residents group which successfully resisted a proposal to develop a site (known as New Farm) adjacent to the Falconers Field (green belt) horse field site that has now been selected for consideration for development under the new draft local plan.

Subsequently, as part of the work on the last SADC local plan (which of course ended up being withdrawn), the council commissioned an assessment of the green belt land at the horse field (and beyond). That assessment only identified land up to the current building line (i.e. level with the gardens of the adjacent houses on Falconers Field) in the horse field as meriting consideration for potential development. (I have a copy of that plan, which I have uploaded along with this representation.) This in itself we contested as it is incorrect to assess in isolation the merits of only a small section of a parcel of green belt land and the horse field forms part of a much larger green belt parcel (which includes New Farm).

We then noticed that, without any explanation, the site map was replaced by a new site map which included land in the horse field that went beyond the building line. We never got an answer as to how this could have happened. In any event, none of the horse field was ultimately included for development in that iteration of the local plan so it was an issue that we did not need to pursue.

The current proposal makes the same error again (by including the whole of the horse field) and indeed in all other respects the reasons why the previous proposal was not viable and had to be withdrawn still apply today (in fact they apply to an even greater degree today). For example, we as local residents have done some initial counts of the road use at Falconers Field as Roundwood Park School means this is a significant factor. Falconers Field has a grit skip showing it is a vulnerable, hazardous road and the post box was moved for this reason too. Roundwood Lane is

designated a rural road so children walking along there is not a sensible option either, nor (because of that designation) must any development increase its use by 10% or more - which, if the proposal to develop the horse field were to be approved, would very likely happen.

In addition, there are numerous other serious flaws in the current proposal to earmark the horse field for development. These flaws include the following:-

1. The wrong area has been assessed in the St Albans Stage 2 Green Belt Review (the "**GBR**") as regards this site. This is because in the plan and description of the site in the draft Local Plan (as shown in Appendix 1 – Local Plan Sites) it is clear that this site M16 only includes the horse field itself, whereas the GBR **incorrectly assesses (as sub-area SA-17) the horse field together with the adjoining school playing field** (which is part of Roundwood Park School and is not, and has never been, part of this process/the call for sites) **as one unbroken area**. The assessment of the site in the GBR is therefore invalid.
2. In the GBR assessment sub-area SA-17 scored very highly for some of the green belt purposes - particularly for both criteria of purpose (1) (To check the unrestricted sprawl of large built-up areas). This compellingly demonstrates the very important contribution that the site currently makes to the green belt, particularly when coupled with the fact that the site also clearly fulfils green belt purpose (3) (To assist in safeguarding the countryside from encroachment).
3. The GBR's recommendation that the loss of the horse field from the green belt would require replacement through the provision of a Suitable Alternative Natural Greenspace elsewhere manifestly reveals the truth that it would be much better not to allow the horse field to be removed from the green belt in the first place!
4. The Sustainability Appraisal (SA Report, September 2024), together with other supporting documentation published as part of this consultation, reveals the following in respect of the horse field site:

o Most of the site lies within the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI).

o In the red-amber-green analysis in the table that appears on page 148 of the SA Report the site is assessed as red under each of the "SAC", "Agricultural land" and "Multiple deprivation" criteria and light red in relation to being in an Area of Outstanding Natural Beauty ("AONB").

o If the site were to be approved for development appropriate contributions must be made towards the Strategic Access Management and Monitoring Strategy (SAMMS).

o Development proposals would also need to make provision for a new Suitable Alternative Natural Greenspace (SANG), or alternatively contribute towards the maintenance of a suitable SANG project elsewhere.

o Contributions / enhancements would be required to support relevant schemes in the LCWIP and GTPs as indicated in the TIA. These would need top include traffic calming on Roundwood Lane, and segregated cycling on Luton Road.

o Proposals must include support for improvements to the local rights of way network, including access to the footpath adjacent to the western boundary and the Nickey Line.

o All of the above issues, taken together, render the horse field site unsuitable for development.

5. It is an established rule of planning law that development in the green belt should not be approved unless "very special circumstances" apply. Such "very special circumstances" patently do not exist in the case of the horse field site.
6. As a broader comment, it should be noted that the Harpenden Green Belt Association ("**HGBA**") has been very focused on resisting the proposed L&G development (i.e. site **B7 - North West Harpenden, AL5 3NP**) but this should in no way be seen as any kind of tacit endorsement (by the HGBA or any other local residents) of the idea of the development of any of the other green belt sites in or around Harpenden. The horse field, for example, is totally unsuitable

for development and each site must be considered on its own merits – and there must certainly be no question of smaller sites such as the horse field being earmarked for development in order to 'make up the numbers' for the SADC new housing target if one or more of the larger sites are rejected for development as part of this process.

7. Another comment with broader application is that the Local Plan appears to take no account whatsoever of changes in UK Government planning policy (updating the NPPF guidelines) which (i) amended local authorities' housing targets in order to allow for the green belt to be protected and (ii) put the onus on local communities to decide how many new houses their area can sustain and where those houses should be built.

It is very clear from the above that the horse field is highly unsuitable for development and must be removed from the list of sites that are being considered for development under the Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is very clear from the above that the horse field is highly unsuitable for development and must be removed from the list of sites that are being considered for development under the Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. William's 2024 representations to SADC local plan consultation_[R].pdf
2. Horse field map_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

257 - Mr Paul King

Submission Number: 257 Submission Date: 08/11/24 01:29

Respondent: Greenbelt Mr Paul King

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I believe that there are major issues over the soundness of the plan as it currently exists.

The procedures followed from the outset in early 2023 took an approach where Officers formulating a list of potential sites for release from the Green Belt, based on responses from developers in the various “call for sites” processes. A Green Belt Review was commissioned, and the sites that were suggested for further consideration, were essentially placed in the draft plan wholesale. This was despite Arup warning that this should not be done, and suggesting that other aspects such as sustainability needed to be considered.

The evidence was pushed through the Planning Policy and Climate Committee very rapidly, without the Councillors on that committee having adequate opportunity to scrutinise the material. A vote then followed to enter the Regulation 18 process, with the promise that the missing evidence base would be formulated over the next year to support the proposal.

Producing “evidence” to justify a decision, is not the same as basing a decision on firm evidence that has been gathered. This is a flaw with the procedure followed.

The number of responses from the community was poor, mainly because only a small proportion of the district’s adult population were aware that it was taking place. Added to this was the complexity of the portal site to submit a response, which has been significantly worse for the Regulation 19 submissions.

The “Local Plan Consultation Summary Responses Table” that was produced, lists all comments. It is very notable that the comments shown have a one word “noted” or a short phrase alongside them, which is the same for numerous of the comments. The inclusion of L2 as a site allocation in the plan appeared to attract a substantial number of comments, expressing a desire that it be removed, however it remained in the plan, indicating that these comments were disregarded.

There has been a race to Examination, such that the timeframe for consideration of any comments is very small, which raises the question to what extent the public's views will be considered. This is particularly the case, since the Full Council voted to approve the plan prior to the conclusion of the consultation, let alone any review of the points made in it.

The haste appears to be to reach Examination prior to the publication of a revised NPPF, which is expected to significantly increase the housing requirement for the district. This haste is circumventing the full procedures, thus undermining the soundness of the plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

258 - Ms Alison Evans

Submission Number: 258 Submission Date: 08/11/24 01:37

Respondent: Ms Alison Evans

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

i don't know the precise legal requirements so I cannot say whether it is legally compliant. I don't consider it sound, however, as it appears the council has not taken any notice of the comments submitted by its electorate in relation to the last draft. According to the objectives, sustainable use of land and protecting the green belt are your top two priorities, even ahead of housing, but the proposed redrawing of green belt boundaries shows that this has not been implemented. it simply is not sustainable to concrete over the green belt. and even if you do go ahead and redraw the boundaries (which would be reckless) it will not make those sites suitable for building on. many of the sites you have indicated will be developed have got notes against them showing they contain protected species (eg M3), gas pipelines (M3), protected trees (m7), are atop the aquifer (B7) are at risk of flooding (M6) are on an SSSI (m15) ETC, ETC. these sites need to be protected and to do otherwise is not sustainable: it will not result in St Albans being a great place to live and work, quite the contrary. Some of the proposed development sites are on car parks which will only make the parking situation worse than it already is.

if you were serious about strategic policy 10, you would not be proposing to release plot M3 from the green belt. at the very least you would have excluded the bit north of the public footpath which includes the grass land and the orchids. I fundamentally disagree with the current proposal

overall I don't think this plan is in the best interests of the people of st albans as it is not justified as defined in the introduction to the revised draft plan

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

review the proposed building sites in the medium size category and remove m3 and m6 as a minimum

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B7 - North West Harpenden, AL5 3NP

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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* No, I do not wish to participate in hearing session(s)

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

M15 - Bucknalls Drive, Bricket Wood, AL2 3YT

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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259 - Mercer & Hole

Submission Number: 259 Submission Date: 08/11/24 08:04

Respondent: Aitchison Raffety Mr Hayden Todd

On Behalf Of Mercer & Hole :

UC3 - London Road Car Park, London Road, St Albans, AL1 1NG

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The London Road Car Park generally operates at full capacity and provides important local infrastructure needed to support the effective operation of the surrounding businesses. Residential redevelopment of this Car Park would have a significant impact

on the local office market and create a barrier to economic growth, in conflict with the

provisions and aspirations of the NPPF.

The London Road Car Park provides the infrastructure needed to support the vitality and

viability of the City Centre.

The constrained Site layout, arrangement of the surrounding properties, location of important mature planting and the historic context, would restrict and limit new housing

development options. Given the likely need to maintain existing parking levels, it has not

been demonstrated that there is a ‘reasonable prospect’ that this housing allocation will

be delivered during the plan period, particularly given the allocation of other nearby

parking areas.

For the reasons outlined above, the draft Local Plan and associated housing allocation

has not been prepared in accordance with legal and procedural requirements, and the

test of soundness.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0259 Site Allocation Rep - Reg 19 Local Plan SADC LC_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Could I please be informed of the hearing and given the option closer to the time

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

---

260 - Mr Gerald Eastwood

Submission Number: 260 Submission Date: 08/11/24 08:08

Respondent: Mr Gerald Eastwood

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We would like to make the following representations:

- St Albans Council have not adapted their plan following feedback from the regulation 18 consultation. The feedback given by local communities has been completely ignored. It appears that no changes have been made. This is unlike other councils (e.g. Dacorum) who actually listened to public opinion and made amendments accordingly.
- Proposed West Redbourn (B3) and Hemel Garden Communities developments will completely remove the current green belt buffer between Redbourn and Hemel Hempstead (only 1km remaining). The whole purpose of the green belt is to prevent urban sprawl, these developments completely go against this policy. Even though the ARUP report commissioned by the council rejected the Hemel Garden Communities development due to coalescence, they have decided to proceed anyway – ignoring the findings. An explanation as to why “exceptional circumstances” exist that justify building on this greenbelt land has still not been provided.
- Have the West Redbourn (B3) site and the Hemel Garden Communities developments been considered together? We haven’t seen evidence of this – especially when it comes to the greenbelt.
- Loss of arable land when government should be prioritising self-sufficient food chain. Also damaging to the chalk stream network.

- The West Redbourn (B3) site in particular is a complete abomination; even local housing associations have objected to it. The access proposed will create a huge increase of traffic volume throughout the village – making it lose its village identity and putting significant pressure on already over stretched services and road network.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Proposed West Redbourn (B3) and Hemel Garden Communities developments will completely remove the current green belt buffer between Redbourn and Hemel Hempstead (only 1km remaining). The whole purpose of the green belt is to prevent urban sprawl, these developments completely go against this policy. Even though the ARUP report commissioned by the council rejected the Hemel Garden Communities development due to coalescence, they have decided to proceed anyway – ignoring the findings. An explanation as to why "exceptional circumstances" exist that justify building on this greenbelt land has still not been provided.

- Have the West Redbourn (B3) site and the Hemel Garden Communities developments been considered together? We haven't seen evidence of this – especially when it comes to the greenbelt.
- Loss of arable land when government should be prioritising self-sufficient food chain. Also damaging to the chalk stream network.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Proposed West Redbourn (B3) and Hemel Garden Communities developments will completely remove the current green belt buffer between Redbourn and Hemel Hempstead (only 1km remaining). The whole purpose of the green belt is to prevent urban sprawl, these developments completely go against this policy. Even though the ARUP report commissioned by the council rejected the Hemel Garden Communities development due to coalescence,

they have decided to proceed anyway – ignoring the findings. An explanation as to why "exceptional circumstances" exist that justify building on this greenbelt land has still not been provided.

- Have the West Redbourn (B3) site and the Hemel Garden Communities developments been considered together? We haven't seen evidence of this – especially when it comes to the greenbelt.
- Loss of arable land when government should be prioritising self-sufficient food chain. Also damaging to the chalk stream network.
- The West Redbourn (B3) site in particular is a complete abomination; even local housing associations have objected to it. The access proposed will create a huge increase of traffic volume throughout the village – making it lose its village identity and putting significant pressure on already over stretched services and road network.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Proposed West Redbourn (B3) and Hemel Garden Communities developments will completely remove the current green belt buffer between Redbourn and Hemel Hempstead (only 1km remaining). The whole purpose of the green belt is to prevent urban sprawl, these developments completely go against this policy. Even though the ARUP report commissioned by the council rejected the Hemel Garden Communities development due to coalescence, they have decided to proceed anyway – ignoring the findings. An explanation as to why "exceptional circumstances" exist that justify building on this greenbelt land has still not been provided.
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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Proposed West Redbourn (B3) and Hemel Garden Communities developments will completely remove the current green belt buffer between Redbourn and Hemel Hempstead (only 1km remaining). The whole purpose of the green belt is to prevent urban sprawl, these developments completely go against this policy. Even though the ARUP report commissioned by the council rejected the Hemel Garden Communities development due to coalescence, they have decided to proceed anyway – ignoring the findings. An explanation as to why "exceptional circumstances" exist that justify building on this greenbelt land has still not been provided.
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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Proposed West Redbourn (B3) and Hemel Garden Communities developments will completely remove the current green belt buffer between Redbourn and Hemel Hempstead (only 1km remaining). The whole purpose of the green belt is to prevent urban sprawl, these developments completely go against this policy. Even though the ARUP report commissioned by the council rejected the Hemel Garden Communities development due to coalescence, they have decided to proceed anyway – ignoring the findings. An explanation as to why "exceptional circumstances" exist that justify building on this greenbelt land has still not been provided.
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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- Proposed West Redbourn (B3) and Hemel Garden Communities developments will completely remove the current green belt buffer between Redbourn and Hemel Hempstead (only 1km remaining). The whole purpose of the green belt is to prevent urban sprawl, these developments completely go against this policy. Even though the ARUP report commissioned by the council rejected the Hemel Garden Communities development due to coalescence, they have decided to proceed anyway – ignoring the findings. An explanation as to why "exceptional circumstances" exist that justify building on this greenbelt land has still not been provided.
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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

261 - Rita Cooper

Submission Number: 261 Submission Date: 08/11/24 08:09

Respondent: Rita Cooper

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

There appears to be a set of standard responses regarding concerns raised previously, which would indicate that concerns have not been taken seriously. The suggestion that the council is working with the CC on highways does not seem to be bourne out by the lack of consideration of the impact on local highways of the development of the Strategic Rail Freight Terminal.

It seems that the allocation of green belt locations for development has been influenced by property developers through the “call for site” processes rather than using a systematic process.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

262 - Watford Borough Council

Submission Number: 262 Submission Date: 08/11/24 08:23

Respondent: Watford Borough Council Mr Thomas Shaw

On Behalf Of Watford Borough Council :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

1.9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Thank you for providing Watford Borough Council (WBC) the opportunity to comment on the St Albans Draft Local Plan 2041 Regulation 19 Consultation.

Watford and St Albans both form part of the wider area of South West Hertfordshire. Consequently, Watford Borough Council (WBC) and St Albans City and District Council (SADC) share several strategic planning issues including being within the same Housing and Economic Market Areas, and infrastructure provision that promotes sustainable development across the area.

WBC is encouraged by the progress made by SADC on its Local Plan and supports its objectives for sustainable growth. WBC has worked closely with SADC throughout the evolution of the draft Plan on a range of cross boundary issues and a position of agreement on these issues has been reached. This is to be reflected in a signed Statement of Common Ground between the Councils.

WBC will continue to work with SADC and HCC to plan and deliver cross boundary infrastructure projects, such as the HERT and improvements to the Abbey Line. Efforts to enhance the Abbey Line, which currently provides a key, but irregular, sustainable transport connection between Watford and St Albans, are fully supported and it is pleasing to see references to this in the draft Plan.

These cross boundary sustainable transport projects will further improve regional connectivity and improve access to economic opportunities across South West Hertfordshire.

The Council is pleased to see that the Plan continues to meet its housing need in full. This is an ambitious approach that is welcomed and supported in light of the Watford Local Plan (adopted October 2022) which also sought to meet its housing needs in full.

Watford has a shortfall of available land to support investment in new industrial and logistical premises. WBC is pleased that the Local Plan acknowledges that SADC could meet other LPAs' needs as part of a strategic approach to employment provision in the South West Hertfordshire area.

In line with paragraph 5.2 of SADC's Evidence Paper Meeting the Accommodation Needs of Gypsies and Travellers and Travelling Show people (September 2024), WBC confirms that it does not have any available sites to meet the Gypsy and Traveller accommodation need identified for St Albans.

WBC supports the ongoing work on the Joint Strategic Plan and values collaboration on shared evidence base documents to ensure consistency across the sub-region.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. WBC Response to SAD Reg 19 Draft Local Plan consultation_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP4 - Housing

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In line with paragraph 5.2 of SADC's Evidence Paper Meeting the Accommodation Needs of Gypsies and Travellers and Travelling Show people (September 2024), WBC confirms that it does not have any available sites to meet the Gypsy and Traveller accommodation need identified for St Albans.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Watford has a shortfall of available land to support investment in new industrial and logistical premises. WBC is pleased that the Local Plan acknowledges that SADC could meet other LPAs' needs as part of a strategic approach to employment provision in the South West Hertfordshire area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA2 - Major Transport Schemes

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

WBC will continue to work with SADC and HCC to plan and deliver cross boundary infrastructure projects, such as the HERT and improvements to the Abbey Line. Efforts to enhance the Abbey Line, which currently provides a key, but irregular, sustainable transport connection between Watford and St Albans, are fully supported and it is pleasing to see references to this in the draft Plan.

These cross boundary sustainable transport projects will further improve regional connectivity and improve access to economic opportunities across South West Hertfordshire.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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263 - Mr Michael Priaulx

Submission Number: 263 Submission Date: 08/11/24 08:24

Respondent: Swifts Local Network: Swifts & Planning Group Mr Michael Priaulx

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB6 is very welcome but not sound as not effective due to some inconsistent wording and lack of consistency with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To make Policy NEB6 consistent with NEB7 and NPPG Natural Environment 2019 paragraph 23, please amend (f) wording from "SuDS bird boxes, bat boxes..." to "SuDS, swift bricks, bat boxes...", because swift bricks are a universal nest brick for small bird species referenced in NEB7 and NPPG as above and there is no national policy support for external bird boxes which are a relatively short term measure.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide further information, if required.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB7 is very welcome but not sound as not effective due to lack of context (e.g. swift bricks are considered a universal nest brick suitable for a wide range of small bird species including swifts, house sparrows and starlings, e.g. see NHBC Foundation: Biodiversity in New Housing Developments (April 2021) Section 8.1 Nest sites for birds, page 42: https://www.nhbcfoundation.org/wp-content/uploads/2021/05/S067-NF89-Biodiversity-in-new-housing-developments_FINAL.pdf), and lack of detail regarding best-practice guidance.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please add to NEB7 to provide context and ensure suitable numbers for non-residential development and suitable locations for all types of development: "Swift bricks are a universal nest brick for small bird species and should be installed in accordance with best-practice guidance such as BS 42021 or CIEEM".

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide further information, if required.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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264 - Rita Cooper

Submission Number: 264 Submission Date: 08/11/24 08:30

Respondent: Rita Cooper

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site L2 Watling Street development planning application was turned down by the Council earlier on this year, yet it has still part of the Reg 19 process. At that time the Councils view was that L2 should be accounted as green belt. The Council do seem to be taking no account of their own decisions.

The increased traffic along Watling Street during the building of and once the development has finished must be considered alongside the development of the Strategic Rail Freight Terminal. SRFT is set to have over 10,000 vehicle movements a day many of which will use the Park Street roundabout and further clog it for local traffic. No traffic assessment taking account of both developments has been published, but the impact of both developments seems likely to be disastrous for local traffic.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

265 - Vistry Group

Submission Number: 265 Submission Date: 08/11/24 08:44

Respondent: Turley Mr Steven Kosky

On Behalf Of Vistry Group :

DES3 - Efficient Use of Land

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Vistry notes that there is a complex framework of prescriptive development management policies, but it is unclear whether, on a practical basis, there has been any assessment of how these policies inter-relate, without causing tensions within the Local Plan. In this regard, it is noted that Policy DES3 of the Draft Local Plan (Efficient Use of Land) requires a minimum overall net density of 40 dwellings per hectare (dph) in every instance and that development proposals that do not make efficient use of land will be refused. Vistry advocates that each of the proposed current allocation sites, including Site B3: West Redbourn, should be considered on their own respective merits and developed at an optimum sustainable density, consistent with the constraints and opportunities identified for the particular site in question.

Please see attached Statement for more details

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached statement

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Regulation 19 Submissions on behalf of Vistry Group - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Vistry has submitted an outline planning application and requests the right to support the emerging allocation with any up to date technical information available at the time of the hearing session.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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These representations continue to strongly **support** the emerging **Broad Location B3: West Redbourn** and the identification of this site for growth in the emerging Local Plan. The southern section of the B3 Broad Location, within the control of Vistry, as shown on the red line plan at **Appendix 1**. The site controlled by Vistry is also the subject of a live outline planning application (reference 5/2021/3631) which was validated in January 2022.

The representations provide a high level commentary on the Draft Local Plan, followed by a high level overview of the conformity and compatibility of the submitted outline proposals at Gaddesden Lane with the emerging requirements of Broad Location Site B3: West Redbourn.

West Redbourn, proposes an indicative 545 residential units and contains a number of key development requirements, which are broadly supported by Vistry.

Pursuant to the delivery of the Vistry element of the B3 allocation. Vistry has agreed a Statement of Common Ground with St Albans Council, on a without prejudice basis. The agreed common ground is that the Council and Vistry generally support what is set out in the Local Plan Part A and the Local Plan Part B, including the Key Development Requirements for site B3. The Statement of Common Ground identifies that there are currently no matters of general disagreement between the Council and Vistry Group on the Local Plan and that the Council will continue to work with Vistry Group on the delivery of site B3 in the Local Plan Part B up to and beyond the adoption of the new St Albans Local Plan.

Please see attached Statement for more details

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I would like to be notified about the adoption of the Local Plan:

* Yes

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266 - Crest Nicholson Partnerships and Strategic Land

Submission Number: 266 Submission Date: 08/11/24 08:47

Respondent: Stantec Sarah Cross

On Behalf Of Crest Nicholson Partnerships and Strategic Land :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

3.1 Section 11 of the Localism Act 2011 introduced a requirement for Planning Authorities to cooperate with

neighbouring Local Planning Authorities on cross boundary issues.

3.2 Para 1.9 of the Reg 19 DLP recognises this statutory duty and sets out the background to the Joint

Planning approach under the South West Hertfordshire Joint Strategic Plan, which covers Dacorum Borough Council, Hertsmere Borough Council, Three Rivers District Council and Watford Borough Council. It also identifies the joint working with Dacorum Borough Council on the cross-boundary development at Hemel Garden Communities.

3.3 The previous Local Plan was withdrawn following the Inspector's letter of 14 April 2020 which set out

concerns regarding Duty to Cooperate and the ability to accommodate the Council's housing needs outside of the Green Belt.

3.4 The updated Evidence Base as part of this new Reg 19 DLP process includes a response to the

Inspector's letter. It aims to set out how the Council has responded to the concerns raised.

3.5 The response sets out that the Council engaged in a Duty to Cooperate matrix approach with

neighbouring Councils and key stakeholders which had been endorsed by Planning Advisory Service throughout 2022 and 2023. It is noted this will feed into Statements of Common Ground (SoCG) with such parties prior to the submission of the Local Plan.

3.6 In addition, the Evidence Base includes an Overarching SoCG which sets out an overview of the

common ground on the strategic geography and cross boundary matters and identifies that currently there are no matters of disagreement.

3.7 The Overarching SoCG is very broad and it is noted that further bilateral SoCGs will be provided in due

course. However, it will be necessary for ongoing and effective cooperation to be demonstrated to have taken place, particularly with regard to housing matters and it is not known at this stage how effective this will have been as there are no specifics provided within the Evidence Base.

3.8 As the current content of the Overarching SoCG is too broad, this raises some concern about whether all stakeholders, including neighbouring authorities, are in agreement, particularly regarding housing numbers. It is noted that this lack of information at this stage may be due to the accelerated nature of the Local Plan process, so it is recommended that the specific SoCGs anticipated with the various stakeholders are robust and ready for the Examination process.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 35429 A5 SC 241014 Reg 19 Reps Final_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We represent Crest Nicholson Partnerships and Strategic Land who have a land interest in the draft Broad Location allocation B2 'North East Harpenden', so would like to be involved in the hearing sessions regarding this allocation and other local plan matters where appropriate.

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I would like to be notified about the adoption of the Local Plan:

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Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 8

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.1 Chapter 1 of the Reg 19 DLP sets out a spatial strategy for the City and District of St Albans up to 2041.

The Plan, once adopted, would supersede the current adopted Local Plan Review (1994).

4.2 The Reg 19 DLP continues to recognise (at Para 1.31) that there is:

"*...a clear need for more new homes because of the national situation, high house prices and also a need for more local people to have the opportunity to live and work where they were brought up. To do this the District needs in particular a supply of first family homes to purchase, affordable homes to rent and buy, and to provide for opportunities for downsizing, Self-build and Custom Housebuilding. It is also important to maintain a healthy local economy and high quality local jobs that offer genuine alternatives to commuting into London or elsewhere outside the District*"

4.3 To achieve this, and meet needs which are not currently being met, the Reg 19 DLP sets out the Spatial

Strategy at **Policy SP1**. This policy has remained similar to the Reg 18 version, but has been updated. These updates include: making clear that growth should seek to first develop Brownfield land; that community facilities such as healthcare should be provided; and alterations to the housing requirement figures.

4.4 Therefore, the policy now identifies that growth should (amongst other requirements):

- Be supported by necessary community infrastructure, transport improvements, green spaces and tree planting;
- Make the most sustainable use of land in urban areas and then the Green Belt, seeking for a "Brownfield Land" first approach;
- Be located within and adjacent to the larger and most sustainable urban centres in accordance with the settlement hierarchy; and
- Meet local housing need, following the 'standard method' calculation to deliver at least 14,603 homes across the Plan period (885 dwelling per annum).

4.5 We are generally supportive of the spatial strategy.

1. **i) Housing Requirements**

4.6 It is noted the housing requirement has changed from the Reg 18 version, as follows:

Table 4.1: Housing Requirement Changes from Reg 18 to Reg 19 LP version

Previous Requirement	**New Requirement**
888 homes per annum	885 homes per annum
15,096 homes over Plan Period	14,603 homes over Plan period
Plan Period 1 April 2020 – 1 April 2036	Plan Period 01 October 2024 – 31 March 2041

4.7 The housing requirement has been reduced by 493 homes over the Plan Period and appears to relate

to the changes to Standard Methodology between 2023 and 2024. In addition, it is noted the Plan Period is now 17 years, rather than the previous 16 years.

4.8 The Interim Sustainability Appraisal (Interim SA, July 2023) identified the "uncapped" figure for Local

Housing Needs would be 1,165 dwellings per annum, much higher than the "capped" standard method figure of 888 per annum at that time. This was considered within the Interim SA at that time, but it was concluded that these higher growth scenarios were not reasonable in light of wider factors.

4.9 This interim position has now been replaced by the Sustainability Appraisal (September 2024) which

now identifies that there is a reasonable case for considering a scenario for housing requirements above Local Housing Need. The Sustainability Appraisal therefore identifies Growth Scenario 3 as the 'preferred approach'.

4.10 Table 5.2 sets out that this preferred approach would see a total of 14,989 homes over the Plan Period,

which would be an increase in 3% over the figure contained within **Policy SP1.** This Growth Scenario sees more sites within the Green Belt being released, but as smaller sites, with less housing within them (which has been favoured over large areas of Green Belt release to the south-east and north of St Albans).

4.11 We therefore note that the Council has taken account of our previous recommendations that growth

scenarios would need to look at above housing needs level. However, while consideration has been given to whether a higher level of need could be realistically delivered (as required by the PPG Paragraph: 007 Reference ID: 2a-007-20190220), there are some clear indications within the Sustainability Appraisal and outside factors that mean the Council should consider looking beyond just a 3% increase over the Local Housing Need.

4.12 In particular, the Local Housing Needs Assessment (2024) identifies a need for 802 affordable homes per annum, which, when considered against the overall figure within **Policy SP1** of 885 homes per

annum highlights the potential discrepancy with what should actually be delivered within the Plan Period to meet all types of housing need. The Sustainability Appraisal notes this is 'a complex matter', but does not then go into further detail on this. In our view, this does not fully address consideration of this higher need within the overall proposed housing requirement.

4.13 It is considered that the Council should review whether a higher growth option is possible given that the

housing supply position has worsened since the Reg 18 version of the LP was published (2 year supply) and is now at 1.9 years supply. In addition, the latest Housing Delivery Test (HDT, 2022) identified only 55% of homes were delivered in the preceding 3-year period. This is a decrease of 10% compared to the 2021 HDT which was at 65%.

4.14 It is therefore surprising that the housing numbers have been altered for the Broad Locations, including

the site at North East Harpenden. In most cases, the suggested indicative capacities have been reduced. The source of this appears to be the Housing Land Supply, Windfall and Housing Capacity Evidence Paper (September 2024) which sets out that indicative capacities have been based upon 40dph and that in some cases the allocated sites have seen reduced 'site areas' to take account of required infrastructure or constraints to development, which has then had a knock-on impact on capacities. However, it is not clear within the evidence base which specific constraints or infrastructure affects each Broad Location. It is recommended this is made clear within the evidence base as otherwise these reduction in numbers may not be considered "positively prepared", "effective" or "justified".

4.15 It is acknowledged that the housing number provided within **Policy SP1** is an "at least" figure, however

it is recommended the Council has regard to the above observations, as well as the clear message from Government that the Local Plan will need to be immediately reviewed once adopted to take account of the potential housing number changes through the Standard Method changes within the emerging NPPF, particularly in light of the declining housing land supply and HDT within the City and District.

4.16 We therefore highly recommend commitment to the early review of the Local Plan once it is adopted,

and that the Sustainability Appraisal is used more rigorously to look at the higher growth scenarios in more detail to help address future unmet need and help increase housing and affordable housing delivery particularly in light of the expected Standard Method changes through the NPPF.

1. **ii) Other Requirements**

4.17 With regard to the other requirements, we continue to support the requirement that development should be accompanied by the necessary infrastructure to facilitate growth. The continued Reg 19 DLP approach of pursuing larger-scale development, i.e. Broad Locations, will help achieve this, providing the necessary economies of scale to support on-site and, where necessary, off-site provision. As

detailed in Section 7.0, Land at North East Harpenden is a prime example of how a Broad Location can achieve sustainable growth through supporting infrastructure.

4.18 The focus on brownfield land is supported, as this is consistent with the NPPF. However, the altered

wording does not resolve our previous comments on this section at Reg 18, that prioritising this "first" could be misconstrued as progressing brownfield allocations/sites ahead of greenfield allocations/sites. There may be instances where brownfield sites are wholly unsustainable and unfeasible, whereas alternative greenfield sites are more sustainable and make logical places for development. We consider this wording should be reviewed again to ensure this policy is "effective", "positively prepared" and would be "consistent with national policy".

4.19 Para 1.36 of the Reg 19 DLP notes the Spatial Strategy has been shaped by the need to address the Climate Emergency, which 'gives priority' to the larger urban centres which provide a greater range of services and facilities and can reduce the need for travel by private vehicle usage. This reflects the Settlement Hierarchy at Table 1.3 where growth has been focused within Tier 1 (St Albans and Hemel Hempstead), Tier 2 (Harpenden) and Tier 3 (London Colney). The focus of growth within such hierarchies is supported.

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4.15 It is acknowledged that the housing number provided within **Policy SP1** is an "at least" figure, however it is recommended the Council has regard to the above observations, as well as the clear message from Government that the Local Plan will need to be immediately reviewed once adopted to take account of the potential housing number changes through the Standard Method changes within the emerging NPPF, particularly in light of the declining housing land supply and HDT within the City and District.

4.16 We therefore highly recommend commitment to the early review of the Local Plan once it is adopted, and that the Sustainability Appraisal is used more rigorously to look at the higher growth scenarios in more detail to help address future unmet need and help increase housing and affordable housing delivery particularly in light of the expected Standard Method changes through the NPPF.

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1. 35429 A5 SC 241014 Reg 19 Reps Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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We represent Crest Nicholson Partnerships and Strategic Land who have a land interest in the draft Broad Location allocation B2 'North East Harpenden', so would like to be involved in the hearing sessions regarding this allocation and other local plan matters where appropriate

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.1 Chapter 3 of the Reg 19 DLP sets out policies in relation to the sustainable use of land and the Green Belt.

5.2 The requirements for growth section have been updated to reflect the alteration in housing numbers.

Our comments on this change are as discussed in the above section.

5.3 The categorisation of sites includes Broad Locations at Table 3.1. This includes altered requirements

for each of the Broad Locations, including North East Harpenden. The altered requirements for this Site (B2) now include the addition of a childcare facility. There is no objection to this inclusion.

5.4 The retained requirements for a mixed-use scheme 2 form-entry primary school, green infrastructure,

transport infrastructure and other community infrastructure is supported.

5.5 It is noted the minimum capacity has stayed the same here at 762 dwellings. However, this conflicts

with the Evidence Base and Part B of the Local Plan, including Draft allocation Policy B2, which states a reduced capacity of 738 dwellings. This needs to be clarified and we suggest that the capacity remains in line with the previous figure of 762 dwellings.

1. **i) Policy LG1 –Broad Locations**

5.6 The wording of Policy LG1 has been altered in respect of the Broad Location allocations.

5.7 This section reviews the changes made to this policy in respect of this draft allocation, before moving

on to Part B which sets out the requirements for the Site Allocations in more detail.

5.8 Policy LG1 has been changed as follows (with our comments in ***bold italics*** below):

- At the beginning – containing within brackets *"(or unallocated windfall development at this scale*)"

There are no comments regarding this inclusion.

- At a) – the inclusion of "*statutory consultees*" when seeking input on the masterplanned approach to development

It is not felt this necessarily needs to be included, however there are no objections to this additional wording.

- At i) – Altered wording so that 3% of self or custom build dwellings are provided, instead of just the land for this provision.

The clarity that this re-wording provides is welcomed.

- At k) – altered wording for the provision of housing mix which has removed "*in general conformity with*" the Council's evidence base and replaced with "*including*"

This change is welcomed as it ensures proposals have regard to the evidence base, but allows for some flexibility for site specific circumstances.

- At l) – now refers to proposals needing to integrate with, and where appropriate, improve the existing transport network with reference to the LCWIP

There are no objections to this additional wording.

- At m) – altered wording to ensure development "*normally retain significant healthy*" trees and "*other important*" landscape features

This change is welcomed as it changes from retaining all trees to recognising that it should be the <u>important and healthy</u> trees that are retained, alongside <u>important landscape</u> features so that development can be delivered more flexibly. However, we would comment that the word "normally" should be altered to "seek to retain" or similar.

- At n) – wording changed so that for C2 accommodation 1 semi-mature tree is planted for every 2.5 dwelling equivalent bed space

There are no objections to this additional wording.

- At p) – now refers to development being informed by a comprehensive LVIA which addresses the recommendations of the Council's Landscape and Visual Appraisal 2024.

There are no objections to this additional wording.

- At q) – this is a new criterion which requires sites listed within Appendix 5 to be informed by a Detailed Heritage Assessment and Archaeology Desk Based Assessment which addresses the recommendations of the Council's Heritage Impact Assessment 2024.

There are no objections to this additional criterion, providing the types of surveys required to support forthcoming applications is considered on a reasonable basis, subject to the type of development being applied for.

- At r) – this has changed the wording from "*likely*" landscape impacts to "*identified*" landscape impacts

This change is welcomed as it clarifies that assessments should be made on identified impacts and not anything else that has not been tested.

- At s) – altered wording to refer to the use of appropriate "*Community Stewardship and Legacy bodies*" to provide long term management of community facilities and / or open spaces instead of the previous "*Community Partnership Management Organisations*" wording.

Further clarity on what the re-wording of the Community Body is asking for is welcomed.

- At u) – this is a new criterion which requires proposals to demonstrate the co-location of community facilities (such as schools, shops, community centres, strategic public open space) in order to reduce the number of trips that residents have to make.

It is suggested that, as with the other requirements, the wording is updated to include "where feasible" or similar, as due to certain site constraints it may not always be possible to provide all of the community facilities within one place. There must be some flexibility provided to ensure the best possible outcome for masterplanning sites, and at the moment this is worded with no flexibility surrounding this if needed. The policy could incorporate wording so that where this is not possible, it is demonstrated why.

- At v) – this is a new criterion which requires proposals to "*normally provide*" contributions towards the maintenance and / or upgrade of an existing community hall or village hall nearby, which is secured by appropriate mechanism such as a S106 agreement.

We comment that the use of the word "normally" is altered to "seek to retain" or similar.

We would also question whether this requirement would meet the CIL Regulation tests for sites where a community facility is being sought on site. This policy as currently worded would require contributions towards other facilities in the area, at the same time as providing on site facilities. It may therefore be that the policy wording is altered to something akin to:

"Seek to provide contributions towards the maintenance and / or upgrade of an existing community hall or village hall nearby, which is secured by appropriate mechanism such as a S106 agreement, where there are no such facilities proposed on site"

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See question 4

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1. 35429 A5 SC 241014 Reg 19 Reps Final_[R].pdf

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* Yes

LG6 - Green Belt Compensatory Improvements

Comment Number: 9

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.13 This policy includes altered wording so that allocations within Part B which are facilitated by Green Belt boundary changes are required to provide a number of requirements that are now *"to a degree proportionate to the development"*. This additional wording is supported, as it reflects that not all sites will be able to provide the same degree of improvements.

5.14 The policy also includes additional wording at d) in relation to Public Rights of Way, so that where a diversion is unavoidable, replacement routes must be provided to the satisfaction of the Council / Highways Authority. There is no objection to this additional wording.

5.15 The additional wording at e) also refers to Public Rights of Way and now requires routes to have appropriate utility and recreational use to mitigate for the increased user impact. There is no objection to this additional wording.

5.16 The proposals at North East Harpenden will accord with Policy LG6 with an appropriate Green Belt compensation strategy which will include a number of new and enhanced green infrastructure elements, substantial planting, landscape and visual enhancements, improvements to biodiversity and habitat connectivity, new and enhanced walking and cycling routes and new and enhanced recreational provision. The existing Public Right of Way will also be maintained and enhanced as part of the proposals.

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* Yes

HOU1 - Housing Mix

Comment Number: 11

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.2 Our previous comments to the Reg 18 draft appear to have been taken into account as the policy now includes some flexibility for the Broad Locations, however, this is only where the delivery of specialist housing impacts on the housing mix through increase in smaller units. In this case, the policy states that: *"the housing mix may be adjusted on sites that deliver specialist housing units to take account of an increased proportion of smaller units*".

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* Yes

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* Yes

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* Yes

HOU2 - Affordable Housing

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.5 Policy HOU2 addresses affordable housing provision and requires 40% of new housing on major development sites to comprise affordable housing.

6.6 We support this policy in general, and note that our previous suggestion of removing the reference to the number of clustering of units has been actioned.

6.7 The updates have provided a new criterion at b) which encourages 3-bedroom affordable homes to address the Council's Housing Register. There is no objection to this addition as it is noted that any mix would still need to be in broad compliance with **Policy HOU1**, noting the comments above on this.

6.8 Criterion H still requires Shared Ownership and Discount Market Sales affordable housing to not exceed a final purchase price of the midpoint range recommended in the Local Housing Needs Assessment. This is still based upon a specific point in time (updated from 2020 to 2022), therefore it would be

unreasonable to continue to apply this figure across the Plan Period. As drafted, this element of the policy is not justified, and it should be acknowledged that this should be based upon up-to-date information for specific areas. It may be more appropriate amend this to require discount market sales homes to be provided at a rate at least 20% below market value so this can reflect any changes to the market at that time.

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It may be more appropriate amend this to require discount market sales homes to be provided at a rate at least 20% below market value so this can reflect any changes to the market at that time.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 12

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The alterations to this policy reflect the requirement for 3% self-build and custom build homes out of the total number of homes within the site (rather than the total 'plots') is helpful as it adds clarity to this policy. The addition of wording to make clear that this is not required in entirely flatted developments is also considered useful clarity.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 35429 A5 SC 241014 Reg 19 Reps Final_[R].pdf

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COM1 - Education

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.11 We support the provision for major development to make appropriate provision for education facilities, either on-site or through contributions. This includes new provision within Broad Locations.

6.12 Criterion b) requires school associated sports facilities to "serve a community joint use function" and now sees additional text which specifies that "*access must be secured through community use agreements*". There is further additional text which states: "*The provision of playing pitches for community use will be required at new primary and secondary schools*".

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

6.13 Whilst the principle of these requirements is supported, this needs to be considered on a site-by-site basis with Hertfordshire County Council as the Education Authority as there may be different needs for different areas depending upon capacities and other facilities in the nearby area. This is also considered the same for criterion c) which requires allocated school sites reserved for state funded schools. In both cases, flexibility should be built into the policy to recognise the requirements are subject to discussion and agreement with the Education Authority who may have different priorities and needs compared to St Albans City and District Council.

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Strategic Policy SP8 - Transport Strategy

Comment Number: 14

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.15 Criterion d) has been updated to clarify that only high trip generating uses which generate trips "*in excess of the thresholds set in Hertfordshire County Council's Travel Plan Guidance*" are required to prepare, submit and implement Travel Plans. This is helpful clarification.

6.16 Criterion i) has been updated to ensure that Masterplans at Broad Locations include implementation of sustainable travel infrastructure at "*the earliest reasonable opportunity*". This wording is supported as it reflects the need to be reasonable when planning infrastructure.

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TRA1 - Transport Considerations for New Development

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.17 This policy has been updated at a) i) to clarify that safe and suitable access also relates to walking, cycling (and not just vehicles). This is supported as it aligns with the NPPF.

6.18 Criterion x) has also been updated, requiring suitable mechanism to secure transport measures through the Bus Service Improvement Plan, Growth and Transport Plan plus anything identified within the Supporting Documents to the Local Transport Plan. This is an increase compared to the previous wording which only required delivery of schemes identified within the LCWIP.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

6.19 While this change is not objected to, we consider that flexibility should be imbedded within the wording here so that it is recognised that it may not be appropriate for all sites to meet **all** of the improvements identified within **all** of the listed documents, and that there should be a reasonableness test provided to any such schemes to ensure this policy is “justified”.

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NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 16

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy has seen changes following the updated Biodiversity Net Gain (BNG) legislation. The changes under the BNG section are supported as they have been made are in accordance with the Environment Act (2021). It is noted that additional text has been added stating “where possible, higher than 10% net gain in biodiversity on site is strongly encouraged”. While this is aspirational, there is no objection to the wording of this addition.

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

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.22 This policy has seen additional text added with specifics on what new housing and non-residential development should provide. This includes:

- For new housing at c) i) – at least one swift brick per dwelling, on average for the development, installed in groups in optimal locations;
- For new housing at c) ii) – at least one integrated bat box and one integrated insect box per dwelling;
- For non-residential development at d) – groups of integrated swift bricks in numbers appropriate; and
- For fencing at f) whereby it is stated that all fencing should be hedgehog friendly with hedgehog highways throughout the development to a proportionate degree.

6.23 This policy is supported in principle. However, the wording does not provide any flexibility for developments where the installation of such bird or bat boxes would not be suitable to its location, orientation or type of development (i.e. a solely flatted block development). In addition, the use of hedgehog appropriate fencing is not always possible where there are sites with topography issues (i.e. where retaining walls have to be used), or where they join onto secure boundaries such as with schools (education authorities do not support hedgehog fencing as this can cause small pets to get onto school grounds).

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6.24 Therefore, while this policy is appropriate for enhancing biodiversity in principle, it should be re-worded to allow flexibility where specific site constraints or circumstances do not allow for these types of installations, otherwise this policy will not be considered “positively prepared” or “justified”.

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NEB8 - Managing Flood Risk

Comment Number: 18

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.25 This policy has been updated to have regard to the sequential and exception tests.

6.26 While the explanation text above the policy at Para 10.37 states that the sequential and exception tests have already been applied to sites designated for development in the Plan, it is considered this should be clarified within the policy box itself, for completeness.

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* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 19

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.27 The Reg 19 DLP is supported by an updated Open Space Study (April 2024) which reviews existing open space typologies across analysis areas.

6.28 These figures have changed minimally compared to the Reg 18 version and as such, while the exact typology and level of shortfall varies across area, all still have shortfalls in some form of open space as demonstrated by Table 11.3.2 within the updated Open Spaces Study (April 2024).

6.29 It is noted that for all the typologies listed within draft **Policy NEB12** at Table 10.1, the quantity standard (sqm per person) matches the findings of the updated Open Spaces Study with regard to the shortfall. However, this is with the exception of the allotment provision, which is still stated as requiring 4.5sqm per person, when the Open Spaces Study shows a shortall of 2.8sqm per person. This needs to be reviewed as this provision is currently unjustified.

6.30 The policy also includes new criteria relating to new sport pitches, which includes: provision in accordance with Sport England's Playing Pitch Calculator; priority to facilities that contribute towards a strategic approach; provision of a clubhouse for multi-pitch and multi-sports sites; and facilities that are designed in accordance with Sport England's design guidance. The policy also recognises that for most developments, an off-site financial contrition may be more feasible. There is no objection to these additions.

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IMP1 - Additional Infrastructure Requirements for Strategic Scale Development

Comment Number: 20

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.32 This policy sets out additional infrastructure requirements for Broad Locations including: needing to engage early with the Council and infrastructure providers and service delivery organisations in early pre-application discussions; and deliver infrastructure to a set of timescales agreed with the Council, infrastructure providers, service delivery organisations and any other relevant organisations. We are supportive of this.

6.33 The policy also requires landowners to facilitate and co-ordinate infrastructure provision together or demonstrate why this cannot be achieved. While the wording of this policy does allow some flexibility through being able to set out why in some instances this cannot be achieved, the deletion of the words "*will be strongly encouraged to*" and the alteration to "*should*" has weakened

this flexibility and does not take account of the intricacies of working with multiple landowners. We recommend this wording is amended to advocate for joint working where practicable, whilst ensuring development does not prejudice neighbouring land coming forward.

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6.34 The removal of the wording "*Planning permission will not be granted where there is insufficient evidence on utilities capacity to support the development and that the capacity will be delivered to meet the needs of the development*" from part c) of the policy is supported as it will ensure that where utility providers have failed in their legal duty to provide the relevant upgrades this does not prejudice the ability of the strategic sites coming forward where they are most needed.

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I would like to be notified about the adoption of the Local Plan:

* Yes

B2 - North East Harpenden, AL5 5EG

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.9 The associated Part B of the Local Plan has also been reviewed in regard to Policy LG1 which requires

general accordance with this and the specific requirements for the Site Allocations.

5.10 The following therefore sets out our comments on Part B, in respect of the allocation including 'B2 North

East Harpenden'.

5.11 The background text to Part B has been changed as follows (with our comments in ***bold italics*** below):

- Table A1.1 – Allocation Sites in the Local Plan has seen the number of sites and associated housing numbers altered. This has reduced the number of sites from 102 to 98 and the reduced the housing numbers produced from them from 11,779 to 10,808 homes.

While it is recognised that the Council is seeking to meet its currently identified housing numbers before the potential change to Standard Method through the NPPF reform. We would like to seek clarity on the reduction of housing provision here, given that work will be required shortly after adoption of the Local Plan to take into account increased housing numbers.

It is also noted that for the majority of the sites listed within the Broad Locations, the housing numbers have been reduced. For instance, Site B2 has seen a decrease from 762 units to 738 units. While these are minor decreases, these do add up and there is no clear explanation within the Part B document, or the evidence base as to why this reduction has been made. We would suggest that explanation is clearly provided in order to ensure the changes can be "justified" and therefore found "sound".

5.12 The B2 allocation box itself has then been changed as follows (with our comments in ***bold italics*** below):

- Indicative unit capacity has changed from 762 to 738

We question why this change has been made and where the evidence is for this alteration – as per our comment above at para 5.11.

In addition, we note that the wider draft allocation at 'B2' states a proposed indicative capacity of 738 units, whereas the text within the Broad Locations Table 3.1 within the DLP states a minimum of 762. This figure is contradictory and should be 762 (in line with the previous Reg 18 version) to make the most effective use of land. This should be reflected correctly within Appendix B and the wider evidence base.

- Requirement 1 – altered from the provision of a 60 unit extra care scheme to a 70-80 extra care unit scheme which has been specified as being included within the indicative dwelling capacity for the site.

We comment that this should be stated at 60-80 units instead of 70-80 units.

- Requirement 2 – This has added the need for an all-weather sports pitch available for community use under the same requirement as a site for the 2-Form entry primary school.

We do question why this additional all-weather sports pitch is required when the allocation will be delivering on site outdoor sports provision within the retained land to the north which is to remain in the Green Belt. It is suggested that the need for the community pitch for the school is removed in light of requirement 3 below.

Alternatively, this requirement could be worded so that if there are no sports pitches proposed within the Green Belt land then an all-weather pitch is provided on the primary school site, something akin to:

"A site for and appropriate contributions towards a 2 FE primary school, including Early Years provision. An all-weather sports pitch available for community use should also be included if on site outdoor sports provision is not provided as set out in criteria 3 below."

- Requirement 3 – New criterion which requires on-site outdoor sports provision (potentially as part of the remaining Green Belt land) to meet the needs of the development. It also notes that off-site provision could be acceptable where justified and subject to early delivery.

This addition is supported, particularly noting that this could be provided within the remaining Green Belt land as this would represent an appropriate use of this area. The flexibility for alternative off-site provision is also supported.

- Requirement 4 – Altered wording from a "*neighbourhood*" to "*local*" centre and inclusion of the need for a Medical Centre alongside the other commercial development opportunities.

The Infrastructure Delivery Plan within the evidence base states the Integrated Care Board (ICB) requires additional on-site medical facilities within the Harpenden area and that this could be provided at either the North-East Harpenden site or the North-West Harpenden site. It is noted that the North-West site does not refer to the provision of medical facilities, therefore it is assumed that the Council would only be seeking to secure this on the North-East site.

There is no objection to this addition in principle, however this additional wording should take into account the fact that the provision of a medical centre should only be required where there is a clear need, given that, healthcare providers are not always willing or able to take on such new facilities. It is recommended this is re-worded to something akin to:

"A new local centre to provide local services, including Medical Centre (where there is a demonstrated need) and commercial development opportunities".

It would also be beneficial to consider altering this use at the point of construction should development be permitted but the medical facility no longer be required.

- Requirement 5 – New criterion which requires contributions/enhancements to support relevant schemes set out within the LCWIP and GTPs.

There is no objection to this addition, subject to these contributions being reasonable in nature given that the allocation is likely to be phased rather than coming forward as one. Any financial contributions should also take into account any on-site improvements being made by developers so that contributions are fair, reasonable, related in scale and kind to the development (under the Regulation 122 tests).

- Requirement 6 – New criterion which requires support for improvements to walking facilities along Common Lane to mitigate impacts particularly at school pick up/drop off, which could potentially include a footway/cycleway from the site to Common Lane, improved crossings and junctions.

There are no objections to the current wording of this requirement as it ensures that support is provided rather than the physical provision of the mitigation measures – which may not be possible due to Common Lane not being in control of any of the landowners. It is therefore anticipated this would be through s106 obligations, which may be worth clarifying within the text.

- Requirement 7 – New criterion requiring support for improved access to Katherine Warrington school, including active travel connections through the site to the school.

As above, there are no objections to this current wording. It is however suggested this could be amalgamated with Requirement 6 above as some of the improved access arrangements may overlap with proposals along Common Lane.

- Requirement 8 – New criterion requiring support for links to/from and improvement of the Upper Lea Valley Way into Harpenden and out to Luton.

There is no objection to this current wording. As above, it is anticipated that this support would be provided through s106 obligations, which may be worth clarifying within the text.

- Requirement 9 – New criterion requiring support for improvements to the Public Rights of Way that link into the wider network to enable recreational use.

There is no objection to this current wording, however it is advised it should be clarified whether this support is anticipated through s106 contributions or whether it would just relate to improving the on-site Public Rights of Way. If both are anticipated, then the wording should make clear that any financial contributions would be proportionate taking into account any on-site improvements.

- Requirement 10 – Altered wording so that development also takes account of all trees protected by Tree Preservation Order as well as the woodland Priority Habitat.

There is no objection to this updated wording.

- Requirement 11 – New criterion requiring development to take appropriate account of the environmental constraints being the Flood Zone 2 area; the Source Protection Zone 3; Bedrock Aquifer. It also states no residential development should be outside Flood Zone 1.

There is no objection to this requirement.

1. **vi) Plan-wide and Site-Specific Viability**

6.35 It is noted the Reg 19 DLP is now supported by a Local Plan Viability Study, plus site specific studies (including for North East Harpenden).

6.36 In relation to the Strategic Site Testing: North East Harpenden (September 2024) report, it is noted that are some inconsistencies within the data that has been applied. For instance, the size required for the medical centre is stated within Table 2.1 as 443sqm, however within the Appendix 1 it is then listed as 176sqm. It appears that the sizes for the Local Centre and Medical Centre have been switched.

6.37 This error should be rectified and the floorspaces checked to ensure that the final outcome has been calculated properly. It is also not clear within the report where the respective floorspace figures have been derived from.

6.38 This needs to be checked and the source of the floorspaces clarified, particularly as this may impact on the viability estimations. Indeed, it is noted that the overall estimation of contributions for the North East Harpenden site indicates circa. £33,000 per unit, whereas the overall Local Plan Viability Study indicates average per unit costs of £23,000 on the basis of the emerging policies. We recommend the site specific viability study is reviewed further to ensure it can be considered “justified”.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See question 4

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* Yes

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267 - Tarmac

Submission Number: 267 Submission Date: 08/11/24 08:55

Respondent: Turley Mr Steven Kosky

On Behalf Of Tarmac :

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

These site submissions have been prepared by Turley, on behalf of Tarmac, pursuant to the St Albans City and District Local Plan 2041, Regulation 19 Public Consultation, September 2024. Tarmac is a major local and national employer and operates a regionally significant minerals hub and Rail Aggregates Depot at Harper Lane, Radlett, importing hard rock and producing ready-mix concrete products and coated stone.

In September 2023 Turley submitted Regulation 18 representations on behalf of Tarmac objecting to the emerging Local Plan as then proposed, notably in relation to the Broad Allocation Site B8, Land at Harper Lane, Radlett. In this regard, Tarmac expressed very significant concerns that the permitted activities on the Rail Aggregates Depot site, which generate related levels of noise and HGV movements, were likely to adversely impact upon the expected residential amenities of future occupiers of the B8 site, leading to future disturbance and likely conflict of land use.

Our Regulation 18 representations highlighted that a large section of the B8 Broad Location falls within the 250m Rail Buffer identified in the adopted Hertfordshire Minerals and Waste Local Plan and that part of the B8 site overlaps with a site identified as a Waste Site Allocation in the same Minerals Plan. Tarmac therefore concluded that there is clear policy conflict between the emerging St Albans Local Plan and the adopted Hertfordshire Minerals and Waste Plan, making a large section of the B8 Broad location untenable.

Consequently, Tarmac sought the following resolutions to address these concerns.
a) To amend the B8 Broad Location site boundary, so as to completely exclude the Rail Buffer and Waste Site Allocation, as set out in the Hertfordshire Minerals Plan Policy Map extract, shown at figure 2.1 of the Regulation 18 submissions.
b) To change the permissible use of the amended Broad Location boundary, so to completely exclude residential uses, including those for later living or close care.

c) To change the range of uses permissible within the amended B8 Broad Location site area to only those falling within Class B2 (general industrial), Class B8 (storage and distribution and criterion (g) of Class E (office and light industrial) of the Use Classes Order 2020.

Whilst we note that some changes to the supporting narrative of Broad Allocation Site B8 have been made (notably criterion 6) these are insufficient to address Tarmac's overall objections to the allocation of this site for residential purposes as planned. Accordingly, as part of this Regulation 19 response , Tarmac continues to Object to the B8 allocation.

Whilst Tarmac is an active promoter of new development, both for its core operations and for other development activities that supports the existing and future communities of St Albans, it is important that any new strategic development, proposed as part of the new Local Plan, does not compromise Tarmac's existing critical site operations.

Accordingly Tarmac continues to seek significant changes in order to overcome their objection to the allocation of Broad Location B8 of the Regulation 19 Local Plan, as set out within these representations.

In this regard, Tarmac is willing to provide any additional information pursuant to a better understanding of the operational nature of their facility, if this will assist the Local Planning Authority in reconsidering a more appropriate, mix of uses for the residual B8 site, outside of the 250m Rail Buffer, identified in the Minerals Plan.

The concluding part of Section 2 of these representations sets out the resolutions sought by Tarmac to address these concerns, which have been updated to reflect the changes in the policy wording of Broad Location B8.

RESPONSE TO THE B8 BROAD LOCATION - LAND AT HARPER LANE, RADLETT Broad Location B8 Site Constraints

Policy SP1 of the Regulation 19 Local Plan identifies Broad Locations for new housing and employment growth in the plan period to 2041. Broad Locations are identified as large urban extensions of 250 + homes or strategic scale employment. The most significant of the Broad Locations are those comprising the Hemel Garden Communities, which are planned to the north and east of Hemel Hempstead. One of the Broad Locations is located at the southern tip of the district, to the south of the M25, at Harper Lane.

Site B8 – Harper Lane, North of Radlett, is identified as being 11.40 ha in area and capable of accommodating an indicative 274 dwelling units. We note in this regard that the previous requirement for a 50+ place Care Home, set out in the Regulation 18 version of the policy, has now been omitted from the Regulation 19 version. This is supported by Tarmac in principle, as the Site is entirely unsuitable for such sensitive residential uses.

We question however the presumptions made in terms of identifying the number of new market homes which are considered to be capable of being delivered on this Site. Firstly, a proportion of the Site lies within Flood Zones 3a and 3b, which precludes all residential development. It is also unclear at this stage for what purpose this land could alternatively be used for as it is unlikely to be suitable for use as public open space. This suggests that on a normal gross to net ratio of 60% (which allows 40% for open space, infrastructure and BNG delivery) that only around 6 hectares of net residential land will be available for residential development.

In this regard it is noted that the draft Local Plan sets a minimum density prescription of 40 dph for every site, however this would still only equate to a maximum of 240 dwellings on the Site. In addition, given the sensitivity of the Listed Buildings identified in policy and the requirements for enhancements to 'better reveal their significance' there is little scope to increase these densities to higher urban levels. Indeed the most appropriate solution is to significantly reduce densities in the vicinity of the Listed Buildings, which suggests a further reduction in the overall residential capacity of this Site, before the difficulty of the access arrangements are even taken into account.

in this regard, we note that the requirement for access to Harper Lane to be agreed with the County Council has been omitted in favour of achieving 'high levels of permeability' to accommodate walking and cycling, via active travel routes, between the Site and Radlett. This reflects the fact that Herts County Council (HCC) Transport raised an objection in relation to the allocation of the B8 Site at the Regulation 18 stage. Indeed, HCC Transport have consistently raised concerns about the residential allocation of this Site, even from the call for sites stage.

This is mainly due to the poor connectivity of the Site to Radlett and other known issues on Harper Lane and Watling Street, noting that the junction of the B556 and A5183 will require attention, due to capacity and other constraints.

HCC Transport further raised concerns at the Regulation 18 stage that the settlement hierarchy in the emerging St Albans local plan does not consider or appraise Radlett as a sustainable growth location. Therefore HCC Transport identified that the local plan needs to demonstrate the sustainability of what is, in transport terms, a *'particularly difficult location'*. HCC Transport therefore considered that the local plan will need to show how journeys will be made to and from key destinations in Radlett in a sustainable manner.

However this appears to have been translated in policy terms by St Albans Council into a number of general policy requirements which essentially seek support for improved footpath and cycle routes from the B8 Site directly into Radlett, the detail of which is currently unknown, but is to be agreed between St Albans Council, HCC and Hertsmere Borough Council at a future date. However there is no guarantee that these active links can actually be delivered, notably in terms of ensuring the technical suitability of the potential active travel routes proposed into north Radlett, given the requirement for fully lit and hard surfaced walking and cycling routes directly from the Site into Radlett.

In addition, there is a presumption that any required rights over third party land at the selected points of access into Radlett can be so acquired, which may not necessarily be the case, without the need for potential compulsory acquisition by St Albans Council. Without the provision of these direct active travel links from the south and south west of the site into Radlett, for which there is no definitive evidence to confirm that they can be delivered, as required by policy, then access would need to be taken from the north of the Site, over the existing railway line, which the allocation policy correctly recognises *'acts as a barrier to movement from this site'*.

The need for a northern access arrangement would however be totally inconsistent with the basic premise of the B8 allocation, given that it is meant to be a sustainable location. However, if direct connectivity with Radlett from the south of the B8 Site is unachievable in practical terms, then this will result in additional vehicular, cycle and pedestrian movements moving southbound via Watling Street from the already congested Harper Lane, which has limited scope for further improvement. On this basis, and as highlighted by HCC Transport at the Regulation 18 stage, this calls into question the degree of due diligence undertaken by St Albans Council in appraising Radlett as a sustainable growth location for new residential growth originating from the St Albans District.

It is acknowledged that the Council are keen to pursue a 'brownfield first' policy when it comes to the identification of new strategic development sites and that the B8 allocation at Harper Lane contains an element of brownfield land in the northern area of the Site. However, whilst the redevelopment of partially previously developed land is sequentially preferable to other undeveloped sites in general principle, this does not indicate that such sites will always be suited for large scale residential use in every case, particularly if they are identified in transport terms as being 'particularly difficult locations'.

The existing brownfield use of the B8 Broad Location mainly comprises an established large, trading estate, with a range of existing small industrial and related retail uses, including a garage and open yard storage.

As such, the operational characteristics of the B8 site are currently compatible with Tarmac's existing strategic minerals operations to the north. In contrast, if this B8 Broad Location were redeveloped for residential use, the expectations of future residents will be for a neighbouring environment to the north of the allocation which is consistent with normal perceptions of residential amenity.

However this will not be the case with the scale and nature of the activities currently undertaken by Tarmac, as the Site is located within the Harper Lane Rail Depot Mineral Consultation Area. The rail depot is in constant operation 24 hours per day, and as St Albans Council is aware, the Rail Depot is safeguarded under adopted Minerals Local Plan Policy 10: Railheads and Wharves. In this regard, whilst we note that criterion 6 of Broad Location B8 recognises the strategic importance of this Site, the requirement is only that the residential design considers the depot so that *'the operation of the depot is not jeopardised and that no unreasonable restrictions will be placed upon it'.*

The Minerals Planning Authority, in its response to the Regulation 18 consultation, noted that Harper Lane Rail Depot is one of five safeguarded railheads within the county and that such railheads are critical infrastructure needed for the transportation of minerals and mineral products. The Minerals Planning Authority confirmed that Hertfordshire has no indigenous reserves of crushed rock, and is therefore entirely reliant on imports via the railheads (as well as by road) to meet the county's demands for this type of mineral.

Accordingly, the Minerals Planning Authority identified significant safeguarding concerns regarding this proposed B8 allocation and urged the District Council to reconsider the suitability of this land for allocation within the Local Plan. The Authority expressed concern that the B8 allocation could threaten the depot's longer-term viability as it could represent an incompatible nearby use resulting in amenity issues for future residents.

The Authority confirmed that waste management activity is also undertaken at the Harper Lane depot by way of recycling demolition waste, glass and rail ballast to produce secondary aggregates (planning reference: 5/0215 -98). The recycling facility is similarly safeguarded under adopted Waste Local Plan Policy 5: Safeguarding of Sites.

The Authority therefore urged St Albans Council to be mindful of paragraph 187 of the Framework and the 'agent of change' principle, in that the existing railhead operation should not be prejudiced by any future development in the vicinity, and any such development if it were to be permitted, would be required to provide any and all suitable mitigation in order to make that development acceptable (without placing unreasonable restrictions on the Rail Depot).

The Authority suggested that such mitigation would be likely to include restricting development in the northern part of the site, resulting in a reduction in the number of dwellings, or an increase in density, or both.

St Albans Regulation 19 Consultation 2024 – Broad Location B8 – Response by Tarmac

Tarmac's Current Operations at Harper Lane Depot

As stated in our previous Regulation 18 representations, the Harper Lane Depot remains of strategic importance, comprising a number of separate heavy industrial operations. These operations primarily comprise; a strategic rail head facility, for the importation of hard rock (granite sourced from Leicestershire); a coated roadstone plant; a crushing and recycling centre, for the production of recycled aggregates; and a mortar and concrete ready mix production plant.

The rail head and coated roadstone plant are of regional significance and so serve a wide catchment area within the County. The rail head and plant, in particular, serves the nearby London area, as well as a number of other counties beyond Hertfordshire. As a consequence, the Harper Lane Rail Depot continues to operate 24 hours a day and 7 days a week. Notably, the coated roadstone

plant needs to operate both throughout the night and at weekends, in order to supply resurfacing projects, including important strategic works on the motorways and the highway network, where this can only be undertaken during such off peak periods.

In terms of HGV movements, there are no highway restrictions for vehicles heading east towards the M25 but there is a limit of 250 movements in place (125 in and 125 out) for vehicles arriving from or leaving to the west, in any single working day, under the terms of the 2009 permission for the coated roadstone and ready mix plants (HCC Application No: 5/2596-08). The planning permission also imposes general conditional controls on dust and noise, consistent with the operations of a major industrial facility of this kind.

The coated roadstone plant also operates under Local Authority Air Pollution regime and has an Environmental Permit that limits particulates from the stack. Under the terms of this Environmental Permit (Reference SADC 30/14) the permitted activities involve the production of bitumen coated stone and the crushing of returned, coated stone for recycling. The specifically permitted activity is for an Asphalt mixing plant, capable of producing 320 tonnes per hour of a range of Dense Macadam's and Hot Rolled asphalt.

The Potential Impact Upon Tarmac's Commercial Operations

As stated above, the existing use of the B8 site comprises a large trading estate, with a range of existing industrial and related retail uses. Therefore, the current operational characteristics of this northern part of the B8 Broad Location do not currently conflict with Tarmac's strategic minerals or other operations. In contrast, if any part of the B8 site were to be redeveloped for residential use, even outside of the identified 250m buffer, the relationship between the two strategic sites would create an inevitable conflict of land use, by reason of the noise and disturbance impacting on the future residential areas. Tarmac are therefore highly concerned that the coated roadstone production, recycling and other permitted activities on the Rail Aggregates Depot site, which by necessity, generate levels of noise and HGV movements, throughout the day, are likely to adversely impact upon the reasonably expected residential amenities of future occupiers of the B8 Broad Allocation.

2.25 Whilst it is noted that in the Regulation 19 version of the B8 allocation the safeguarded Harper Lane Rail Depot must be considered in the design of the new planned residential development to ensure that its operation is not jeopardised, this does not address the 'agent of change' principle, which extends beyond the scope of only planning legislation. In this regard, it is highly unlikely that such impacts could be satisfactorily mitigated by a future developer and Tarmac would have no obligation to be engaged in this process.

Whilst Tarmac is an active promoter of new development, both for its core operations and for other development activities that supports the existing and future communities of St Albans, it is critical that any new strategic development, proposed as part of the emerging spatial strategy, does not interfere or otherwise compromise the viability of Tarmac's existing operations. Correspondingly, Tarmac would expect a similar strong resistance from the Council and others, if the strategic industrial operations described above, were proposed to be relocated, proximate to an existing residential community.

It is for this reason, that the Rail Depot satisfactorily coexists in its current form at Harper Lane, as it is a suitable commercial activity within its current industrial site context. This should therefore not be materially changed by the emerging Local Plan, in terms of the existing primary industrial land use. The requirement in policy that the Minerals Planning Authority must be involved in the Masterplanning work and directly consulted on any planning applications for the future residential use of the site, does not provide sufficient safeguards for Tarmac to remove its standing objection to the current B8 allocation.

It therefore remains incumbent upon St Albans Council, as responsible plan makers, to ensure that the strategic location of proposed new homes does not threaten any vital commercial activities that currently support the regional economy, as is the case with the Harper Lane Rail Depot, operated by Tarmac.

In conclusion, Tarmac retains its position of objecting to the allocation of site B8 for 274 new dwellings, in principle, given the lack of a suitable vehicular access and likely conflict with the future operations of the depot, as articulated above. Tarmac also requests the right to participate in the future examination of the St Albans Local Plan following its submission to the Secretary of State, pursuant to the matters raised in this Statement.

However, in the spirit of cooperation and, without prejudice, Tarmac sets out below a range of resolutions (set out in order of sequential preference) which if adopted, would potentially address the Tarmac objections raised at the Regulation 18 and this Regulation 19 consultation.

Please see attached Statement for more details

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Resolutions Sought to Overcome Tarmac's Objection

The resolutions sought as part of these representations to overcome Tarmac's objection to the allocation of Broad Location B8 of the Regulation 18 Local Plan are, in order of sequential preference, as follows: Tarmac also welcomes the opportunity to engage further with St Albans Council pursuant to the following matters and to provide any additional information as may be required.

1) Non-Residential Use of the B8 Site
a) Amend the B8 Broad Location site boundary, so as to completely exclude the Rail Buffer from the B8 allocation boundary.
b) Change the proposed use of the amended Broad Location allocation boundary, so as to completely exclude any residential uses.
c) Change the range of uses permissible within the amended B8 Broad Location site area to those falling within Class B2 (general industrial), Class B8 (storage and distribution and criterion (g) of Class E (office and light industrial) of the Use Classes Order 2020 and any other suitable sui generis commercial uses.

2) Partial Residential Use of the B8 Site
a) Amend the B8 Broad Location site boundary, so as to completely exclude the Rail Buffer from the B8 allocation boundary.
b) Change the proposed use of the amended Broad Location allocation boundary, so to completely exclude residential uses in the northern part of the modified site.
c) Broaden the range of uses permissible within the northern half of the amended B8 Broad Location site area to those falling within Class B2 (general industrial), Class B8 (storage and distribution and criterion (g) of Class E (office and light industrial) of the Use Classes Order 2020 and other suitable sui generis uses.

d) Where residential use is proposed, this should be limited to no more than 100 new dwellings, located in the most appropriate part of the amended B8 site area, accessible to the settlement boundary edge of Radlett, subject to robust evidence that this is compatible with the existing operations at the Depot.
e) Criterion 5 is supported and it is strongly recommended that an appropriate area of new open space is also created between Harper Lane and the Grade II Listed Harper House and Coach House to better reveal their significance.
f) A Development Brief and framework masterplan shall be prepared for the B8 allocation, for approval by the Council prior to the submission of any planning applications for the Site. The framework masterplan will need to demonstrate that all key stakeholders, including the Minerals Planning Authority and Tarmac have been fully consulted in the formulation of the framework masterplan.

Please see attached Statement for more information

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Response to Broad Location B8 - on behalf of Tarmac - FINAL_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Tarmac has considerable concerns relating to the scale and location of this residential allocation and its proximity to the commercial activities undertaken by Tarmac at the rail depot. Tarmac retains its position of objecting to the allocation of site B8 for 274 new dwellings, in principle, given the lack of a suitable vehicular access and likely conflict with the future operations of the depot.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

268 - St Michael Parish Council

Submission Number: 268 Submission Date: 08/11/24 09:05

Respondent: St Michael Parish Council Julia Reading

On Behalf Of St Michael Parish Council :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Please note that the following comments represent a consensus of individual opinions among the St Michael Parish Councillors, and are offered subject to retrospective formal approval at the Parish Council's next meeting, scheduled for January 2025.

Without detailed technical knowledge it is difficult for the Parish Council to decide, within the confines of the Regulation 19 consultation requirements, whether on balance to endorse or censure the draft Local Plan. It must also be stated that there is a real dilemma in the potential outcomes offered between hurrying through a flawed plan as it stands and the threat of further inflated housing quotas being imposed by central government if the plan is rejected.

We do find some positive, but mainly negative, aspects of the draft Local Plan. Primarily there is a lack of thoroughness and transparency around the methodology for Green Belt release and the lack of planning and thought for road infrastructure to support an even bigger population in the district.

What is clear is that preservation of Green Belt status now carries very little weight in determining planning considerations. We accept that St Albans City and District Council (SADC) has lamentably had some of its local decisions, i.e. of refusal on Green Belt grounds, overturned on appeal. There is however an intention in the draft Local Plan, in defiance of the National Planning Policy Framework, to sacrifice Green Belt areas to meet quotas without either an Agricultural Land Classification or any demonstration that all other site options have been properly considered and found to be unsuitable for housing development.

We also remain deeply concerned about the validity of the transport modelling which is predicated on a population (existing and incoming) voluntarily undertaking vastly increased numbers of trips by public transport services and via pedestrian and cycle routes. While this may be a desirable scenario, we do not see any solid evidence and analysis of projected demographic behaviour and consumers' appetite for change. The plan relies too heavily on existing transport infrastructure, without demonstrable improvements in quality or capacity to cope with increased population numbers, even in the short term, let alone the demographics leading up to 2041, all on top of what

are already congested thoroughfares throughout the district. No new cycle routes to connect the sites on the A1081 have been approved and we find this to be a great oversight in the evidence base.

The Parish Council is indebted to Redbourn Parish Council which has shared some of its technical knowledge with us in order for us to make a more informed submission.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Type:

* Policy

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

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What is clear is that preservation of Green Belt status now carries very little weight in determining planning considerations. We accept that St Albans City and District Council (SADC) has lamentably had some of its local decisions, i.e. of refusal on Green Belt grounds, overturned on appeal. There is however an intention in the draft Local Plan, in defiance of the National Planning Policy Framework, to sacrifice Green Belt areas to meet quotas without either an Agricultural Land Classification or any demonstration that all other site options have been properly considered and found to be unsuitable for housing development.

We also remain deeply concerned about the validity of the transport modelling which is predicated on a population (existing and incoming) voluntarily undertaking vastly increased numbers of trips by public transport services and via pedestrian and cycle routes. While this may be a desirable scenario, we do not see any solid evidence and analysis of projected demographic behaviour and consumers' appetite for change. The plan relies too heavily on existing transport infrastructure, without demonstrable improvements in quality or capacity to cope with increased population numbers, even in the short term, let alone the demographics leading up to 2041, all on top of what are already congested thoroughfares throughout the district. No new cycle routes to connect the sites on the A1081 have been approved and we find this to be a great oversight in the evidence base.

The Parish Council is indebted to Redbourn Parish Council which has shared some of its technical knowledge with us in order for us to make a more informed submission.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 8 - Transport

Comment Number: 3

Type:

* Policy

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Please note that the following comments represent a consensus of individual opinions among the St Michael Parish Councillors, and are offered subject to retrospective formal approval at the Parish Council's next meeting, scheduled for January 2025.

Without detailed technical knowledge it is difficult for the Parish Council to decide, within the confines of the Regulation 19 consultation requirements, whether on balance to endorse or censure the draft Local Plan. It must also be stated that there is a real dilemma in the potential outcomes offered between hurrying through a flawed plan as it stands and the threat of further inflated housing quotas being imposed by central government if the plan is rejected.

We do find some positive, but mainly negative, aspects of the draft Local Plan. Primarily there is a lack of thoroughness and transparency around the methodology for Green Belt release and the lack of planning and thought for road infrastructure to support an even bigger population in the district.

What is clear is that preservation of Green Belt status now carries very little weight in determining planning considerations. We accept that St Albans City and District Council (SADC) has lamentably had some of its local decisions, i.e. of refusal on Green Belt grounds, overturned on appeal. There is however an intention in the draft Local Plan, in defiance of the National Planning Policy Framework, to sacrifice Green Belt areas to meet quotas without either an Agricultural Land Classification or any demonstration that all other site options have been properly considered and found to be unsuitable for housing development.

We also remain deeply concerned about the validity of the transport modelling which is predicated on a population (existing and incoming) voluntarily undertaking vastly increased numbers of trips by public transport services and via pedestrian and cycle routes. While this may be a desirable scenario, we do not see any solid evidence and analysis of projected demographic behaviour and consumers' appetite for change. The plan relies too heavily on existing transport infrastructure, without demonstrable improvements in quality or capacity to cope with increased population numbers, even in the short term, let alone the demographics leading up to 2041, all on top of what are already congested thoroughfares throughout the district. No new cycle routes to connect the sites on the A1081 have been approved and we find this to be a great oversight in the evidence base.

The Parish Council is indebted to Redbourn Parish Council which has shared some of its technical knowledge with us in order for us to make a more informed submission.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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269 - Acre St Albans Ltd

Submission Number: 269 Submission Date: 08/11/24 09:15

Respondent: Savills Mr Kieran Wheeler

On Behalf Of Acre St Albans Ltd :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

In summary, Acre supports the allocation of the 'East and West of Miriam Lane' site but objects to a number of the criteria set out in site specific policy wording within the allocation. Amendments have been proposed to the wording which would make it acceptable and these are detailed above and with Appendix 3.

'East and West of Miriam Lane' represents an appropriate, sustainable and deliverable allocation in the new Local Plan. This is emphasised by Acre's involvement with the scheme, the pre-application dialogue which is in process of taking place with the authority and the intention to submit a planning application in Spring 2025. Should full planning permission be granted by Autumn 2025, delivery on site could reasonably commence in early 2026. The emerging Local Plan is therefore of significant relevance to Acre and, given the deliverable and readily available nature of the scheme, the site is highly relevant to the LPA's five-year housing land supply and housing pipeline.

In this regard, it is hoped that these representations are considered carefully by SADC to ensure that the Local Plan and the key development requirements for allocations L3 do not present unreasonable challenges or complications to the planning process. SADC should therefore approach site allocations positively and seek the efficient use of site. Addressing the proposed uplift on the allocation and taking on board the changes to the Key Development requirements would go a way toward this and would contribute to the delivery of the site.

Please refer to the cover letter prepared by Savills.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Part B

L3 – East and West of Miriam Lane, Chiswell Green, AL2 3NY

revised proposed use: **140 residential units and a care home (land use class C2/C3)**

Delete 1

Amend 2 Footpath access along Noke Lane and alongside the North Orbital to Watford Road is narrow, and development must provide new or make sufficient
contributions to make improvements to the existing highways, including widening, providing safety, and sufficient lighting **within the boundaries of the site along NokeLane and the North Orbital road only.**

Delete 3

Amend 5 Development proposals must take appropriate account of trees covered by Tree Preservation Order **dependent on their quality and status, within the site.**

Delete 6

Please refer to the cover letter prepared by Savills.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Noke Hotel - Reg 19 Representations Cover Letter FV_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Savills is happy to attend the hearing sessions on behalf of Acre St Albans Ltd in light of their interest as site promoter for the site known as *'East and West of Miriam Lane'.*

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In summary, Acre supports the allocation of the 'East and West of Miriam Lane' site but objects to a number of the criteria set out in site specific policy wording within the allocation. Amendments have been proposed to the wording which would make it acceptable and these are detailed above and with Appendix 3.

'East and West of Miriam Lane' represents an appropriate, sustainable and deliverable allocation in the new Local Plan. This is emphasised by Acre's involvement with the scheme, the pre-application dialogue which is in process of taking place with the authority and the intention to submit a planning application in Spring 2025. Should full planning permission be granted by Autumn 2025, delivery on site could reasonably commence in early 2026. The emerging Local Plan is therefore of significant relevance to Acre and, given the deliverable and readily available nature of the scheme, the site is highly relevant to the LPA's five-year housing land supply and housing pipeline.

In this regard, it is hoped that these representations are considered carefully by SADC to ensure that the Local Plan and the key development requirements for allocations L3 do not present unreasonable challenges or complications to the planning process. SADC should therefore approach site allocations positively and seek the efficient use of site. Addressing the proposed uplift on the allocation and taking on board the changes to the Key Development requirements would go a way toward this and would contribute to the delivery of the site.

Please refer to the cover letter prepared by Savills.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Part B

L3 – East and West of Miriam Lane, Chiswell Green, AL2 3NY

revised proposed use: **140 residential units and a care home (land use class C2/C3)**

Delete 1

Amend 2 Footpath access along Noke Lane and alongside the North Orbital to Watford Road is narrow, and development must provide new or make sufficient
contributions to make improvements to the existing highways, including widening, providing safety, and sufficient lighting **within the boundaries of the site along NokeLane and the North Orbital road only.**

Delete 3

Amend 5 Development proposals must take appropriate account of trees covered by Tree Preservation Order **dependent on their quality and status, within the site.**

Delete 6

Please refer to the cover letter prepared by Savills.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Noke Hotel - Reg 19 Representations Cover Letter FV_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Savills is happy to attend the hearing sessions on behalf of Acre St Albans Ltd in light of their interest as site promoter for the site known as *'East and West of Miriam Lane'.*

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

270 - Verulam Residents Association

Submission Number: 270 Submission Date: 08/11/24 09:20

Respondent: Verulam Residents Association Mr Timothy Beecroft

On Behalf Of Verulam Residents Association :

Chapter 8 - Transport

Comment Number: 1

Type:

* Policy

Number:

8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The area covered by the VRA does not have adequate transport links to surrounding areas now, let alone after any further development in the area or beyond.

Our area, generates a lot of unavoidable short car journeys. Among the reasons for this are:

- our lack of local facilities – we don't, for example, have a GP or dentist
- we have no local community facilities
- we have few shops
- our bus service is sporadic to put it mildy
- and although a superficial glance at a map might make it look as though the city centre is readily accessible on foot or bike, we have between it and us the slopes of Verulamium Park and a footbridge/path from King Harry Lane into the park that is steep, narrow and very difficult, if not impossible for anoyone with mobility issues to use
- The main roads bordering the area: King Harry Lane, Hemel Hempstead Road, Watford Road and just outside the area, Watling Street are highly congested at the best of times and on those regular occasions when problems on the M1 or M25 occur, and displaced traffic uses these roads as a cut through,become gridlocked.

Many residents would welcome the opportunity to use their cars less, but in the current cicumstances this is not a practical possibility.

And we would also hope that this Local Plan would help to adress some of these shortcomings, thereby, among other things, reducing car usage.

The main roads bordering the area: King Harry Lane, Hemel Hempstead Road, Watford Road and just outside the area, Watling Street are highly congested at the best of times and on those regular and relatively frequent occasions when problems on the M1 or M25 occur, and displaced traffic uses these roads as a cut through,become gridlocked.

The Bluehouse Hill and Park Street roundabouts are always busy, and the King Harry roundabout (which we note was identified as a priority in the 1994 Local Plan) is seemingly a problem without a solution.

We believe that the proposed developments in Hemel Hempstead (in particular H3 and H4) Chiswell Green (L1) and Park Street (L2) would only add to the congestion on these roads

As, of course would M3 Bedmond Lane

This persistent congestion is a major issue, not just for pollution/climate change reasons but because it poses a potential threat to the safety of residents. All of the relatively few roads providing access to the 1100 or so homes in our area (Mayne Avenue, Abbey Avenue, the entrance to King Harry Park, St Stephen's Avenue and Midway open onto either King Harry Lane or Watford Road, so that when, as often happens, these two roads are at a standstill, getting into and out of the area in a timely manner is essentially impossible. This is frustrating for residents but, if emergency vehicles are considered, could have serious consequences.

In these circumstance it is hard to see how:

Policy TRA1 –Transport considerations for new development

Proposals must demonstrate that development would not lead to highway safety problems or cause unacceptable impacts on the transport network

and

Policy TRA3 -Development generating new lorry movements

Proposals for developments leading to significant increases in lorry movements shall demonstrate that any increase in lorry movements can be appropriately accommodated on the surrounding road network

can remotely be met.

And this is all to deal with future increases in traffic loads, when the problem is happening now and needs to be tackled now. The major transport schemes listed in TRA2, even if they were to address the problems that our area faces (which most of them won't) won't be happening for some time yet.

Strategic Policy SP8 – Transport Strategy at point c says the council will "support reductions in car journeys for existing and new settlements" but it is hard to find anything in the plan that suggests how this will be done.

Admittedly the plan does say that "the council will work in partnership with stakeholders to ensure that a range of sustainable and active transport options are available" but again this all sound rather woolly. How, for example, will the council's performance against this target be monitored?

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* Yes

I would like to be notified about the adoption of the Local Plan:

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Strategic Policy SP8 - Transport Strategy

Comment Number: 4

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* Yes

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* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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I would like to be notified about the adoption of the Local Plan:

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TRA1 - Transport Considerations for New Development

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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TRA2 - Major Transport Schemes

Comment Number: 3

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* Yes

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* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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271 - Mr Ronan Leydon

Submission Number: 271 Submission Date: 08/11/24 09:32

Respondent: Dacorum Borough Council Mr Ronan Leydon

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Point 1: A revised Gypsy and Traveller Accommodation Assessment (GTAA) has been produced for St Albans District Council by ORS consultants (September 2024). This shows a need for 80 pitches for households that meet the planning definition over the 2024-2041 Plan period, with 44 of these pitches required in the first five years (2024-2029). There is also a need for 7 plots for travelling show people, all within the first five years.

However, despite paragraphs 9 and 10 in the Planning Policy for Traveller Sites, Policy HOU6 does not set pitch/plot targets for the Plan period or a supply of sites for the first 5 years, years 6-10 or years 11-15.

As a result, the policy is unsound because it is not positively prepared or consistent with national policy. Dacorum recognises that the GTAA is very recent and St Albans Council has not been able to take it into account before submitting the Local Plan for public examination. Nevertheless, this matter needs to be rectified through the examination process.

Point 2. We also consider that Policy HOU6 is unsound, as it is not justified or effective, for the reasons explained below.

Dacorum is concerned that the only proposed new sites are both at East Hemel Hempstead, involving two sites for “up to 15-20 pitches”. This wording is not effective it means “up to 20 pitches”.

Furthermore, we consider that the proposed sites are too large, based on the advice in paragraphs 4.7 and 4.8 of the ‘Designing Gypsy and Traveller sites: good practice guide’ (2008) that sites should not normally have more than 15 pitches. Although that document was withdrawn in 2015, there is no further evidence more up to date in terms of design guidance for England.

The area close to the proposed new sites already has 62 pitches:

- Dacorum: 30 pitches at Three Cherry Trees Lane in Hemel Hempstead.

- St Albans: 17 pitches at Tullochside (off the B487 Hemel Hempstead-Redbourn Road) and 15 pitches at Ver Meadows, Redbourn.

Our view is that the existing and proposed provision would result in an over-concentration of gypsy and traveller sites to the east and north east of Hemel Hempstead and the Redbourn area.

We are also concerned that the East Hemel Hempstead (Central) Broad Location does not offer a suitable residential environment for a a gypsy and traveller site, as this broad location is proposed for employment development.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We consider that the following modifications are necessary to make Policy HOU6 sound:

- The policy should set pitch/plot targets for the plan period and include a supply of sites for the first 5 years, years 6-10 and where possible years 11+, based on the evidence in the Gypsy and Traveller Accommodation Assessment. This is necessary for the policy to be justified, effective and consistent with national policy.
- The number of pitches proposed on the East Hemel Hempstead (South and Central) Broad Location results in overconcentration in a particular area. At least one site should be deleted and the other, as a minimum, reduced in scale and not be located in close proximity to already established sites in the area. This is necessary for the policy to be justified and effective.
- Additional gypsy and traveller sites should be identified elsewhere in St Albans District, on strategic housing sites and/or in other locations, sufficient to deliver needs identified in the Gypsy and Traveller Accommodation Assessment. This is necessary for the policy to be justified and effective. It will also ensure clarity that St. Albans needs are being met in full within its administrative boundaries.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Covering letter DBC response to St Albans Draft Local Plan_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Gypsy and Traveller sites is a Duty to Co-operate matter. Also the two proposed gypsy and traveller sites are in Hemel Garden Communities, which is a key strategic issue for the Dacorum and St Albans Local Plans.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP4 - Housing

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Gypsy and Traveller sites is a Duty to Co-operate matter. Also the two proposed gypsy and traveller sites are in Hemel Garden Communities, which is a key strategic issue for the Dacorum and St Albans Local Plans.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Dacorum Borough Council supports Policy HOU2 (affordable housing) and considers that the policy is sound.

Dacorum and St Albans Councils have engaged effectively through the Duty to Co-operate in meeting housing needs in South West Hertfordshire. An effective outcome of this engagement relates to affordable housing in the Hemel Garden Communities Broad Locations within St Albans District i.e. Broad Locations H1 Hemel Hempstead North, H2 East Hemel Hempstead (North) and H4 East Hemel Hempstead (South).

Outside of policy development, the two councils have agreed in principle that a significant proportion of nomination rights in these Broad Locations will be offered in the first instance to households on Dacorum's Housing Register.

In order to demonstrate effective outcomes of Duty to Cooperate discussions on affordable housing provision, Dacorum would like to see this reflected in the supporting text to Policy HOU2. Dacorum considers this to be a minor modification that can be made on submission.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As explained above, although not a matter of legal compliance or soundness, Dacorum would like to see text added to the supporting text to Policy HOU2 regarding affordable housing.

This text should reference the in-principle agreement for a significant proportion of nomination rights on affordable housing in the Hemel Garden Communities Broad Locations being offered in the first instance to households on Dacorum's Housing Register.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Covering letter DBC response to St Albans Draft Local Plan_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Dacorum Borough Council is a Duty to Co-operate body and affordable housing is a strategic matter affecting South West Hertfordshire.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Point 1: A revised Gypsy and Traveller Accommodation Assessment (GTAA) has been produced for St Albans District Council by ORS consultants (September 2024). This shows a need for 80 pitches for households that meet the planning definition over the 2024-2041 Plan period, with 44 of these pitches required in the first five years (2024-2029). There is also a need for 7 plots for travelling show people, all within the first five years.

However, despite paragraphs 9 and 10 in the Planning Policy for Traveller Sites, Policy HOU6 does not set pitch/plot targets for the Plan period or a supply of sites for the first 5 years, years 6-10 or years 11-15.

As a result, the policy is unsound because it is not positively prepared or consistent with national policy. Dacorum recognises that the GTAA is very recent and St Albans Council has not been able to take it into account before submitting the Local Plan for public examination. Nevertheless, this matter needs to be rectified through the examination process.

Point 2. We also consider that Policy HOU6 is unsound, as it is not justified or effective, for the reasons explained below.

Dacorum is concerned that the only proposed new sites are both at East Hemel Hempstead, involving two sites for “up to 15-20 pitches”. This wording is not effective it means “up to 20 pitches”.

Furthermore, we consider that the proposed sites are too large, based on the advice in paragraphs 4.7 and 4.8 of the ‘Designing Gypsy and Traveller sites: good practice guide’ (2008) that sites should not normally have more than 15 pitches. Although that document was withdrawn in 2015, there is no further evidence more up to date in terms of design guidance for England.

The area close to the proposed new sites already has 62 pitches:

- Dacorum: 30 pitches at Three Cherry Trees Lane in Hemel Hempstead.

- St Albans: 17 pitches at Tullochside (off the B487 Hemel Hempstead-Redbourn Road) and 15 pitches at Ver Meadows, Redbourn.

Our view is that the existing and proposed provision would result in an over-concentration of gypsy and traveller sites to the east and north east of Hemel Hempstead and the Redbourn area.

We are also concerned that the East Hemel Hempstead (Central) Broad Location does not offer a suitable residential environment for a a gypsy and traveller site, as this broad location is proposed for employment development.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We consider that the following modifications are necessary to make Policy HOU6 sound:

- The policy should set pitch/plot targets for the plan period and include a supply of sites for the first 5 years, years 6-10 and where possible years 11+, based on the evidence in the Gypsy and Traveller Accommodation Assessment. This is necessary for the policy to be justified, effective and consistent with national policy.
- The number of pitches proposed on the East Hemel Hempstead (South and Central) Broad Location results in overconcentration in a particular area. At least one site should be deleted and the other, as a minimum, reduced in scale and not be located in close proximity to already established sites in the area. This is necessary for the policy to be justified and effective.
- Additional gypsy and traveller sites should be identified elsewhere in St Albans District, on strategic housing sites and/or in other locations, sufficient to deliver needs identified in the Gypsy and Traveller Accommodation Assessment. This is necessary for the policy to be justified and effective. It will also ensure clarity that St. Albans needs are being met in full within its administrative boundaries.

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Gypsy and Traveller sites is a Duty to Co-operate matter. Also the two proposed gypsy and traveller sites are in Hemel Garden Communities, which is a key strategic issue for the Dacorum and St Albans Local Plans.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Our view is that the existing and proposed provision would result in an over-concentration of gypsy and traveller sites to the east and north east of Hemel Hempstead and the Redbourn area.

We are also concerned that the East Hemel Hempstead (Central) Broad Location does not offer a suitable residential environment for a a gypsy and traveller site, as this broad location is proposed for employment development.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Gypsy and Traveller sites is a Duty to Co-operate matter. Also the two proposed gypsy and traveller sites are in Hemel Garden Communities, which is a key strategic issue for the Dacorum and St Albans Local Plans.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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We are also concerned that the East Hemel Hempstead (Central) Broad Location does not offer a suitable residential environment for a a gypsy and traveller site, as this broad location is proposed for employment development.

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1. Covering letter DBC response to St Albans Draft Local Plan_[R].pdf

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* Yes, I wish to participate in hearing session(s)

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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272 - The Crown Estate

Submission Number: 272 Submission Date: 08/11/24 09:32

Respondent: David Lock Associates Mr Will Howarth

On Behalf Of The Crown Estate :

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 15

Type:

* Policy

Number:

SP3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Spatial Extent of Green Belt

The approach taken by SADC in relation to the overall justification for the review and proposed release of Green Belt land to provide the necessary new homes, employment and critical infrastructure for the district is supported by TCE, and it is considered that the exceptional circumstances required to release Green Belt land are justified.

The Policies Map and Part B of the Local Plan sets out the allocated sites and defines the associated Green Belt boundaries to be redrawn as a result of the sites' allocation for development.

We support the rolling of the Green Belt boundary westwards to the M1 as a defensible boundary for EHH. However, we note that whilst the M1 forms a common eastern extent of all three of the draft EHH site allocations, it is not proposed by the Council as a consistent and common boundary for a new Green Belt over the same area.

We question the justification for the inconsistent approach to Council's selection of a new Green Belt boundary in this location, noting the inconsistencies in the Green Belt assessment in this respect, and particularly in respect of the decision to use the overhead electricity pylons as a new defensible GB boundary within the H2 allocation rather than either well established field boundaries or indeed, the M1 as for the remainder of the allocations.

NPPF Paragraph 142 expresses that "*The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."*Supporting this is NPPF Paragraph 146 which states that boundaries for Green Belt should be defined "*using physical features that are readily recognisable and likely to be permanent."*

We understand the recommendation to use the overhead pylons as the Green Belt boundary was first presented in the *Green Belt Review Sites and Boundaries Study (February 2014)* which was produced by SKM on behalf of SADC. Paragraph 3.5.3 of the Study states "*The rationale for this is that the overhead lines are likely to restrict development further east."*

We make two points in this respect; first that pylons are not considered to be permanent features as they can be rationalised and removed or placed underground, and second, that the

presence of an overhead line is visually permeable and therefore does not generally affect the openness of the landscape.

We consider that other physical features - such as the level of vegetation cover, hedgerows or built form – are more of an indication of the openness of a landscape. In respect of EHH, considering how physical features appear on site, rather than on plan, confirms how field boundaries and roads (in this case the M1 motorway) are more permanent, legible, and robust boundaries which successfully take account of landscape character.

This matter was first raised in TCE representations to the previous local plan in 2018, where the same approach to GB release was proposed by the Council. A report produced by SLR on behalf of TCE in October 2018 (and which was submitted as part of the previous SADC Local Plan's Regulation 19 consultation in that year) provided a critique of the Council's 2014 *Green Belt Study,* noting that the "*electricity pylon corridor does not represent a strong and permanent boundary."*[para 3.16]. The conclusions of this report remain valid, including the recommendation that the M1 is used as a strong and appropriate Green Belt boundary due to its permanency, clear alignment and boundary presence that would clearly define the edge of East Hemel Hempstead.

Paragraph 143 of the NPPF remains unchanged since 2018, in respect of defining one of the five Green Belt purposes as "*to prevent neighbouring towns merging into one another".* We acknowledge that protecting the separation between settlements (in this case, the north-eastern edge of Hemel Hempstead and the southern edge of Redbourn east of the M1) is a legitimate purpose of the defined Green Belt boundary in this location. This is reinforced in the *North Hemel Landscape Study* [September 2024] which comments that that *"Restricting development to west of the pylons* ***and/or*** *setting houses back from Hemel Hempstead Road would assist in maintaining a sense of separation between Hemel Hempstead and Redbourn as experienced along the road."*(our emphasis)

The evidence base document, *Broad Locations – Landscape + Visual Appraisal* (page 11) makes a notable distinction between site allocations H1 and H2 in respect of the use of the overhead pylons as a defining feature for GB purposes, stating that for H1 (HH North): "*The existing pylon line easement provides a logical limit to the extent of built development eastwards, helping to maintain the open gap between Hemel Hempstead and Redbourn to the east*", whereas for H2 (East Hemel Hempstead (North), it is *…"****the M1 corridor that provides a logical limit to the extension of development eastwards."***(page 18, our emphasis).

The *Broad Locations – Landscape + Visual Appraisal* also recognises the potential impact of overhead pylons as a dominant feature in the landscape, suggesting that one should *"Consider how development* ***addresses pylon easements*** *and no-build areas, in line with National Grid Guidelines … setting clear design objectives such as* ***to break down the linearity*** *of the transmissions route into inter-related places rather than treating the route as one continuous strip…" (Page 6).* Having a Green Belt edge which mirrors the straight alignment of the pylons (on the ground and in the air) reinforces a contrived straight development edge which does not sensitively respond to topographical or landscape features or character. It draws attention to the linear overhead pylon lines, contradicting best practice design guidance and disregarding more suitable opportunities for defining and establishing a permanent Green Belt boundary on the ground.

On this basis, although the overarching approach to releasing Green Belt land to support the Local Plan allocations is fully supported by TCE, we object to the extent of the H2, East Hemel Hempstead (North) allocation proposed to remain within the Metropolitan Green Belt as currently shown on the Policies Map. This also applies to H4 as the Green Belt boundary follows the M1 except for in the south-east corner of the site. Instead, it is suggested that the Green Belt boundary is adjusted to follow the M1 along the entirety of the H2-H4 allocations.

It is important to note that should our representations be supported by the Council through Modification or by an independent Inspector at Examination, this would not mean that the need or desire to provide open green infrastructure as part of the development proposed within site H2 is diminished in any way. The draft Local Plan Policy, Concept Plan and Framework Plan evidence base for the HGC Growth Areas requires the provision of a Country Park, sports hub and SANG in the eastern part of H2 as part of the creation of a new landscaped edge to Hemel Hempstead; this design requirement would not be altered simply by the removal of the land from the Green Belt and TCE would be happy to agree policy restrictions to agree an appropriate eastern extent of built development in this part of the allocated site if needed.

Further, it should be noted that given the NPPF requirement to periodically review Green Belt boundaries as part of local plan reviews in order to accommodate development needs, the designation of land as SANG which comes with a requirement for its designation 'in perpetuity' has arguably more permanence, and thus might be seen as a preferable alternative policy and practical tool to ensure openness and a green setting ensuring separation of settlements over the long term.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Further, it should be noted that given the NPPF requirement to periodically review Green Belt boundaries as part of local plan reviews in order to accommodate development needs, the designation of land as SANG which comes with a requirement for its designation 'in perpetuity' has arguably more permanence, and thus might be seen as a preferable alternative policy and practical tool to ensure openness and a green setting ensuring separation of settlements over the long term.

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1. TCE Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Crown Estate (TCE) is the landowner in respect of three of the four SADC Broad Allocation allocations within the Hemel Garden Communities programme area, namely H2 East Hemel Hempstead (North), H3 East Hemel Hempstead (Central) and H4 East Hemel Hempstead (South). TCE has made a significant commitment to supporting the work of HGC since its designation in 2019 and continues to work positively with both HGC and the planning authority of St Albans in order to progress emerging development proposals in line with the draft allocations. As landowner and promoter of these strategic site allocations we wish to participate fully in the Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Crown Estate is a significant national landowner with a diverse portfolio that includes urban centres and development opportunities, one of the largest rural landholdings in the country (including land within and surrounding Hemel Garden Communities), substantial areas of London's West End and Windsor Great Park. It also manages the seabed and much of the coastline around England, Wales and Northern Ireland, playing a major role in the UK's world-leading offshore wind sector. Part of TCE's portfolio includes being the majority landowner within the Hemel Garden Communities (HGC), with over 70% of the designated land across the two authorities and is one of the named Partners in the formal governance structure for HGC.

In terms of The Crown Estate's representations to the draft Plan, we wish to reiterate that as a landowning interest, TCE are strongly supportive of the spatial strategy, the principle of Green Belt review to accommodate the growth needs of the area, and the emerging policy framework relating to the proposed site allocations for the HGC Growth Area within the SADC administrative boundary.

TCE is the landowner in respect of three of the four SADC allocations within HGC, namely H2 East Hemel Hempstead (North), H3 East Hemel Hempstead (Central) and H4 East Hemel Hempstead (South).

Overall Position

As with previous iterations of the local plan, TCE wish to express support for the principle of development established through the draft allocations in the Reg 19 plan; a key aspect of the wider transformation agenda for Hemel Hempstead set out in the Hemel Garden Communities Programme. The site allocations H2, H3 and H4 are also supported in principle.

TCE have made a significant commitment to supporting the work of HGC since its designation in 2019 and continues to work positively with both HGC and the planning authorities of St Albans in order to progress emerging development proposals for EHH in line with the draft allocations. This has included a substantial amount of technical baseline and assessment work being prepared in respect of EHH in order to ensure that the draft policy framework enables and supports HGC ambitions whilst also ensuring the growth needs of the districts to 2041 and beyond can be met in a timely manner through the implementation of new development.

As such, our representations below are made in the interests of ensuring the Plan can be found sound at Examination, and that policies can be clear and effective as a basis upon which to govern the consideration of development proposals going forward.

We have made several comments and observations on specific policy elements of the Reg 19 Plan below. We hope that these will be considered in the spirit of positive continued dialogue with policy officers and can be considered favourably by an Inspector once the plan has been submitted for Examination.

...

The comments expressed in these representations on behalf of The Crown Estate have been provided in full support of the Local Plan whilst also reflecting that there is a need to ensure that policy wording and evidence underpinning the Local Plan is robust and sound in its approach. We will continue to support the Council up to and including at Examination in providing up to date and robust evidence for HGC which demonstrates the soundness of its allocation as a key focus for the delivery of housing and associated infrastructure within the Plan.

We look forward to continuing to work with St Albans City and District Council to progress the Local Plan in a timely manner.

Spatial Extent of Green Belt

The approach taken by SADC in relation to the overall justification for the review and proposed release of Green Belt land to provide the necessary new homes, employment and critical infrastructure for the district is supported by TCE, and it is considered that the exceptional circumstances required to release Green Belt land are justified.

The Policies Map and Part B of the Local Plan sets out the allocated sites and defines the associated Green Belt boundaries to be redrawn as a result of the sites' allocation for development.

We support the rolling of the Green Belt boundary westwards to the M1 as a defensible boundary for EHH. However, we note that whilst the M1 forms a common eastern extent of all three of the draft EHH site allocations, it is not proposed by the Council as a consistent and common boundary for a new Green Belt over the same area.

We question the justification for the inconsistent approach to Council's selection of a new Green Belt boundary in this location, noting the inconsistencies in the Green Belt assessment in this respect, and particularly in respect of the decision to use the overhead electricity pylons as a new defensible GB boundary within the H2 allocation rather than either well established field boundaries or indeed, the M1 as for the remainder of the allocations.

NPPF Paragraph 142 expresses that "*The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."*Supporting this is NPPF Paragraph 146 which states that boundaries for Green Belt should be defined "*using physical features that are readily recognisable and likely to be permanent."*

We understand the recommendation to use the overhead pylons as the Green Belt boundary was first presented in the *Green Belt Review Sites and Boundaries Study (February 2014)* which was produced by SKM on behalf of SADC. Paragraph 3.5.3 of the Study states "*The rationale for this is that the overhead lines are likely to restrict development further east."*

We make two points in this respect; first that pylons are not considered to be permanent features as they can be rationalised and removed or placed underground, and second, that the

presence of an overhead line is visually permeable and therefore does not generally affect the openness of the landscape.

We consider that other physical features - such as the level of vegetation cover, hedgerows or built form – are more of an indication of the openness of a landscape. In respect of EHH, considering how physical features appear on site, rather than on plan, confirms how field boundaries and roads (in this case the M1 motorway) are more permanent, legible, and robust boundaries which successfully take account of landscape character.

This matter was first raised in TCE representations to the previous local plan in 2018, where the same approach to GB release was proposed by the Council. A report produced by SLR on behalf of TCE in October 2018 (and which was submitted as part of the previous SADC Local Plan's Regulation 19 consultation in that year) provided a critique of the Council's 2014 *Green Belt Study,* noting that the "*electricity pylon corridor does not represent a strong and permanent boundary."*[para 3.16]. The conclusions of this report remain valid, including the recommendation that the M1 is used as a strong and appropriate Green Belt boundary due to its permanency, clear alignment and boundary presence that would clearly define the edge of East Hemel Hempstead.

Paragraph 143 of the NPPF remains unchanged since 2018, in respect of defining one of the five Green Belt purposes as "*to prevent neighbouring towns merging into one another".* We acknowledge that protecting the separation between settlements (in this case, the north-eastern edge of Hemel Hempstead and the southern edge of Redbourn east of the M1) is a legitimate purpose of the defined Green Belt boundary in this location. This is reinforced in the *North Hemel Landscape Study* [September 2024] which comments that that *"Restricting development to west of the pylons* ***and/or*** *setting houses back from Hemel Hempstead Road would assist in maintaining a sense of separation between Hemel Hempstead and Redbourn as experienced along the road."*(our emphasis)

The evidence base document, *Broad Locations – Landscape + Visual Appraisal* (page 11) makes a notable distinction between site allocations H1 and H2 in respect of the use of the overhead pylons as a defining feature for GB purposes, stating that for H1 (HH North): "*The existing pylon line easement provides a logical limit to the extent of built development eastwards, helping to maintain the open gap between Hemel Hempstead and Redbourn to the east*", whereas for H2 (East Hemel Hempstead (North), it is *…"****the M1 corridor that provides a logical limit to the extension of development eastwards."***(page 18, our emphasis).

The *Broad Locations – Landscape + Visual Appraisal* also recognises the potential impact of overhead pylons as a dominant feature in the landscape, suggesting that one should *"Consider how development* ***addresses pylon easements*** *and no-build areas, in line with National Grid Guidelines … setting clear design objectives such as* ***to break down the linearity*** *of the transmissions route into inter-related places rather than treating the route as one continuous strip…" (Page 6).* Having a Green Belt edge which mirrors the straight alignment of the pylons (on the ground and in the air) reinforces a contrived straight development edge which does not sensitively respond to topographical or landscape features or character. It draws attention to the linear overhead pylon lines, contradicting best practice design guidance and disregarding more suitable opportunities for defining and establishing a permanent Green Belt boundary on the ground.

On this basis, although the overarching approach to releasing Green Belt land to support the Local Plan allocations is fully supported by TCE, we object to the extent of the H2, East Hemel Hempstead (North) allocation proposed to remain within the Metropolitan Green Belt as currently shown on the Policies Map. This also applies to H4 as the Green Belt boundary follows the M1 except for in the south-east corner of the site. Instead, it is suggested that the Green Belt boundary is adjusted to follow the M1 along the entirety of the H2-H4 allocations.

It is important to note that should our representations be supported by the Council through Modification or by an independent Inspector at Examination, this would not mean that the need or desire to provide open green infrastructure as part of the development proposed within site H2 is diminished in any way. The draft Local Plan Policy, Concept Plan and Framework Plan evidence base for the HGC Growth Areas requires the provision of a Country Park, sports hub and SANG in the eastern part of H2 as part of the creation of a new landscaped edge to Hemel Hempstead; this design requirement would not be altered simply by the removal of the land from the Green Belt and TCE would be happy to agree policy restrictions to agree an appropriate eastern extent of built development in this part of the allocated site if needed.

Further, it should be noted that given the NPPF requirement to periodically review Green Belt boundaries as part of local plan reviews in order to accommodate development needs, the designation of land as SANG which comes with a requirement for its designation 'in perpetuity' has arguably more permanence, and thus might be seen as a preferable alternative policy and practical tool to ensure openness and a green setting ensuring separation of settlements over the long term.

LG2 and HGC Growth Areas Collaboration Agreement

Policy LG2 *Support for Transformation of Hemel Hempstead* presents an overarching policy for The Hemel Garden Communities programme. We note the addition of a requirement that "*Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to secure a collaboration agreement which ensures an integrated and seamless approach across site boundaries."*

TCE are committed to working with other landowners within the HGC Growth Areas and Councils to establish a coordinated approach to the successful delivery of HGC. However, TCE consider that the requirement of a collaboration agreement ensuring an integrated and seamless approach across site boundaries may be a challenging commitment to achieve and it is not clear how this policy requirement will be secured or enforced. There are alternative mechanisms that may be more suitable to securing a coordinated approach across site boundaries (and for the Growth Areas, across local authority boundaries and local plans).

We therefore suggest that alternative policy wording is considered, and have suggested a form of words below:

"*Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to* ***secure****establish**a* ***mechanism****collaboration agreement**which ensures a**nintegrated and seamless**coordinated**approach across site boundaries."*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Spatial Extent of Green Belt

On this basis, although the overarching approach to releasing Green Belt land to support the Local Plan allocations is fully supported by TCE, we object to the extent of the H2, East Hemel Hempstead (North) allocation proposed to remain within the Metropolitan Green Belt as currently shown on the Policies Map. This also applies to H4 as the Green Belt boundary follows the M1 except for in the south-east corner of the site. Instead, it is suggested that the Green Belt boundary is adjusted to follow the M1 along the entirety of the H2-H4 allocations.

It is important to note that should our representations be supported by the Council through Modification or by an independent Inspector at Examination, this would not mean that the need or desire to provide open green infrastructure as part of the development proposed within site H2 is diminished in any way. The draft Local Plan Policy, Concept Plan and Framework Plan evidence base for the HGC Growth Areas requires the provision of a Country Park, sports hub and SANG in the eastern part of H2 as part of the creation of a new landscaped edge to Hemel Hempstead; this design requirement would not be altered simply by the removal of the land from the Green Belt and TCE would be happy to agree policy restrictions to agree an appropriate eastern extent of built development in this part of the allocated site if needed.

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We therefore suggest that alternative policy wording is considered, and have suggested a form of words below:

"*Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to **establish**a **mechanism** which ensures a**coordinated**approach across site boundaries."*

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1. TCE Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

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* Yes, I wish to participate in hearing session(s)

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Strategic Design Code (SDC)

We note the draft Strategic Design Code (SDC) is part of the suite of documents being prepared by HGC with the intention of guiding and delivering the transformation objectives for the wider town of Hemel Hempstead, and that its purpose is to be incorporated into a supplementary planning document which will be subject to statutory consultation under the Town and Country Planning (Local Planning) (England) Regulations 2012.

We welcome the overarching objectives behind the preparation of draft SPD material and are keen to work with HGC officers to help shape this going forward. However, for the purposes of demonstrating local plan soundness, we encourage SADC and HGC to have confidence in the principles and evidence set out in the HGC Spatial Vision, the HGC Framework Plan and the adopted Strategic Sites Design Guide as the guiding design framework for the HGC Growth Area allocations.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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LG5 and Infrastructure Provision in the Green Belt

Policy LG5 *Green Belt* provides support in principle for proposals in the Green Belt, including:

"b) Infrastructure provision identified in this Plan that is essential to ensure sustainable development across the District and beyond, that demonstrates 'very special circumstances' namely:

1. *New state schools;*
2. *The creation of new transport infrastructure;*
3. *Small scale, largely open forms of infrastructure development such as outdoor sport and recreation facilities and uses (including detached playing fields for schools) drainage areas and utilities installations".*

The approach set out in Policy LG5 is supported by TCE in respect of the HGC Growth Areas, recognising the need to retain flexibility in providing the infrastructure required to support strategic scale development at East Hemel and for the wider HGC Growth Areas whilst maintaining openness and not conflicting with the purpose of including land within the Green Belt. However, we consider the reference to 'small scale' in clause (iii) may be open to interpretation and therefore ineffective in guiding decision making.

We therefore suggest an amendment to the wording of LG5 to reflect the need commensurate with the scale of planned development to which the infrastructure relates:

*"iii. **~~Small scale, I~~L**argely open forms of infrastructure development, **at a scale necessary to support planned development,**such as outdoor sport and recreation facilities and uses…"*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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2019 and continues to work positively with both HGC and the planning authority of St Albans in order to progress emerging development proposals in line with the draft allocations. As landowner and promoter of these strategic site allocations we wish to participate fully in the Examination.

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 7 - Community Infrastructure

Comment Number: 1

Type:

* Paragraph

Number:

7.3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Infrastructure Development Plan (IDP)

Paragraph 7.3 of the Local Plan Part A refers to the IDP as a 'living document' that will continue to be updated and refined before and after the adoption of the new Local Plan.

This approach is supported by TCE. It enables the IDP to be updated, where necessary, to reflect additional information provided in evidence to support the Local Plan process, and can be adjusted as necessary if the way in which infrastructure is to be phased, delivered and funded (by Councils as well as by developers) changes over time without the need to seek changes to inflexible policy wording around infrastructure delivery, which would otherwise be the case.

We consider that there are elements of the IDP that require a more detailed review as the development proposals and infrastructure provision is refined through ongoing HGC activity, including the preparation of SPDs, to provide further guidance to support the policy context for the determination of application proposals.

Specifically, we suggest:

• there is a requirement for a collaborative exercise across HGC allocations to test the infrastructure items set out within the St Albans IDP and the Dacorum IDPs: the outcomes of this exercise may be able to be confirmed through aligned Examination processes should the DBC local plan progress in a similar timeframe, but otherwise should be reviewed as part of the ongoing update of the evidence base; and

• that, whilst there appears to be broad consistency between the IDP and the Council's viability assessment (undertaken by BNP), final conclusions will be heavily dependent upon understanding the make-up of costs within the BNP appraisal, aligned with the exercise in (i) above.

TCE wishes to maintain its involvement in the evolution of the IDP and SPDs, working with SADC, other landowners and the relevant authorities to input into any IDP discussions that may have an impact on East Hemel or the wider HGC allocations.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 8 - Transport

Comment Number: 12

Type:

* Policy

Number:

SP8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Transport Policies

We suggest the thrust of the transport policies within the local plan, and consider that overall, they provide a sound approach upon which to support a move to sustainable patterns of movement and active travel in new growth and development.

We have a number of observations on the detailed policy wording in respect of some of the transport policies, which we consider would aid clarity and thus effectiveness. These are set out below:

TRA2 – Major Transport Schemes

As currently worded, part (a) subsection (ii) of TRA2 makes reference to *"enhancing M1 Junction 8"*and could be interpreted as being provision of a new bridge over the M1. All parties are keen to clarify the respective elements of any highway works which may be required as part of the HGC Growth Areas and what may be required as part of wider local plan growth. As such, we suggest the policy is amended to read:

"A package of transport measures to enhance the ***highway network in the vicinity of****M1 Junction 8 in association with HGC".*

TRA3 – Development Generating New Lorry Movements

We support the intention of this policy. However, to ensure that what is being sought relates to any mitigation of impact arising from new development, we suggest that part (a) clause (iv) of this policy would benefit from additional clarification to read:

"a) Proposals for development leading to significant increases in lorry movements shall demonstrate that:

1. *iv) "There is adequate and suitable provision for* ***any overnight****lorry parking* ***generated by that development****".*

-

TRA4 -Parking

We support the elements of policy TR4 relating to new development within the Broad Locations, and particularly part (e) clause iii in relation to supporting the development of *"an appropriate parking strategy with lower than standard parking requirements"*on the grounds that this provides some flexibility on the approach to parking which allows for alignment with the wider sustainable transport ambitions for HGC.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA2 - Major Transport Schemes

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA2 – Major Transport Schemes

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*"A package of transport measures to enhance the **highway network in the vicinity of**M1 Junction 8 in association with HGC".*

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I would like to be notified about the adoption of the Local Plan:

* Yes

TRA3 - Development Generating New Lorry Movements

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA3 – Development Generating New Lorry Movements

We support the intention of this policy. However, to ensure that what is being sought relates to any mitigation of impact arising from new development, we suggest that part (a) clause (iv) of this policy would benefit from additional clarification to read:

"a) Proposals for development leading to significant increases in lorry movements shall demonstrate that:

*iv) "There is adequate and suitable provision for **any overnight**lorry parking **generated by that development**".*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA4 - Parking

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA4 -Parking

We support the elements of policy TR4 relating to new development within the Broad Locations, and particularly part (e) clause iii in relation to supporting the development of *"an appropriate parking strategy with lower than standard parking requirements"*on the grounds that this provides some flexibility on the approach to parking which allows for alignment with the wider sustainable transport ambitions for HGC.

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Support for TRA4

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure

Comment Number: 5

Type:

* Site

Number:

H2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

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* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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Spatial Extent of Green Belt

The approach taken by SADC in relation to the overall justification for the review and proposed release of Green Belt land to provide the necessary new homes, employment and critical infrastructure for the district is supported by TCE, and it is considered that the exceptional circumstances required to release Green Belt land are justified.

The Policies Map and Part B of the Local Plan sets out the allocated sites and defines the associated Green Belt boundaries to be redrawn as a result of the sites' allocation for development.

We support the rolling of the Green Belt boundary westwards to the M1 as a defensible boundary for EHH. However, we note that whilst the M1 forms a common eastern extent of all three of the draft EHH site allocations, it is not proposed by the Council as a consistent and common boundary for a new Green Belt over the same area.

We question the justification for the inconsistent approach to Council's selection of a new Green Belt boundary in this location, noting the inconsistencies in the Green Belt assessment in this respect, and particularly in respect of the decision to use the overhead electricity pylons as a new defensible GB boundary within the H2 allocation rather than either well established field boundaries or indeed, the M1 as for the remainder of the allocations.

NPPF Paragraph 142 expresses that "*The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."*Supporting this is NPPF Paragraph 146 which states that boundaries for Green Belt should be defined "*using physical features that are readily recognisable and likely to be permanent."*

We understand the recommendation to use the overhead pylons as the Green Belt boundary was first presented in the *Green Belt Review Sites and Boundaries Study (February 2014)* which was produced by SKM on behalf of SADC. Paragraph 3.5.3 of the Study states "*The rationale for this is that the overhead lines are likely to restrict development further east."*

We make two points in this respect; first that pylons are not considered to be permanent features as they can be rationalised and removed or placed underground, and second, that the

presence of an overhead line is visually permeable and therefore does not generally affect the openness of the landscape.

We consider that other physical features - such as the level of vegetation cover, hedgerows or built form – are more of an indication of the openness of a landscape. In respect of EHH, considering how physical features appear on site, rather than on plan, confirms how field boundaries and roads (in this case the M1 motorway) are more permanent, legible, and robust boundaries which successfully take account of landscape character.

This matter was first raised in TCE representations to the previous local plan in 2018, where the same approach to GB release was proposed by the Council. A report produced by SLR on behalf of TCE in October 2018 (and which was submitted as part of the previous SADC Local Plan's Regulation 19 consultation in that year) provided a critique of the Council's 2014 *Green Belt Study,* noting that the "*electricity pylon corridor does not represent a strong and permanent boundary."*[para 3.16]. The conclusions of this report remain valid, including the recommendation that the M1 is used as a strong and appropriate Green Belt boundary due to its permanency, clear alignment and boundary presence that would clearly define the edge of East Hemel Hempstead.

Paragraph 143 of the NPPF remains unchanged since 2018, in respect of defining one of the five Green Belt purposes as "*to prevent neighbouring towns merging into one another".* We acknowledge that protecting the separation between settlements (in this case, the north-eastern edge of Hemel Hempstead and the southern edge of Redbourn east of the M1) is a legitimate purpose of the defined Green Belt boundary in this location. This is reinforced in the *North Hemel Landscape Study* [September 2024] which comments that that *"Restricting development to west of the pylons* ***and/or*** *setting houses back from Hemel Hempstead Road would assist in maintaining a sense of separation between Hemel Hempstead and Redbourn as experienced along the road."*(our emphasis)

The evidence base document, *Broad Locations – Landscape + Visual Appraisal* (page 11) makes a notable distinction between site allocations H1 and H2 in respect of the use of the overhead pylons as a defining feature for GB purposes, stating that for H1 (HH North): "*The existing pylon line easement provides a logical limit to the extent of built development eastwards, helping to maintain the open gap between Hemel Hempstead and Redbourn to the east*", whereas for H2 (East Hemel Hempstead (North), it is *…"****the M1 corridor that provides a logical limit to the extension of development eastwards."***(page 18, our emphasis).

The *Broad Locations – Landscape + Visual Appraisal* also recognises the potential impact of overhead pylons as a dominant feature in the landscape, suggesting that one should *"Consider how development* ***addresses pylon easements*** *and no-build areas, in line with National Grid Guidelines … setting clear design objectives such as* ***to break down the linearity*** *of the transmissions route into inter-related places rather than treating the route as one continuous strip…" (Page 6).* Having a Green Belt edge which mirrors the straight alignment of the pylons (on the ground and in the air) reinforces a contrived straight development edge which does not sensitively respond to topographical or landscape features or character. It draws attention to the linear overhead pylon lines, contradicting best practice design guidance and disregarding more suitable opportunities for defining and establishing a permanent Green Belt boundary on the ground.

On this basis, although the overarching approach to releasing Green Belt land to support the Local Plan allocations is fully supported by TCE, we object to the extent of the H2, East Hemel Hempstead (North) allocation proposed to remain within the Metropolitan Green Belt as currently shown on the Policies Map. This also applies to H4 as the Green Belt boundary follows the M1 except for in the south-east corner of the site. Instead, it is suggested that the Green Belt boundary is adjusted to follow the M1 along the entirety of the H2-H4 allocations.

It is important to note that should our representations be supported by the Council through Modification or by an independent Inspector at Examination, this would not mean that the need or desire to provide open green infrastructure as part of the development proposed within site H2 is diminished in any way. The draft Local Plan Policy, Concept Plan and Framework Plan evidence base for the HGC Growth Areas requires the provision of a Country Park, sports hub and SANG in the eastern part of H2 as part of the creation of a new landscaped edge to Hemel Hempstead; this design requirement would not be altered simply by the removal of the land from the Green Belt and TCE would be happy to agree policy restrictions to agree an appropriate eastern extent of built development in this part of the allocated site if needed.

Further, it should be noted that given the NPPF requirement to periodically review Green Belt boundaries as part of local plan reviews in order to accommodate development needs, the designation of land as SANG which comes with a requirement for its designation 'in perpetuity' has arguably more permanence, and thus might be seen as a preferable alternative policy and practical tool to ensure openness and a green setting ensuring separation of settlements over the long term.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Open Space Standards Updates

Policy NEB 12 –*Green Space Standards and New Green Space Provision* sets out the Open Space Quantity Standards being sought in the local plan (see Table 10.1).

The quantitative requirements for open space have been updated by the Council as part of the Regulation 19 plan. This results in an increase of total multi-functional green space to be provided in new developments from 32sqm per person to 57sqm per person, primarily as a result of an increased requirement for 'natural and semi-natural green spaces' from 5 sqm/pp to 34.6 sqm/pp. This is not an inconsiderable increase, and now excludes playing pitch provision, the requirements for which will be sought based on the Sport England Calculator.

We understand that the evidence underpinning the increase in policy requirement has been provided through the Council's updated Open Space Study (April 2024).

Delivering a high proportion of green space on sites such as East Hemel remains a key shared objective of the Council and TCE. However, we wish to highlight that for the HGC Growth Areas, the HGC Framework Plan evidence tested the capacity and deliverability of the allocations against policy requirements using the green space standards set out in the Regulation 18 plan.

Therefore, if the HGC allocations are to meet the policy requirements of NEB 12 as now proposed as well as the quantum of development and infrastructure set out in the site allocation policies, we would welcome clarification on the way in which overall green space is to be calculated for the HGC allocations.

These increased standards will need to be delivered alongside the relevant requirements for BNG, SANG and other critical GI infrastructure. Particularly relevant for East Hemel Hempstead, we seek confirmation that the provision of SANG can be included as part of the Natural and Semi-Natural Green Space provision.

Whilst we note and welcome the amendment to clause (a) of policy NEB12 to replace 'must' with 'should' - and consider that this goes some way to provide a degree of flexibility around how open space provision is to be determined especially for strategic sites – we would welcome some clarification in policy to demonstrate that a flexible approach to the application of open space standards on strategic sites will be taken.

We therefore suggest that the policy wording of NEB 12 is adjusted to explicitly recognise that within the Broad Locations/HGC Growth Areas, given the wider GI provision already required elsewhere in policy, a flexible approach will be taken to the calculation of open space standards.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 14 - Implementation

Comment Number: 13

Type:

* Policy

Number:

SP14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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Infrastructure Development Plan (IDP)

Paragraph 7.3 of the Local Plan Part A refers to the IDP as a 'living document' that will continue to be updated and refined before and after the adoption of the new Local Plan.

This approach is supported by TCE. It enables the IDP to be updated, where necessary, to reflect additional information provided in evidence to support the Local Plan process, and can be adjusted as necessary if the way in which infrastructure is to be phased, delivered and funded (by Councils as well as by developers) changes over time without the need to seek changes to inflexible policy wording around infrastructure delivery, which would otherwise be the case.

We consider that there are elements of the IDP that require a more detailed review as the development proposals and infrastructure provision is refined through ongoing HGC activity, including the preparation of SPDs, to provide further guidance to support the policy context for the determination of application proposals.

Specifically, we suggest:

• there is a requirement for a collaborative exercise across HGC allocations to test the infrastructure items set out within the St Albans IDP and the Dacorum IDPs: the outcomes of this exercise may be able to be confirmed through aligned Examination processes should the DBC local plan progress in a similar timeframe, but otherwise should be reviewed as part of the ongoing update of the evidence base; and

• that, whilst there appears to be broad consistency between the IDP and the Council's viability assessment (undertaken by BNP), final conclusions will be heavily dependent upon understanding the make-up of costs within the BNP appraisal, aligned with the exercise in (i) above.

TCE wishes to maintain its involvement in the evolution of the IDP and SPDs, working with SADC, other landowners and the relevant authorities to input into any IDP discussions that may have an impact on East Hemel or the wider HGC allocations.

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Part B - Local Plan Sites

Comment Number: 7

Type:

* Policies Map

Number:

part b

Do you consider the St Albans Local Plan to be legally compliant?

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Employment Uses within Site Allocation Policy H3

The Local Plan Part B – Local Plan Sites sets out the site allocation policies. This includes allocation H3 East Hemel Hempstead (Central). Within this policy, points 11 and 12 require that the southern 17ha of the site will include employment uses to deliver a Business, Research and Development Park and the remaining 36ha to the north of the site for uses such as logistics and mixed industrial uses.

Locational Restrictions

It is understood from discussions with SADC officers that in their view, a requirement to fix the spatial disposition of use classes set out within the policy wording is considered necessary to minimise the risk of logistics developments becoming the dominant development form within the site, and thus limit the ability to create an attractive gateway into the town from the M1 and St Albans and affect the site's perceived attractiveness for business and R&D.

We support the principle of requiring a mix of employment uses within policy H3 in order to deliver a range of employment at East Hemel (Central). We also support the addition of point 18 of H3 requiring *"A high quality gateway entrance along the A414 to Hemel Hempstead serving H3 and H4"*reflecting the Council's aspiration for this part of the site to contribute positively to one the key gateways into Hemel Hempstead.

However, it is considered that as currently drafted, the spatial limitations placed on different employment uses within the policy is overly restrictive and could result in masterplanning challenges and development forms that may adversely impact upon placemaking and sustainable construction and low carbon design solutions which reflect the physical characteristics of the site as well as its interface with surrounding places. The policy restriction on the location of these use is also generated by an assumption that they could not contribute positively to the creation of a gateway, which is not an inevitable conclusion provided that well-designed frontages, gateways and a landscape led masterplanning approach to edge treatments is adopted.

TCE are committed to ensure that a masterplan-led approach to the distribution, layout, form and phasing of employment uses in this location - including at the interfaces of the employment area with residential areas to the north and south - is secured to ensure that placemaking ambitions are realised across the three EHH allocations. As the masterplanning work is at an early stage, we suggest that more flexible wording around the location of different employment uses within H3 would allow for the optimum design solution to be secured for the employment area: reflecting its role as a 'integrator' between the northern and southern residential neighbourhoods (H2 and H4); accommodating the range of employment uses envisaged in a well-designed manner which also delivers on the wider placemaking objectives of HGC; and providing a high-quality gateway to Hemel Hempstead.

We therefore object to the locational specificity currently in clauses 11&12 of policy H3 for the reasons given above.

Phasing Restriction

We also suggest that flexibility be provided in policy around the timing of the provision of innovation hub relative to the delivery of other employment uses on site. Whilst TCE are committed to working with Herts IQ and other delivery agencies to support the creation of the innovation hub at an early stage, it is considered overly restrictive to require this to be provided in advance of other employment uses, for which a rapid response to market demands and occupier requirements will be needed if the quantum and mix of employment uses is to be realised within the plan period.

Clarification of 'Education Opportunities'

We also note the addition of the reference to 'education' within the Regulation 19 H3 policy wording and have sought clarification from officers as to what was intended through this addition.

We understand that the reference to 'opportunities for education' relates to the opportunity to support higher and further education initiatives within the wider employment offer at EHH (Central), rather than making education provision on site. As a result of this clarification, we have suggested minor clarifications to wording of clause 11.

Taking the points made above together, in order to make Site Allocation Policy H3 effective and thereby ensure soundness, the following adjustments to the policy wording are sought:

*"11. **The southern a**Approximately 17 Hectares of the site will promote high density, higher skilled employment uses to deliver a Business, Research and Development Park and explore opportunities **related to support**for **higher and further**education **initiatives**. **Early**The first phase**s**of employment development will **include**provide an innovation hub prioritising space for start-up units in high quality buildings and units that provide grow on space for small businesses and support the growth of life science and agri-tech businesses.*

*12. The remaining approximately 36 Hectares **to the north of the site**will promote uses such as logistics and mixed industrial areas."*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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*12. The remaining approximately 36 Hectares **to the north of the site**will promote uses such as logistics and mixed industrial areas."*

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site Allocation Policy H4

Clause 5 of Policy H4 (reg 19 amendments) refers to the requirement to deliver *"the HGC Green Loop including Buncefield Lane, Westwick Row, Blackwater Lane, to Bunkers Park and adjacent to the site Bunkers Lane and connections to the Green Loop".*

It is unclear from the wording whether site allocation H4 is intended to provide all these lengths or be contributing to them. We suggest that due to the wider growth of HGC, the policy should seek appropriate contributions to the wider HGC Green Loop: as worded the current policy could be interpreted as a requirement for H4 to make the full contribution. It is suggested that clarity is added to the policy wording by amendment to read:

*"**Contributions towards the**HGC Green Loop including Buncefield Lane, Westwick Row, Blackwater Lane, to Bunkers Park and adjacent to the site**,** Bunkers Lane and connections to the Green Loop."*

This amendment would also ensure consistency across the HGC Policy Allocations, as it reflects the wording set out within Policy H3 clause 4 in respect of the Green Loop.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

273 - Hallam Land Management and St Albans School

Submission Number: 273 Submission Date: 08/11/24 09:33

Respondent: LRM Planning Mr Owen Jones

On Behalf Of Hallam Land Management and St Albans School :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

5 Sustainable use of land and green belt

5.1 One of the Local Plan objectives is to “prioritise the effective use of land by locating new development on previously developed land first, where appropriate; and protecting and enhancing the Green Belt”.

5.2 The emphasis on focusing development opportunities on previously developed land in the first instance is reiterated throughout the consultation document, and has consistently been made clear in previous versions. However, it is acknowledged that the Council cannot solely rely on development in such locations to meet the District’s development requirements. As such, the second limb of the objective remains crucial.

5.3 It is right that this continues to be acknowledged, with the Local Plan noting that “this approach above favours meeting need within or close to existing settlements to draw on existing infrastructure and reduce the need to travel” (para 3.4), and recognising that “it may be necessary to meet the need by considering other available land; in St Albans District this includes looking at Green Belt land and its boundaries” (para 3.5).

5.4 This is consistent with Strategic Policy SP1 which identifies Broad Locations for development in

locations adjacent to the city of St Albans as the main urban area in the District, amongst other places.

5.5 What is absent from the objective is a recognition of this circumstance (i.e., there is no second limb to follow the first.) This objective should be recast accordingly to reflect that development will also occur at locations presently within the Green Belt (but to be removed through this Local Plan process) that contribute to a sustainable pattern of development.

REQUIREMENTS FOR GROWTH

5.6 The representations submitted by Hallam and St Albans School as part of the Regulation 18 consultation process commented on the local housing requirement and the need to increase the supply of new homes. The District Council's intent to "provide a sufficient amount of good quality housing which meets the needs of all sections of society in sustainable locations", was, and is, supported, and it was acknowledged that the Local Plan rightly uses the standard method to calculate the number of new homes required. It remains instructive that the Council has not sought to argue that there are exceptional circumstances to justify an alternative approach as is permissible by the NPPF (§61).

SOURCES OF DEVELOPMENT LAND

5.7 The Local Plan identifies two sources of development land in the District. First, previously developed land, and second, greenfield land, which, because of the extent of the designation, equates to Green Belt land. The Regulation 19 version of the Plan continues to fairly refer to the tension between competing objectives of protecting the Green Belt and achieving a sustainable pattern of development.

5.8 The representations previously submitted explained that the Green Belt in St Albans has not been subject to substantive amendment since 1985 and save for where very special circumstances have existed it has endured for nearly four decades. In this regard, very special circumstances have increasingly been proven to exist in recent years, because of the absence of a plan-led approach to its review and the concomitant lack of supply of development land.

5.9 It is therefore unsurprising that in trying to resolve this tension, the District Council is again finding that as a matter of principle, the Green Belt boundary should be amended to contribute to meeting

local housing need. It remains pertinent and appropriate that the Sustainability Appraisal confirms that there is a "clear strategic case for Green Belt release at St Albans" (para 5.4.34).

5.10 This aligns and responds with the NPPF which acknowledges that "the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, providing they are well located and designed, and supported by the necessary infrastructure and facilities" (§73) and "the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes" (§105).

5.11 Hallam and St Albans School therefore are still of the opinion that the critical mass of new

development that large scale strategic allocations at St Albans can achieve means that they should underpin the Local Plan's strategy, not least because they can contribute to meeting the established housing requirement and positively contribute to a range of Local Plan objectives and also support the provision of new infrastructure. The role of North St Albans as a Broad Location is crucial in this respect.

GREEN BELT REVIEW

5.12 It is well known that St Albans is tightly constrained by the Metropolitan Green Belt, one of the fundamental aims of which is to prevent urban sprawl by retaining the openness of land. Its initial purpose was to prevent the outward expansion of greater London, but there has been a recognition of the proximity of other towns in relation to the greater London area and the need to prevent them from merging.

5.13 Locally, its primary purpose is to prevent settlements within and adjoining the District merging, which is a crucial factor when assessing the role of the Green Belt at different locations.

5.14 The Green Belt was assessed in 2013/14 by SKM and more recently in 2023 by Arup. The previous representations explained that they adopted very different approaches, with SKM adopting a strategic consideration of the role of the Green Belt and potential locations which could accommodate large scale development, and Arup rather considering individual field parcels which make up the potential larger strategic sites. As such, it was concluded they are not comparable and conclusions from the Arup work cannot be read to supersede SKM's conclusions. Hallam and St Albans School maintain this position and therefore are of the opinion that limitations of the Arup work mean that, alone, it cannot properly or singularly inform the Local Plan policies and proposals.

HOUSING TRAJECTORY

5.15 Commentary was previously provided on the District's housing trajectory as part of the Regulation 18 consultation, and Hallam and St Albans School continue to agree with the conclusions made at that time. It is notable that the existing housing supply is limited with a very obvious need for new development opportunities to be brought forward. On this occasion, the trajectory appears to delay the contribution of Broad Locations until 2031 and beyond. However, in doing so, it adopts a stepped trajectory with low levels of housing completions between now and 2031. There is no good reason for this where North St Albans is able to deliver housing sooner.

5.16 Most significantly, Hallam and St Albans School previously raised concerns about the resilience of the housing supply position. At the time, the Regulation 18 Local Plan identified a total potential supply of 15,938 new homes against a requirement of 15,096. This was calculated to equate to a flexibility allowance of some 5.5%. It was noted that although no specific guidance exists in this regard, it is commonplace to see flexibility allowances of 10% or greater. The Regulation 19 Local Plan reduces this flexibility allowance even further; Strategic Policy SP3 confirms that the standard methodology identifies a total need for 14,603 dwellings whilst the housing trajectory contained at Table 3.2 identifies a total housing land supply of 14,989 dwellings. This equates to a flexibility

allowance of just 2.6%. Hallam and St Albans School are increasingly concerned that the housing supply position is delicate and insufficient.

SITE SELECTION

5.17 The Regulation 19 document proposes a number of development locations which are within the Green Belt presently. There are several steps that the District Council must consider before concluding, as it has, that there are exceptional circumstances to amend the Green Belt. As an approach, this is no different to the conclusion reached in 2014, 2018, and 2023 as to how future development needs are to be met

5.18 In 2023, Hallam and St Albans School concluded that the process accords with the national guidance on plan preparation set out at §32 of the NPPF, and that the selection process also responds to the objectives of the Local Plan, and this position remains unchanged.

5.19 It is for this reason that it remains unquestionable that the site selection process quite rightly leads to the proposed allocation of North St Albans.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our representations are of strategic importance to the Local Plan and the delivery of our scheme will contribute to its objectives.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.1 The Local Plan has continuously promoted St Albans as the pre-eminent settlement of the District since work on the plan commenced. As part of the Regulation 18 response, Hallam and St Albans School acknowledged that the Part 1 of the Settlement Hierarchy Study places St Albans at top of the hierarchy, noting that it scores almost twice as high as Harpenden, which sits second in the tier. They supported the recognition of the role of St Albans and continue to agree that St Albans City itself is a sustainable location and should continue to be the focus for new development in the District.

3.2 The Sustainability Appraisal reiterates this position, stating that “As the district’s primary town there is a clear need to direct a good proportion of growth to St Albans”, with no headline reasons to direct growth away from the city to other locations (page 121 refers).

3.3 In the context of the above, Hallam and St Albans School continue to firmly support the approach of Strategic Policy SP1, where St Albans will “continue to be the pre-eminent focus in the District for housing, employment, services, retail, the evening economy, education and healthcare”.

3.4 Noting the relative performance of St Albans as the principal settlement, the hierarchy in Strategic Policy SP1 that intends to distribute new development by “locating most growth generally within

and adjacent to the larger and most sustainable urban centres”, is also very much supported.

3.5 These policy objectives are entirely consistent with and will contribute towards a sustainable pattern of growth which is the cornerstone of the NPPF (§105).

3.6 Strategic Policy SP1 continues to encourage growth on land in urban areas “and then the Green Belt”, in order to make the most sustainable use of land. In this context, “growth” is understood to mean “new development”. Whilst as a matter of approach the consultation document is right to afford an importance to the use and re-use of land in urban areas, it is clear that future development needs cannot be met by only relying on previously developed land. This is a widely understood characteristic that was acknowledged within the 2014, 2018, and 2023 draft Local Plans, and circumstances are no different at the present time. Therefore, for the city of St Albans to perform the role that Strategic Policy SP1 intends, new development will need to be located adjacent to the existing urban area. Consequently, enlarging the urban area is a legitimate proposition if the overarching principle of a sustainable pattern of development is to be achieved.

3.7 As is explained in the consultation document, St Albans is enclosed by the Green Belt. The designation is tightly drawn and new development will therefore need to be located on land that is presently subject to that designation. Amending the Green Belt is permissible by national policy where exceptional circumstances exist (§140).

3.8 For this reason, the District Council has long understood that the Green Belt constrains the extent to which its existing urban areas are able to grow, and that the designation will need to be amended in order for future development needs to be met in a manner that achieves a sustainable pattern of development. Crucially, as highlighted in the representations to the Regulation 18 version of the Local Plan, Hallam and St Albans School would reiterate that the Sustainability Appraisal notes that there is “a clear strategic case for Green Belt release at St Albans” (para 5.4.34).

3.9 In this context, it is no surprise that the consultation document maintains the approach set out in previous draft Local Plans. Hallam and St Albans School firmly support the principle of amending the Green Belt and the identification of North St Albans in Strategic Policy SP1. This is discussed North St Albans is discussed specifically in Section 6 of these representations.

3.10 Strategic Policy SP1 also identifies the housing requirement for the plan period, and Hallam and St Albans School support the fact that the Council aspires to identify and allocated land for the delivery of at least 14,603 net additional new houses, which equates to 885 dwellings per annum. It is noted that this provision is slightly less than was previously set out in Regulation 18 version of the Local Plan, which intended to identify land for 15,096 net additional new houses (888 per annum), however it is appreciated that this reflects the updated plan period and the standard methodology in the NPPF. The Regulation 18 Local Plan referred to a plan period of 17 years, whilst the Regulation 19 version refers to a 16.5 year plan period. The difference of 493 net new dwellings is therefore understood to reflect the six month reduction of the plan period, rather than being an actual reduction of housing numbers. As such, Hallam and St Albans School continue to support the overall level of housing growth proposed. There are however indicators that suggest a greater amount of new housing should be provided In the District.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 28

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.1 Hallam and St Albans School acknowledge and support the District Council's declaration of a Climate Emergency made in 2019. They believe that development in the right location, which is designed and constructed responsibly, can make a strong contribution to climate change mitigation and adaptation.

4.2 Both Hallam and St Albans School broadly support the objectives of Strategic Policy SP2, but given the importance of addressing the climate emergency, a number of suggested amendments and/or enhancements are proposed to improve its effectiveness and soundness.

4.3 It is disappointing that Strategic Policy SP2 does not go so far as to say the Council will "strongly" support proposals that help combat climate change. In order to achieve the sustainable development that the Local Plan seeks to achieve, the District should offer greater support to developers who prioritise combatting climate change, and Strategic Policy should be amended to reflect this.

4.4 Hallam and St Albans School are of the opinion that the most effective mechanism to mitigate large quantities of carbon emissions is to ensure that new development is located in the most sustainable locations, where the use of walking, cycling and public transport can provide the principal means of travel as an alternative to private car use. Although they support the changes made to the wording of criterion (f) to "prioritise" the use of sustainable and active travel rather than just "support" it, there remain some areas where the policy could be strengthened.

4.5 It was previously suggested that Policy SP2 should be amended to recognise the carbon emission savings which can be secured through the use of more sustainable modes of transport. Greater weight should be afforded to this criterion given that transport emissions typically account for over a third of local and national emissions, and therefore locating development in the most sustainable locations would be one of the most powerful actions to reduce greenhouse gas emissions. It is suggested that the policy is reworded as follows to offer developers another mechanism for promoting sustainable travel. It is therefore reiterated that the following sentence should be added, as below:

"Use the most sustainable locations for growth and so minimising the need to travel while encouraging walking, cycling and the use of public transport. Development proposals are encouraged to demonstrate carbon savings secured through the switch to more sustainable modes of transportation".

4.6 Criterion k is also confusing in that it requires "the combination of environmental payments through stacking of different types of credits on sites". It is unclear exactly what the District Council are trying to achieve with this policy; it should be clarified how they intend to secure carbon credits on site, or how they can be meaningfully and practically secured, in the absence of a carbon offsetting policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See question 4

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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* Yes

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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4.7 The provision of key indicators and targets for promoting sustainable design and construction techniques at Policy CE1 is generally supported. However it is considered that the inclusion of rainwater harvesting weakens the policy by relying on a technique which has many technical challenges, particularly for residential development, when compared against other water efficiency

measures such as flow restrictors. Furthermore, the target requirement for 110l per person per day should be the main focus with compliance judged against the measures to meet this target, as opposed to specifying specific routes to compliance such as rainwater harvesting. There is also a risk that the strict requirements of this policy could be quickly outdated through national legislative changes, meaning that these local provisions could be overtaken by national requirements.

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On this basis, it is suggested that the reference to new development requiring rainwater harvesting is removed.

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I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

2 Vision and Local Plan objectives

2.1 The Vision for St Albans remains the same as it was drafted for the Regulation 18 version of the Local Plan. This simply seeks to achieve "A thriving, inclusive and sustainable community which is a great place to live and work and has a vibrant economy". This has consistently aligned with the Vision set out in the Council's Corporate Strategy, and, whilst unobjectionable, it is likely to mean different things to different people in the District.

2.2 The Vision can only be properly understood by reviewing the supporting Local Plan objectives, which are grouped around six themes which are similarly aligned to the Corporate Strategy priorities. Its sub-sections also reflect the extent of strategic policies required by §20 of the NPPF. The Local Plan objectives remain unchanged for the most part, save for minor alterations to wording. For this reason, Hallam and St Albans School continue to support:

- the adaptation for and mitigation of climate change and reduction of greenhouse gas emissions;
- the efficient and best use of land;
- the provision of a sufficient amount of good quality housing which meets the needs of all sections of society in sustainable locations;
- making provision for accessible community infrastructure in sustainable locations;
- encouraging the use of active and sustainable means of transport and reduce the need for people to travel;
- protecting and conserving the natural and historic environments; and
- achieving high-quality, inclusive, active and distinctive places and sustainable communities.

2.3 These objectives give rise to a number of important considerations for the Plan's spatial strategy and the proposals that flow from this.

2.4 As the consultation document acknowledges, meeting future development needs cannot be achieved simply on previously developed land. In fact, meeting those needs at accessible locations which enable active travel and promote a reduction in private care use and carbon emissions affords an importance to new development being located adjacent to the District's main settlement.

2.5 Greenfield development is therefore an entirely legitimate proposition. As is evident from the Sustainability Appraisal, this necessitates and justifies the Green Belt being amended.

2.6 In turn, this requires a positive approach to plan-making and the allocation of land for development

as is proposed in the form of Broad Locations. This, and in particular the proposed allocation at North St Albans, is welcomed by Hallam and St Albans School.

2.7 Moreover, several of the development management policies contribute towards placemaking and environmental enhancements.

2.8 Taken together, the policies and proposals contribute to the objectives that underpin the Vision.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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6.11 Policy LG1 sets out a series of criteria which development within Broad Locations should achieve. Hallam and St Albans School previously provided commentary on the various criteria and how they align with the development proposals for North St Albans. The compatibility of the North St Albans proposals with the policy is not repeated here, however as the scheme has evolved, some further observations are made in light of these criteria.

1. **Make efficient and effective use of the site, with a minimal overall net density of 40 dwellings per hectare; utilising a range of densities that take account of adjacent character, uses and identity.**

This policy position is noted and Hallam and St Albans School acknowledge that this refers to an "overall" net density of 40 dwellings per hectare, allowing for a range of densities to be adopted across the site.

2. **Plant at least 1 semi-mature tree for each dwelling; for C2 accommodation plant 1 semi-mature tree for every 2.5 dwelling equivalent bed spaces.**

Hallam and St Albans School are committed to new tree planting throughout the development, however are concerned that semi-mature trees require more land to establish than young trees which could result in a less efficient use of land within the site.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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6.12 Hallam and St Albans School previously commented on the role of Policy LG5 in the context of the Broad Locations, and concluded that as North St Albans is to be removed from the Green Belt, the policy is not applicable save in respect of the relocated playing fields.

6.13 Observations were previously made in relation to criterion (b)(iii), and its inconsistency with paragraph 154 (b) of the NPPF which states that the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation should not be regarded as inappropriate development as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. It was concluded at the time that reference to outdoor sports and recreation facilities should be deleted from this policy accordingly as they do not require very special circumstances where the qualifications of 154 (b) are met. Hallam and St Albans School remain of this view.

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* Yes

Strategic Policy SP4 - Housing

Comment Number: 29

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

7.2 Hallam and St Albans School support the intention to deliver good quality housing that meets the needs of all parts of the society. They do however note some concerns with the deliverability of certain aspects of the policy.

7.3 Specifically, the fifth bullet point of Strategic Policy SP4 states that the Council seeks to "to diversify the housing market and increase consumer choice through encouraging Self-build and Custom Housebuilding in sustainable locations". The North St Albans scheme allows for sufficient land to accommodate self and custom build plots to be provided, however the wording of the policy is strict in suggesting that housing diversity can only be encouraging through provision of such housing. This can be problematic on some sites due to viability, and therefore the policy should be appropriately worded to ensure that this is not the only option available. As a suggestion, the bullet point should be amended to add "where appropriate".

7.4 Similar conclusions are made in respect of Policy HOU5.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Specifically, the fifth bullet point of Strategic Policy SP4 states that the Council seeks to "to diversify the housing market and increase consumer choice through encouraging Self-build and Custom Housebuilding in sustainable locations". The North St Albans scheme allows for sufficient land to accommodate self and custom build plots to be provided, however the wording of the policy is strict in suggesting that housing diversity can only be encouraging through provision of such housing. This can be problematic on some sites due to viability, and therefore the policy should be appropriately worded to ensure that this is not the only option available. As a suggestion, the bullet point should be amended to add "where appropriate".

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

7.5 Hallam and St Albans School support the amendments to Policy HOU1 which allow for some flexibility in housing mix at Broad Locations. It is acknowledged that a final sentence has been added at the end of the policy stating that "the delivery of specialist housing at Broad Locations could affect the housing mix by increasing the number of smaller units. Therefore, the housing mix may be adjusted on sites that deliver specialist housing units to take account of an increased proportion of smaller units". This amendment from the Regulation 18 version is supported.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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7.6 The provision of affordable housing is plainly important in the District given the low levels that have been provided historically and the evidence of local housing need in the Strategic Housing Market Assessment. Hallam and St Albans School are therefore supportive of this policy in overall terms.

7.7 To some degree it is over prescriptive. Criterion (b) notes that Council will seek to meet the District's affordable housing needs by "encouraging three bedroom affordable homes to address the priority needs of the Council's Housing Register and the needs of those in temporary accommodation". This has evidently been informed by the current needs of the Council's Housing Register, but may become outdated in the context of the plan period. It seems logical that the policy is amended to more broadly refer to the need to take into consideration the Council's Housing Register.

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* Yes

HOU3 - Specialist Housing

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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7.8 Hallam and St Albans School support the District Council's decision to support development proposals which provide specialist housing to meet the needs of older people and people with disabilities.

7.9 The introductory text of the policy states that "the Council will support development proposals for specialist housing to meet the needs of older people and people with disabilities" in accordance with the policy criteria. This eligibility is narrow in scope and does not consider other groups with specific socio-economic needs. The policy should be amended to increase the scope and definition of specialist housing.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be amended to increase the scope and definition of specialist housing.

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* Yes

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* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 31

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

7.2 Hallam and St Albans School support the intention to deliver good quality housing that meets the needs of all parts of the society. They do however note some concerns with the deliverability of certain aspects of the policy.

7.3 Specifically, the fifth bullet point of Strategic Policy SP4 states that the Council seeks to “to diversify the housing market and increase consumer choice through encouraging Self-build and Custom Housebuilding in sustainable locations”. The North St Albans scheme allows for sufficient land to accommodate self and custom build plots to be provided, however the wording of the policy is strict in suggesting that housing diversity can only be encouraging through provision of such housing. This can be problematic on some sites due to viability, and therefore the policy should be appropriately worded to ensure that this is not the only option available. As a suggestion, the bullet point should be amended to add “where appropriate”.

7.4 Similar conclusions are made in respect of Policy HOU5.

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Specifically, the fifth bullet point of Strategic Policy SP4 states that the Council seeks to “to diversify the housing market and increase consumer choice through encouraging Self-build and Custom Housebuilding in sustainable locations”. The North St Albans scheme allows for sufficient land to accommodate self and custom build plots to be provided, however the wording of the policy is strict in suggesting that housing diversity can only be encouraging through provision of such housing. This can be problematic on some sites due to viability, and therefore the policy should be appropriately worded to ensure that this is not the only option available. As a suggestion, the bullet point should be amended to add “where appropriate”.

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I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 30

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.11 Hallam and St Albans School are supportive of the recognition placed on city, town and village centres as essential providers of retail, services, leisure, entertainment and other services. The fact that this policy considers both existing centres, and those which have the opportunity to be delivered through Broad Locations, is also supported.

3.12 Whilst criterion (h) specifically acknowledges the role of new local centres at Broad Locations and how they can contribute to the day-to-day needs of the wider resident population, it is considered that not enough recognition has been placed on the importance these centres can have in supporting the creation of new communities. There is a risk therefore that the functions and uses required to allow these centres to establish as community communities is overlooked. As such, it is suggested that a sentence is added to the end of the policy test to acknowledge the role such centres can have within new communities.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Criterion (h) - it is suggested that a sentence is added to the end of the policy test to acknowledge the role such centres can have within new communities.

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I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP7 - Community Infrastructure

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

8.2 Hallam and St Albans School agree with the support the Council affords to community infrastructure as it relates to new development in the Broad Locations. Observations are made however in regard to the amendments which have been made to the policy wording since the Regulation 18 version was consulted on, which now includes the new following statement:

"In relation to sports facilities (and open space and recreation) such existing facilities can be built on if the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss (e.g. a dual use sports hall being built on a school playing field)".

8.3 This is a direct conflict with the allocation of North St Albans at B1 of Policy LG1 whereby one of the key development requirements includes the "replacement of the displayed playing fields". The District Council are aware of the need to relocate the playing fields on land to the north of the allocation to facilitate the development of the wider scheme; specifically, the land currently hosting the Old Albanian Sport facilities need to be relocated to allow for a suitable access to be provided to serve the other scheme components.

8.4 As currently drafted, Strategic Policy SP7 would prevent development of the existing sport pitch land for anything other than alternative sports and recreational provision, which conflicts with the wider aspirations of Policy LG1. It is therefore suggested that Strategic Policy SP7 is amended to read as follows:

"In relation to sports facilities (and open space and recreation) such existing facilities can be built on if the development is for alternative sports and recreational provision, or other suitable land is identified and secured as agreed by the District Council, the needs for which clearly outweigh the loss (e.g. a dual use sports hall being built on a school playing field)".

8.5 When defining "community infrastructure" within the policy, the list is definite and explicit, but there are concerns that this should be more flexible to acknowledge that some community spaces can be used for a variety of interchangeable uses. The Alban Arena is one such example of this type of space, as acknowledged at Policy TCR5. Community spaces have potential and scope to be used for a variety of day and evening activities, and can be used recreationally, for education purposes, and offer co-working and business spaces. As currently drafted, the policy does not allow for this flexibility of use.

8.6 Further to the point of rigid definitions, Hallam and St Albans School query whether the reference to "flood defences" should be amended to refer more broadly to "sustainable drainage systems".

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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8.6 Further to the point of rigid definitions, Hallam and St Albans School query whether the reference to “flood defences” should be amended to refer more broadly to “sustainable drainage systems”.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

COM1 - Education

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

8.7 Hallam and St Albans School continue to support the principle of providing sports facilities as part of a new school. Whilst it is agreed that these facilities can in some circumstances also serve a community function, ultimately this will be a matter for the Local Education Authority to decide. Hallam and St Albans School have no in principle objection to this secondary use of the school facilities, but are of the view that the District Council cannot oblige a developer to ensure this is met.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is therefore suggested that the following sentences are removed from COM1(b):

"The associated indoor and outdoor sports facilities should serve a community joint function" and

"The provision of playing pitches for community use will be required at new primary and secondary schools".

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

COM3 - Community, Leisure and Sports Facilities

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

8.8 Hallam and St Albans School agree with the level of support afforded to new, retained and improved community, leisure and sports buildings and facilities. It is acknowledged that this includes "new local provision as part of major residential development at Broad Locations and strategic sites, including possible joint use of education and multi-purpose community buildings / halls or improvements to existing parish halls / centres near to the new housing areas". Although best endeavours will be made to ensure this can be met, the strict wording is limiting and there may often be operational or safeguarding reasons which make dual use not feasible.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is therefore suggested that this should be amended to read "where a need can be demonstrated".

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA1 - Transport Considerations for New Development

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

9.2 Policy TRA1 lists the transport considerations for new development. Hallam and St Albans School previously raised concerns with the wording Criterion (a)(ii) which requires that development would not lead to highway safety problems or cause unacceptable impacts on the transport network. This language is considered imprecise and ambiguous when contrasted with §115 of the NPPF which states: *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts **on the road network would be severe**".* (emphasis added). This opinion remains.

9.3 Criteria b(i), b(iv) and b(x) of Policy TRA1 references the implementation of active travel routes, suggesting the elements of the wider active travel network which will need to be delivered independently by Broad Locations, even where the routes may benefit more than one Broad Location.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

9.4 Specifically, it is suggested that criterion (b)(x) is amended to read:

"Suitable mechanisms will be provided to secure sustainable transport measures, including contributions towards or delivery of schemes identified in the LCWIP, Bus Service Improvement Plan, Growth & Transport Plan and IDP and improvements to the existing highway network and other appropriate transport mitigations, including as identified in Supporting Documents to the Local Transport Plan."

Please upload any supporting documents here. Do not include any signatures or other personal data.

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I would like to be notified about the adoption of the Local Plan:

* Yes

TRA4 - Parking

Comment Number: 23

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

9.5 Parking standards are set out in Policy TRA4. Whilst the District Council's approach to lower than standard parking requirements at Broad Locations is supported, the aspiration to maintain current levels of parking in more central areas is not, and neither is the presumption of refusal of permission of proposals in the built up area. Indeed, the intention to increase parking provision in the case of new development in these locations, appears to be contrary to criterion (c) of Policy SP8 which seeks to promote a reduction in car journeys for new and existing settlement. In this regard, criterion (b) is likely to hamper or prevent delivery of active travel infrastructure on routes identified for improvement within the LCWIP and within the North St Albans wider active travel measures proposals. Given the constrained highway network with St. Albans, particularly in central areas, there must remain flexibility to consider the relocation or reduction of on-street parking provision in order to meet active travel objectives. We consider this policy as written will undermine the aims of Policy SP8.

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I would like to be notified about the adoption of the Local Plan:

* Yes

NEB1 - Woodlands, Trees and Landscape Features

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

10.2 In the case of the Broad Location at North St Albans, Hallam and St Albans School support the intent to enhance tree cover and protect existing woodlands, trees and landscape features. Further clarity is however sought in relation to criterion (a), which requires one semi-mature tree for each dwelling. It is not clear from the policy wording what this provision is expected to include, whether it be on-plot planting, or could be delivered in part or in whole through woodland creation. There also appears to be a discrepancy in the policy, which does not reflect the intentions of Policy LG1 which also requires one tree to be provided per 2.5 bedspaces for C2 accommodation.

10.3 The wording of criterion (e) of the policy also creates potential problems from a deliverability perspective, and although the presumption against the removal or destruction of any hedgerow that is considered important is acknowledged and understood, it is considered that this sentence should be concluded to read “unless material considerations exist to justify their loss or amendment, and any loss can be mitigated for”.

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* Yes

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

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

10.4 It is agreed that development proposals should have regard to existing biodiversity on site, and how future biodiversity considerations can be designed for.

10.5 Criterion (c) specifically identifies the requirements for new residential development, which includes one swift brick box, one bat box, and one insect box, per dwelling. It also states that the swift boxes should be installed in groups in optimal locations. Consideration needs to be afforded to the practicality of this; although there are no in principle objections to the installation of such measures, the requirement for three boxes per dwelling would require consideration at a fairly early stage of the development proposals for large schemes to establish where they would be most successful. This should also be dependent on the result of survey work; if there are existing high levels of species within the site then there should be a greater emphasis on delivering these measures.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

10.6 It is suggested that criterion (c) is amended to read:

“Where practical and feasible, all housing proposals should provide:

1. at least one swift brick per dwelling, on average for the development, installed in groups in optimal locations;
2. at least one integrated bat box, on average for the development, per dwelling; and
3. at least one integrated insect box, on average for the development, per dwelling.

In instances where survey work reveals an existing high presence of these species, greater emphasis should be placed on delivering these measures”.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB10 - Landscape and Design

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

10.7 Hallam and St Albans School agree that landscaping elements of development are essential to creating sustainable and attractive places.

10.8 Criterion (a)(vi) requires the use of appropriate native species with all stock "sources and where possible grown entirely in the UK". Although it is acknowledged that this does state "where possible", this is still quite restrictive.

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* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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10.9 The need to identify specific requirements for new green space is supported, and the level of detail provided is welcome and will be helpful in informing development proposals. There are however a couple of sections where the policy could be strengthened and/or clarified.

10.10 In regard to new green space, criterion (a)(vi) states that the creation of new green space should "encourage the provision of ancillary infrastructure to support the use of green spaces, where appropriate". The policy does not offer any definition of ancillary infrastructure in this context so it is not possible to ascertain what type of supporting built development may or not be acceptable.

10.11 The requirement for natural and semi-natural green spaces has been increased to 34.6sqm per person, from 5sqm per person in the Regulation 18 consultation document. There does not appear to be sufficient evidence to justify this increase; within the Open Space Study (2024), the Fields In Trust suggest 1.8ha per 1000 population, which equates to approximately 18sqm per person. The Open Space Study also reveals a current provision of approximately 3.46ha per 1000 population, which equates to approximate 34.6sqm per person. There is evidently a surplus of such space in the District per population and therefore whilst 18sqm per person may be aspirational, it does not appear to be necessary, and a provision of 34.6sqm per person is therefore certainly unnecessary. Conversely, the existing overprovision in the District suggests a lower quantum of natural and semi-natural green space can be justified.

10.12 The Regulation 18 version of the Local Plan also identified a necessary provision of 0.18sqm per person for teenage play areas. The Regulation 19 version has excluded this, without any apparent justification. The provision for children's play area has also stayed the same at 0.6sqm per person and so it plainly has not been accounted for elsewhere. Hallam and St Albans School suggest that this needs to be revisited.

10.13 In regard to allotments, the draft policy strictly refers to provision of "allotments". This is incredibly onerous and conflicts with current best practice which encourages inclusive, community-focused productive landscapes. Hallam and St Albans School consider that a more beneficial policy requirement would be for this to refer to "allotments and/or community grow zones". Strict adherence to such a policy requirement might also compromise the achievement of other equally important policy objectives and as such a balanced approach will be necessary in considering individual development proposals. This amendment would represent a positive policy approach.

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* Yes

Strategic Policy SP11 - Historic Environment

Comment Number: 24

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

11.2 Strategic Policy SP11 relates to the need to balance the need for growth with proper conservation and enhancement of the historic environment. There is some conflict between criterion (a) and the NPPF, with the first policy test stating that strategies for conservation will include "maintaining a strong presumption in favour of the retention, conservation and enhancement of heritage assets and their setting according to their significance". Paragraph 205 of the NPPF does indeed identify the need to consider the impact of a proposed development on the significant of an asset, but makes no similar conclusions in respect of their setting.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As such, it is considered that criterion (a) is rewritten accordingly:

"*Maintaining a strong presumption in favour of the retention, conservation and enhancement of heritage assets according to their significance."*

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes, I wish to participate in hearing session(s)

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* Yes

HE4 - Scheduled Monuments

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

11.2.1 As drafted, Policy HE4 requires all development which would adversely affect a scheduled monument to obtain a Scheduled Monument Consent prior to planning permission being granted. This is problematic because it relies on the full suite of information and detailed drawings to be available at that time, however, this is not practical for applications that are submitted in outline, with detailed matters reserved for subsequent approval. In these scenarios it is therefore not possible for the sufficient level of information to be provided and for the Scheduled Monument Consent to be issued.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As such It is suggested that Policy HE4 is reconsidered in this context and the need for separate Scheduled Monument consent is instead sought at the detailed design stage, whether that be outline or reserved matters.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP12 - High Quality Design

Comment Number: 26

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

12.2 Criterion (b) of Strategic Policy SP12 refers to schemes being of a "high quality architecture". It is considered that the reference to "architecture" being of a high quality lends itself to subjectivity, and should instead be reworded to "high quality placemaking".

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

12.2 Criterion (b) of Strategic Policy SP12 refers to schemes being of a "high quality architecture". It is considered that the reference to "architecture" being of a high quality lends itself to subjectivity, and should instead be reworded to "high quality placemaking".

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* Yes

DES1 - Design of New Development

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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12.3 Criterion (i) of Policy DES1 identifies the need for dwellings to be "set a minimum of 1m from the property / party boundary above ground floor level, where it would otherwise result in an undesirable terracing effect". This is overly specific, and arguably will not be relevant in the consideration of all development proposals.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To avoid any potential future conflict, it is suggested that this is reworded to allow minimum floor levels to be controlled via a suitably worded planning condition.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

DES2 - Public Space

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

12.4 Criterion (b) of Policy DES2 refers to the need for public space to "prioritise pedestrian and bicycle movements and be Integrate with active travel networks". It is suggested that this is reworded to refer to "existing active travel networks", as not all future development proposals will be of a scale which includes new active travel networks.

12.5 Criterion (f) states that public space should also "be supported by ancillary infrastructure where appropriate", however it is suggested that "ancillary infrastructure" is replaced with "associated functions" to increase flexibility of these spaces.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

12.4 Criterion (b) of Policy DES2 refers to the need for public space to "prioritise pedestrian and bicycle movements and be Integrate with active travel networks". It is suggested that this is reworded to refer to "existing active travel networks", as not all future development proposals will be of a scale which includes new active travel networks.

12.5 Criterion (f) states that public space should also "be supported by ancillary infrastructure where appropriate", however it is suggested that "ancillary infrastructure" is replaced with "associated functions" to increase flexibility of these spaces.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our representations are of strategic importance to the Local Plan and the delivery of our scheme will contribute to its objectives.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES3 - Efficient Use of Land

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

12.6 Policy DES3 states that development should:

"Where additional residential units are proposed, achieve at least the density of the existing site context or 40 net dwellings per hectare, whichever is higher"

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

12.7 Hallam and St Albans School consider that this should be balanced against other factors, including for example, the respective requirements for housing mix and/or contextual factors which may necessitate a lower density in order to be in keeping with local context and character. A strict residential density could result in inappropriate development which complies with policy but does not relate to the immediate site environs.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

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* Yes, I wish to participate in hearing session(s)

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES5 - Residential Amenity Standards

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

12.8 Standards in regard to amenity space can be useful in forming development proposals, however it is considered that a suitably worded sentence should be included to identify that some exceptions to the policy may exist where higher density development can be achieved. There is risk that as currently drafted, the requirements of Policy DES5 could conflict with the need to seek to make the most efficient use of land as per Policy DES3 and in turn compromise other important policy objectives.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 27

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

13.2 Strategic Policy SP14 concerns the delivery of infrastructure either by direct provision or by way of planning obligations. It is noted that criterion (a)(iv) requires any adverse impacts to be mitigated. Hallam and St Albans School do not agree that any and all adverse impacts require mitigation, and it is normal for this to relate only to “unacceptable” adverse impacts. Adverse effects may be outweighed by positive beneficial effects and not warrant mitigation. However, as currently written, the practical operation of criterion (c) of the policy would be that such development should be refused. In this regard, it should be noted that paragraph 55 of the NPPF acknowledges that “unacceptable development could be made acceptable through the use of conditions or planning obligations”.

13.3 There are also concerns that criterion (b) requires "new infrastructure to support new development is operational no later than the completion of development or phase in which it is needed, unless otherwise agreed with relevant providers". Whilst indeed developers should ensure that these mechanisms are in place, there is potential that a development could have made the appropriate contributions to infrastructure delivery, but are unable to ensure that it is physically delivered within any particular timescale, requiring a delay of unknown length in the development delivery. This is particularly likely to be the case when developers are relying on the District or County Council(s) to deliver particular elements of infrastructure.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our representations are of strategic importance to the Local Plan and the delivery of our scheme will contribute to its objectives.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B1 - North St Albans, AL3 6DD

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.1 Strategic Policy SP1 and Table 3.1 lists North St Albans as a Broad Location for development within the District. Part B of the Local Plan contains the proposed site allocations and identifies North St Albans at B1.

6.2 North St Albans is strategically important to the Local Plan's strategy; both in terms of achieving the spatial outcome of a sustainable pattern of development focused on the District's main urban area and also the provision of new housing and associated infrastructure to meet identified needs. New development can similarly be located here without causing the merging of the City of St Albans and Harpenden and thus maintain the important purpose of the Green Belt in separating those two settlements.

6.3 North St Albans has consistently been identified as a strategic location for large scale growth, and Hallam and St Albans School remain highly supportive of the Council's decision to allocate it.

6.4 Crucially, before reviewing the relevant policy context in any great detail, Hallam and St Albans School would like to alert the District Council to a discrepancy issue in relation to the capacity of North St Albans. Table 3.1 at Part A of the Local Plan identifies the Broad Locations and confirms a minimum capacity of 1,146 dwellings, however B1 of Part B of the Local Plan

confirms an indicative figure of 1,097 dwellings. This lack of consistency is not effective and does not meet the test of soundness. The District Council are urged to revisit this and ensure that it provides a consistent, reliable and realistic housing capacity which a future developer can achieve.

6.5 Notwithstanding this, the District Council are aware that Hallam and St Albans School have been undertaking survey work and suites of technical work which have informed an illustrative masterplan for the remainder of the North St Albans site, which excludes the 150 dwellings approved under 5/2021/0423. This has been evolving for some time but is now at a point where site capacity can be tested, confirming that the realistic capacity of this larger remaining portion of the site is 1,080 dwellings, accounting for the various specialist accommodation types required by the District and County Councils. As such, the overall capacity of the North St Albans Broad Allocation is calculated to be 1,230 dwellings of which 80 are the C2 care home.

B1 (Local Plan Part B) – North St Albans

6.6 B1 of the Local Plan identifies North St Albans as a Broad Location for development. It identifies the key requirements for the development, which will comprise the main components of the scheme and identifies the District's aspirations for the site.

6.7 Hallam and St Albans School have undertaken a vast suite of technical and survey work for the North St Albans site and therefore whilst they are supportive of the Council's approach to identify key development requirements, they consider that some of these objectives require alteration in order to the meet the tests of soundness required of a Local Plan to ensure that the full development capacity can be reached.

6.8 Firstly, the proposed use is described as "primarily residential 1,097 units (indicative) (this includes 150 from planning permission 5/2021/0423)." Accounting for the units provided for the specialist accommodation, nursing home, and additional disability service units, and on the basis of updated capacity work, this figure should be updated to read "primarily residential 1,230 units (indicative) (this includes 150 from planning permission 5/2021/0423)." This will allow 1,080 new dwellings to come forward on the remainder of the North St Albans scheme.

6.9 Our comments in regard to the specific development requirements are set out in turn below.

One extra-care facility comprising of 70-80 self-contained units, one 70-80 bed nursing home and 4 supported living units for people with disabilities (these units are included within the indicative dwellings figure).

Capacity work has been undertaken and confirms that the extra care facility will offer 80 self-contained units, and the nursing home will also support 80-beds. The provision of four supported living units is supported but these are referred to as "adult disability service units" in light of ongoing discussions with Hertfordshire County Council's adult services directorate.

A 2FE primary school, including Early Years provision, to serve the new and wider community. This should include provision of an all weather playing pitch available for community use.

The site can accommodate space for a two-form entry primary school, however Hertfordshire County Council have agreed that they will be responsible for delivering this. As such, the policy should be amended to read "land for a two-form entry primary school". Moreover, it will be the Local Education Authority ("LEA") who are responsible for the specification of the school and its playing field. The extent to which the primary school and associated playing field is available for community use will similarly be determined by the LEA and the school sponsor.

A new local centre to provide local services, including Medical Centre and commercial development opportunities.

Again, the local centre can accommodate space for a medical centre, but the Integrated Care Board have expressed that they would wish to deliver this themselves. As such, it is suggested that the policy should be amended to read “including sufficient space for a medical centre”.

Replacement of the displaced playing fields. The replacement playing fields must be an equivalent or better playing field in terms of quantity and quality and delivered prior to commencement of any development on the existing playing field. Sport England will be a statutory consultee on any future planning application that would affect the playing field within this site allocation.

The area of the allocation has been amended in response to previous representations to ensure sufficient land is identified to allow for the relocation of the existing playing pitches. As playing fields are appropriate uses in the Green Belt, we note the proposed revision to its boundary intends that the pitches are on land that continues to be designated accordingly, and this is not considered to be a conflict with national policy. Sport England and the England and Wales Cricket Board have requested that a small sports pavilion annex is provided to serve the replacement playing fields. This should be acknowledged and the policy should be reworded accordingly to note that the provision of a new building will be supported where it serves the replacement pitches. Again, such a facility would not conflict with Green Belt policy.

On-site outdoor sports provision to meet the additional needs generated by the development. An offsite facility may be acceptable where justified by evidence and subject to early delivery of the offsite provision prior to occupation of first home.

No comments or observations.

Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.

No comments or observations.

Support for a transport network (including walking and cycling links) and public transport services upgrades / improvements, including off-site improvements to Harpenden Road, Sandridgebury Lane, Valley Road, Ancient Briton junction and King William IV junction, links to St Albans City Centre, station and education; aligned to schemes in the GTPs and LCWIP.

Discussions have been held with the local bus providers and any scheme would look to incorporate

their aspirations accordingly. As such, it is suggested that the policy is amended to read “public transport services upgrades / improvements as appropriate”.

Whilst discussions have also been held with Hertfordshire County Council as the local highway authority, the exact off-site improvements are still to be confirmed. It is therefore suggested that this is also rewritten to read “including off-site improvements to Harpenden Road, Sandridgebury Lane, Valley Road, Ancient Briton junction and King William IV junction, that prioritise active and sustainable transport, as appropriate”. Similarly, the links to the city centre, the station and education facilities are also being finalised, thus “as appropriate” should be introduced after the reference to education.

Provide pedestrian and cycle links with the part of the site that is delivering 150 homes from planning permission 5/2021/0423.

There are no in principle issues with this, however it will depend on the developer of planning permission 5/2021/0423 delivering suitable connection points to the boundary of that site. This should be reworded to read “provide pedestrian and cycle links to the points of connection along the site boundary of the part of the site that is delivering 150 homes from planning permission 5/2021/0423.”

Support for the improvement of the Public Rights of Way network to enable active travel and recreational use to Heartwood Forest and Nomansland Common.

No comments or observations.

Development proposals must take appropriate account of the Ancient Woodland, County Wildlife Site, Priority Habitat and trees covered by Tree Preservation Order along the south-east boundary, and the Priority Habitat close to the eastern boundary comprising an area of deciduous woodland.

No comments or observations.

A noise assessment must be carried out regarding the railway line and appropriate mitigating measures provided as necessary.

No comments or observations.

Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 3; Bedrock Aquifer; Superficial Aquifer.

No comments or observations.

6.10 Given the extent of changes proposed, a tracked changes version of B1 is contained at Appendix 1 [see attached file] to highlighted the proposed amendments.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Reword B1 as follows:

Proposed use: Primarily residential 1,230 units (indicative) (this includes 150 from planning permission 5/2021/0423)."

Key development requirements:

One age restricted specialist facility comprising of 70-80 self-contained units, one 70-80 bed nursing home and 4 adult disability service units for people with disabilities (these units are included within the indicative dwellings figure).

Land for a 2FE primary school, including Early Years provision, to serve the new and wider community. This should include provision of an all weather playing pitch available for community use.

A new local centre to provide local services, including sufficient space for a Medical Centre and commercial development opportunities.

Replacement of the displaced playing fields. The replacement playing fields must be an equivalent or better playing field in terms of quantity and quality and delivered prior to commencement of any development on the existing playing field, and will include a new pavilion annex to serve the replacement fields. Sport England will be a statutory consultee on any future planning application that would affect the playing field within this site allocation.

On-site outdoor sports provision to meet the additional needs generated by the development. An offsite facility may be acceptable where justified by evidence and subject to early delivery of the offsite provision prior to occupation of first home.

Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.

Support for a transport network (including walking and cycling links) and public transport services upgrades / improvements as appropriate, including off-site improvements to Harpenden Road, Sandridgebury Lane, Valley Road, Ancient Briton junction and King William IV junction, that priortise active and sustainable transport, as appropriate, and links to St Albans City Centre, station and education as appropriate; aligned to schemes in the GTPs and LCWIP.

Provide pedestrian and cycle links to the points of connection along the site boundary withof the part of the site that is delivering 150 homes from planning permission 5/2021/0423.

Support for the improvement of the Public Rights of Way network to enable active travel and recreational use to Heartwood Forest and Nomansland Common.

Development proposals must take appropriate account of the Ancient Woodland, County Wildlife Site, Priority Habitat and trees covered by Tree Preservation Order along the south-east boundary, and the Priority Habitat close to the eastern boundary comprising an area of deciduous woodland.

A noise assessment must be carried out regarding the railway line and appropriate mitigating measures provided as necessary.

Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 3; Bedrock Aquifer; Superficial Aquifer.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 St Albans Local Plan Reg 19 response_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our representations are of strategic importance to the Local Plan and the delivery of our scheme will contribute to its objectives.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

274 - District and Circle Ltd

Submission Number: 274 Submission Date: 08/11/24 09:37

Respondent: Briffa Phillips Architects Mr Matt Briffa

On Behalf Of District and Circle Ltd :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policies Map

Number:

12 Wheathampstead

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Arup Green Belt review not sound Ref SA45

The site lies to the East of Waddling Lane. Wheathampstead, Hertfordshire, comprising gentle sloping ground falling from the North to the River Lea.

Conclusion

This statement has demonstrated how Land to the East of Waddling Lane should come forward as a mixed-use housing and employment site meeting the golden thread of the NPPF 2023 promoting sustainable development in relation to economic, environmental, and social progress.

The statement has described how historic national infrastructure interventions for railways and highways have blighted any sustainable agricultural uses for the land. These historic interventions separated the site from rural farming landing effectively blighting the land for commercial agriculture.

It has described how mineral extraction has been exhausted leaving the land 'grey belt' or previously developed for those purposes. The Local authority must take account of brownfield or grey belt land and land that is currently underutilised. Both these exceptions are evident for this site and for these reasons exceptional circumstances exist that would allow the land to come forward in a form that makes best use of the land for development.

The statement has identified the shortcomings of the Arup Green Belt review where the review assessed the entirety of SA45 rather than this smaller portion of land abutting the built environment of Waddling Lane.

The statement has shown how the site will deliver a range of public benefits in addition to assisting with the shortfall in housing supply. For these additional reasons exceptional circumstances exist that would allow the land to come forward in a form that makes best use of the land for development.

The statement has demonstrated how a comprehensive offer of public benefits would support to review of Green Belt boundaries that promote sustainable patterns of development and for these reasons the subject areas SA44 and SA45 should be considered when setting out the District Nan.

In these circumstances a titled balance Should be applied when considering
Green Belt boundaries and site allocations to meet the shortfall in housing supply in the St Albans District on previously developed grey belt land.

For all those above reasons the Land East of Waddling Lane should be included in the emerging St Albans District Plan making process by a way of site allocation or Green Belt boundary adjustment.

See attached for more information

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Land East of Waddling Lane should be included in the emerging St Albans District Plan making process by a way of site allocation or Green Belt boundary adjustment.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 0274 Regulation 19 Representation_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Policies Map

Number:

12 Wheathampstead

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Arup Green Belt review not sound Ref SA45

The site lies to the East of Waddling Lane. Wheathampstead, Hertfordshire, comprising gentle sloping ground falling from the North to the River Lea.

Conclusion

This statement has demonstrated how Land to the East of Waddling Lane should come forward as a mixed-use housing and employment site meeting the golden thread of the NPPF 2023 promoting sustainable development in relation to economic, environmental, and social progress.

The statement has described how historic national infrastructure interventions for railways and highways have blighted any sustainable agricultural uses for the land. These historic interventions separated the site from rural farming landing effectively blighting the land for commercial agriculture.

It has described how mineral extraction has been exhausted leaving the land 'grey belt' or previously developed for those purposes. The Local authority must take account of brownfield or grey belt land and land that is currently underutilised. Both these exceptions are evident for this site and for these reasons exceptional circumstances exist that would allow the land to come forward in a form that makes best use of the land for development.

The statement has identified the shortcomings of the Arup Green Belt review where the review assessed the entirety of SA45 rather than this smaller portion of land abutting the built environment of Waddling Lane.

The statement has shown how the site will deliver a range of public benefits in addition to assisting with the shortfall in housing supply. For these additional reasons exceptional circumstances exist that would allow the land to come forward in a form that makes best use of the land for development.

The statement has demonstrated how a comprehensive offer of public benefits would support to review of Green Belt boundaries that promote sustainable patterns of development and for these reasons the subject areas SA44 and SA45 should be considered when setting out the District Nan.

In these circumstances a titled balance Should be applied when considering
Green Belt boundaries and site allocations to meet the shortfall in housing supply in the St Albans District on previously developed grey belt land.

For all those above reasons the Land East of Waddling Lane should be included in the emerging St Albans District Plan making process by a way of site allocation or Green Belt boundary adjustment.

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The Land East of Waddling Lane should be included in the emerging St Albans District Plan making process by a way of site allocation or Green Belt boundary adjustment.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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276 - Ms Theresa Smith

Submission Number: 276 Submission Date: 08/11/24 09:47

Respondent: District Councillor for Napsbury Park and Park Street Ms Theresa Smith

B6 - West of London Colney, AL2 1LN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

insufficient consideration of previous responses during Reg18.

We oppose the Key Development Requirements for access for this proposal quoted below :

- safe and attractive site access for pedestrians, bicycles and vehicles which connects through and outside the site via Napsbury Park. A suitable cycle friendly crossing will be required with signal lights

- Junction priority and segregated cycle access from Napsbury Park to the new secondary school

Napsbury Park is a Grade 2 listed Park and Heritage site and thus has particular protection under the NPPF. and the SADC's 2019 Conservation Area Character Statement for Napsbury Park.

Routing traffic for both a 8 form entry secondary school and 324 residential housing units will contravene all the policies which cover Napsbury Park and create an unacceptable volume of traffic in this protected area.

While the site's development itself is understandable and we are not objecting to the plans for siting the secondary school or the residential development south of Napsbury Park, **routing traffic through Napsbury Park is neither efficient, reasonable or acceptable.**

Napsbury Park is a residential area located to the north of London Colney and represents a small fraction of the community. Most residents, especially families with school-aged children, live in the south and central areas of London Colney. The proposed route would force vehicles to travel north through Napsbury Park before doubling back south to reach the B6 site. This circuitous route unnecessarily increases vehicle mileage, thereby elevating emissions, traffic, and wear on local roads in a way that disproportionately impacts the Napsbury Park community.

Additionally, the primary school feeding students to the senior school within the new development is located directly opposite the B6 site. This proximity suggests a simpler, more logical access solution from the south, where the majority of local families reside.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose establishing direct access to the development via Shenley Lane by constructing a roundabout at the Telford Road junction. This route offers several benefits:

1. **Traffic Calming**: A roundabout on Shenley Lane would reduce vehicle speeds, addressing current traffic issues on this busy road.
2. **Enhanced Safety**: Adding a controlled pedestrian and cyclist crossing south of the roundabout would provide safe, direct access for residents, including students, from the main village.
3. **Reduced Traffic Impact on Napsbury Park**: Direct access from Shenley Lane would relieve Napsbury Park from increased traffic flow, preserving the residential nature of the area.

This approach is a common-sense solution that meets the needs of the entire London Colney community. It ensures safe, convenient access for local residents while respecting the integrity of Napsbury Park as a residential neighbourhood.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To fully understand officers reasoning

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

277 - Mr Timothy Rogerson

Submission Number: 277 Submission Date: 08/11/24 09:50

Respondent: Mr Timothy Rogerson

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M16 - this site appears to have the following problems:

- nothing about affordable housing. 39 presumably large 5-6 bedroom houses in an already packed area.

- congestion added due to closeness to Roundwood Park School. Area currently congested on school days.

- potential drainage issues. Current field soaks up large amount of water. Potential for localised flooding if this is removed

- area of Green Belt which is protected so should not be used for housing for 'rich people' and presumably intent of developers would be to expand afterwards into further green belt area

- several houses nearby have solar panels the usefulness of which likely to be reduced by closeness of houses.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

see above comments

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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278 - Ms Nuala Webb

Submission Number: 278 Submission Date: 08/11/24 09:50

Respondent: District Councillor Napsbury and Park Street Ms Nuala Webb

B6 - West of London Colney, AL2 1LN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The planners have failed to consider responses from residents during Reg18 and did not look at the access legality

We oppose the Key Development Requirements for access for this proposal quoted below :

- safe and attractive site access for pedestrians, bicycles and vehicles which connects through and outside the site via Napsbury Park. A suitable cycle friendly crossing will be required with signal lights

- Junction priority and segregated cycle access from Napsbury Park to the new secondary school

Napsbury Park is a Grade 2 listed Park and Heritage site and thus has particular protection under the NPPF. and the SADC's 2019 Conservation Area Character Statement for Napsbury Park.

Routing traffic for both a 8 form entry secondary school and 324 residential housing units will contravene all the policies which cover Napsbury Park and create an unacceptable volume of traffic in this protected area.

While the site's development itself is understandable and we are not objecting to the plans for siting the secondary school or the residential development south of Napsbury Park, **routing traffic through Napsbury Park is neither efficient, reasonable or acceptable.**

Napsbury Park is a residential area located to the north of London Colney and represents a small fraction of the community. Most residents, especially families with school-aged children, live in the south and central areas of London Colney. The proposed route would force vehicles to travel north through Napsbury Park before doubling back south to reach the B6 site. This circuitous route unnecessarily increases vehicle mileage, thereby elevating emissions, traffic, and wear on local roads in a way that disproportionately impacts the Napsbury Park community.

Additionally, the primary school feeding students to the senior school within the new development is located directly opposite the B6 site. This proximity suggests a simpler, more logical access solution from the south, where the majority of local families reside.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We propose establishing direct access to the development via Shenley Lane by constructing a roundabout at the Telford Road junction. This route offers several benefits:

1. **Traffic Calming**: A roundabout on Shenley Lane would reduce vehicle speeds, addressing current traffic issues on this busy road.
2. **Enhanced Safety**: Adding a controlled pedestrian and cyclist crossing south of the roundabout would provide safe, direct access for residents, including students, from the main village.
3. **Reduced Traffic Impact on Napsbury Park**: Direct access from Shenley Lane would relieve Napsbury Park from increased traffic flow, preserving the residential nature of the area.

This approach is a common-sense solution that meets the needs of the entire London Colney community. It ensures safe, convenient access for local residents while respecting the integrity of Napsbury Park as a residential neighbourhood.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To represent the residents that I was elected to support

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

279 - Mr Akeem Iginla

Submission Number: 279 Submission Date: 08/11/24 09:52

Respondent: Mr Akeem Iginla

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I'm making representation on the St Albans Local Plan (Regulation 19 draft) September 2024 (referred to hereafter as 'the Regulation 19 Plan' of draft Plan').

These representations relate to Part B of the draft Plan and allocated Site H4 – East Hemel Hempstead (south) Broad Location which is proposed to be developed in accordance with Policies LG2 and LG3 to provide a major urban extension of Hemel Hempstead that delivers approximately 2,400 dwellings to 2041 and beyond.

Paragraph 35 of the new NPPF (December 2023) states that:

"Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

1. *a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
2. *b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
3. *c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
4. *d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant".*

I wrote with specific concerns about the soundness of the evidence base associated with Policy H4 and the way some aspects of the Policy initiatives are considered to work.

Policy H4 indicates under point 5 points in relation to the Green Loop:

"*Delivery of the HGC Green Loop to provide a connection to Bunkers Park and the wider green loop route via Bunkers Lane",*

It is unclear from the submitted material whether the Green Loop will operate along Westwick Row or adjacent to it. No clear evidence is provided to show how it will work in relation to occupiers of properties in or close to this route. Clarification on the practicality of the Green Loop, it's operation and function are important for affected residents to accurately assess the implications for traffic control and associated use and operation the Green Loop route.

The control and management of traffic along Westwick Row is not addressed within the Policy text and should be highlighted. Westwick Row is a single-track country lane, already used as a rat run and with any comprehensive Masterplanning of the area traffic control and management measures along this road will be essential, not least to protect designated heritage assets along the route from additional traffic and associated impacts.

Point 19 of Policy H4 details that suitable (landscape) buffers should be maintained around the designated heritage assets in the area including [redacted]King Charles II Cottage as well as Westwick Cottage; Westwick Row Farmhouse and Dell Cottage. We support this objective but also highlight that impacts of noise and vibration effects upon these heritage assets close to the Westwick Row should be considered and addressed and suitably mitigated within any masterplanning or associated works.

Currently there is insufficient information being provided at clear understanding as to how the proposed green loop would work and how the appropriate landscape, traffic, noise and vibration buffers would be mitigated against within the context of the Policy and the wider design and masterplanning works anticipated. This needs to be amended and enhanced within the main Policy Text. Until amended I consider that Policy H4 in the Regulation 19 Plan as drafted, is unsound and contrary to the inherent provisions in the NPPF December 2023.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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3. *c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. updated King Charles II Cottage Representation_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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280 - Cycling UK (Cyclists Touring Club)

Submission Number: 280 Submission Date: 08/11/24 09:59

Respondent: Cycling UK (Cyclists Touring Club) Dr David Lauder

On Behalf Of Cycling UK (Cyclists Touring Club) :

Strategic Policy SP8 - Transport Strategy

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP8 - Transport Strategy h)Supporting inter-settlement connectivity for active modes (e.g. Alban Way, Nickey Line, Ayot Greenway and Upper Lea Valley Walk) and identification and delivery of new routes. This is unsound by itself as it should be extended to specifically mention the need to to address poor inter-settlement connectivity of Colney Heath by active travel modes North and East to Hatfield and southeast to Welham Green.

To the North there is only one safe means of crossing the A414 at the "longabout". All other public rights of way crossing the A414 have been severed circa 1965 when the A405 (now A414) was changed to dual carriageway and the footway/cycle track that was on the South side was removed To the East the only cycle access route is via the subway under the A1(M) near the Oak Hotel.

Towards Welham Green and National Cycle Network Route 12, Colney Heath needs improved cycle connectivity as Tollgate Road is hazardous for cycling. and all other Eastbound routes have been severed by the A1(M).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In "Strategic Policy SP8 - Transport Strategy h)Supporting inter-settlement connectivity for active modes (e.g. Alban Way, Nickey Line, Ayot Greenway and Upper Lea Valley Walk) and identification and delivery of new routes." add "including improved inter-settlement connectivity of Colney Heath"

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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281 - Chris Collof

Submission Number: 281 Submission Date: 05/11/24 09:00

Respondent: Thames Water Chris Collof

Strategic Policy SP9 - Utilities Infrastructure

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans district is served by a number of sewage treatment works (STWs) including Maple Lodge, Blackbirds and Harpenden STWs with Harpenden STW located within the district on the eastern edge of Harpenden.

Upgrades are proposed for Maple Lodge STW will progress during AMP8 which runs from 2025 until 2030 and profiling of delivery of growth within the catchment alongside the upgrades may need to be taken into account. Upgrades are also proposed at Harpenden STW with the scheme providing additional capacity to the 2036 design horizon.

We support the content of Policy SP9 which provides the potential for phasing conditions to be used to align the occupation of development with the delivery of any necessary infrastructure upgrades. While we encourage developers to engage with us early and prior to the submission of any planning applications so the impact of development can be considered, we would not be in a position to progress modelling and delivery and any resulting network upgrades until there is certainty that development is coming forward, For information, a RAG assessment of network and STW capacity for the proposed site allocations is appended for information.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24_11 St Albans LP Reg 19 response_[R].pdf
2. St Albans Local Plan RAG assessment_Oct24 (002)_[R].pdf

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282 - Aly Fricker

Submission Number: 282 Submission Date: 07/11/24 09:00

Respondent: Aly Fricker

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

You have been lax in your planning over the past years and have rushed this plan through with inadequate consultation with the residents who will be most affected by your plan. You have failed to include other factors which are already approved in your formation of the plan, and these include but are not limited to the impact of new traffic movements and increased flows caused by the new Strategic Rail Freight site between Park Street and Napsbury. Indeed, the views of most comments made seem to have been met with stock, generalized off-the-shelf comments and there is no evidence that such comments have been absorbed or addressed in any way. Comments like 'noted' or ' is in line with Arup Green….' And reference to working with HCC on the transport assessments for Reg 19 draft plan and very hollow.

We need some meat on these bones in order to assess the plan and be able to make valid comments. Instead, the feeling is that this plan is the result of panic following years of debate in a desperate attempt to meet government guidance and eventually be able to fulfill you correct function as planning authority.

I feel that you have not given a clear opportunity for residents to peruse the L2 plan, absorb it and comment and that you failed to comply with Regulation 18 consultation process. Allowing three weeks between Regulation 19 comments and Examination is inadequate and fails to meet the democratic process as intended in this planning matter. The plan has shown the sites that the councils believe will be the easiest one to entice a developer and satisfy speculative development. Planning officers for the local areas have had minimal opportunity for consideration of any specific sites within their area and this demonstrates a very light brush with the democratic process. I suspect most residents have no idea this process is taking place and no appreciation of how their daily lives might be affected by the consequences of it.

I see no evidence of the scrutiny of Arup's Green Belt Review and this supports my belief that the planning section are just relieved to have something to pass on in L2 to reach the goal they desire. There have been comments made about the Regulation 18 process which I do not see addressed.

For example, I see this comment from which I do not see addressed in this 'consultation' in any way. Indeed, how can this possibly be considered a valid consultation when the traffic assessment is still to be completed.

'Serious concerns about procedural process, previous plan served for 30 years. Consultation not been adequate.

Depressing to see Local Plan including speculative projects. Surprised at extreme concentration of effort on market housing. Shortage of shops and facilities. Harper Lane Bridge is an accident blackspot, no proper or safe pedestrian or cycle provision. Growing housing need but 'affordable housing' is not affordable to those on the housing register. It would have been good to see serious analysis of issues confronting the District, evidence in terms of highways is lacking. I wonder if plan will not survive to the adoption stage'.

In relation to the L2 site at Watling Street, this has already been submitted through the planning authority and a democratic process objected to the application. Why is it therefore included in this L2 plan as though the previous democratic process is worthy of being disregarded. What does this suggest about the democratic validity of the planning process?

I have already alluded to the problem within L2 of the lack of valid, completed traffic assessment and this includes but is not limited to the impact of the rail freight terminal. How can this possibly be ignored when the prediction for additional traffic are so high, with promised changes to highway network which will have a profound and real effect on the life of everyone using these roads. I reiterate my early comments that this plan has been submitted in a panic to meet government guidance and if adopted the errors made in the forwarding of these planning sites will have a long lasting detrimental effect of every resident and user of the network.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Fricker_A_[R].pdf

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283 - Redbourn Parish Council

Submission Number: 283 Submission Date: 07/11/24 09:00

Respondent: Troy Planning & Design Mr Troy Hayes

On Behalf Of Redbourn Parish Council : Redbourn Parish Council

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 3

Type:

* Paragraph

Number:

1.5 ; 1.10 ; 1.26 ; 1.27 ; 1.28 ; 1.9 ; 1.10 Table 1.2 ; ; SP1 ; Settlement Hierachy (2023) ; Key Diagram

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Refer to Attached submission letter for whole response and figures.

1. **Introduction**

1.1 These representations provide a response, on behalf of Redbourn Parish Council (RPC), to the St Albans Draft Local Plan (Regulation 19).

1.2 RPC considers the Local Plan to not be legally compliant due to St Albans City and District Council's (SACDC) failure to discharge its Duty to Cooperate.

1.3 RPC considers the Local Plan's proposed spatial strategy and the proposed development within Redbourn Parish to be unsound as the plan fails all the tests of soundness set out in the National Planning Policy Framework (NPPF) (paragraph 35) which are set out below:

- *"**Positively prepared** - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

- ***Justified*** *- an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- ***Effective*** *– deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- ***Consistent with national policy*** *– enabling the delivery of sustainable development in accordance with the policies in this Framework."*

We provide an overview of our conclusions on legality and soundness below which are expanded on in our detailed representations including our review and critique of key evidence base documents as well as the Sustainability Appraisal (SA).

...

2. **Plan Period**

2.1 The Draft Local Plan proposes a plan period of 2024/25 to 2040/41; however, it provides no justification for why this plan period has been selected. As we set out below SACDC has selected the very minimum plan period based on its current Local Development Scheme (Sep 2024) which does not appear to be adequate time to allow for the planning application and development process to take place as set out in the Local Plan's Housing Trajectory (Table 3.2 below).

2.2 The National Planning Policy Framework (NPPF) requires a minimum 15-year period from the adoption of the Local Plan. SACDC's LDS indicates a Local Plan adoption date of March 2026 so the minimum Local Plan period would end in March 2041. The proposed Draft Local Plan period would only be within the NPPF plan period requirement if it were indeed adopted by March 2026 which is a very narrow margin and assumes the Local Plan process (including examination) will stick to schedule with no margin for error. This is particularly relevant and concerning, as the Council admits in paragraph 3.5 of the Local Development Scheme that some aspects of the timetable are not within the control of the Council. Any delay in the adoption of the Local Plan would entail failure to comply with the 15-year rule of paragraph 22 NPPF.

Figure 2.1: Local Plan programme until adoption (Local Development Scheme, September 2024)

2.3 However, this assumes that the requirement for policies to be set within a vision that looks ahead at least 30 years imposed by paragraph 22 of the NPPF would not be required. The NPPF states:

"Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery."

2.4 There are clearly a number of options in the Draft Local Plan that do propose 'larger scale developments'. In this case, Local Plan policies should look further ahead and at least 30 years to account for the likely delivery time required for delivering strategic development. One need to look no further than the proposals at the 'Hemel Garden Communities' which, despite SACDC's optimistic development start dates and delivery rates, requires 750 dwellings to be delivered beyond the proposed plan period. In order to be effective and consistent with the NPPF, the Local Plan must extend its plan period to include the full development it is proposing.

2.5 Therefore, the plan and its policies clearly need to develop a vision which covers at least 30 years from the point of Local Plan adoption. If one assumes that the Local Plan adoption date is in 2025/26 then the policies and vision will need to extend to at least 2055/2056.

2.6 MHCLG introduced this change to the NPPF in response to the Building Better Building Beautiful Commission recommendations to clarify that councils need to take into account the likely timescale for delivery of larger scale developments which take considerable time to plan and deliver.

2.7 The proposed Draft Local Plan Housing Trajectory identifies broad locations for growth to be delivered from year 6 since the adoption of the Local Plan, until year 15 of the Local Plan. The trajectory also expects some smaller and specific sites to be delivered within the first 5-year period since the adoption of the Local Plan. However, the Local Plan only expects specific sites allocated in the Local Plan to be delivered in years 4 and 5. The expectation, according to the submitted trajectory, is that 482 new dwellings will be delivered in year 4 and 778 on year 5.

Figure 2.2: Table 3.2 (Draft Local Plan Housing Trajectory)

2.8 Whilst the Housing Trajectory suggests compliance with paragraph 69 of the NPPF with regards to broad locations between years 6-15, it fails to demonstrate specific, deliverable sites for the first 5 years since the intended date of adoption of the Local Plan.

2.9 We provide a detailed analysis and critique of the Housing Trajectory in relation to the Hemel Garden Communities covered under Policy LG2 (Support for Transformation of Hemel Hempstead).

South West Hertfordshire Joint Strategic Plan

2.10 The South West Hertfordshire Joint Strategic Plan (JSP), which covers the districts of St Albans, Dacorum, Three Rivers and Watford) is set to provide a long-term blueprint for South West Hertfordshire to 2050. It will be a document that will consider cross-boundary issues and will set out a strategic vision for the area, guiding future plans, setting out high level policies, coordinating the following matters:

- Climate change
- Strategic approach to Green Belt and AONB
- Net zero carbon
- Strategic growth opportunities
- Strategic infrastructure
- Economic opportunities
- Housing need

2.11 Given the failure of SACDC to discharge its Duty to Cooperate in its previous two Local Plan attempts, it is troubling to read in SACDC's LDS that there is no agreed nor coordinated timetable for the future preparation of the JSP. Given the clear requirement for cross-boundary strategic planning it would appear that any timetable for the St Albans Local Plan needs to be considered within the context of the JSP.

Figure 2.3: The most up-to-date board programme for the preparation of the preparation of the JSP. Source: JSP website.

Figure 2.4: The most up-to-date board programme for the preparation of the preparation of the JSP. Source: SACDC Local Development Scheme (September 2024).

2.12 It is also worth noting that the JSP timetable differs depending on the source. The JSP website does not determine the timetable for future stages, whilst the Local Development Scheme states that the Regulation 18 consultation for the JSP will take place in the Autumn 2025.

2.13 RPC suggests that SACDC should reconsider its timetable for production of the Local Plan so that it can prepare sound evidence base and properly align with the JSP whilst working closely with its neighbouring authorities and prescribed bodies on transport modelling, infrastructure delivery, phasing and housing and employment delivery.

2.14 that SACDC should reconsider its timetable for production of the Local Plan so that it can prepare sound evidence base and properly align with the JSP whilst working closely with its neighbouring authorities and prescribed bodies on transport modelling, infrastructure delivery, phasing and housing and employment delivery.

...

3. Duty to Cooperate

3.1 RPC considers the St Albans Draft Local Plan to not be legally compliant due to St Albans City & District Council's (SACDC) failure to discharge its Duty to Cooperate.

3.2 SACDC has not complied with the Government's legal test for discharging its Duty to Cooperate. Local authorities must fulfil the legal requirement to cooperate with the Duty to Cooperate prescribed bodies by *"engaging constructively, actively and on an ongoing basis"*[1] on cross boundary strategic matters from the commencement of preparing the Local Plan to submission of the Local Plan to the Secretary of State for examination.

3.3 Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by section 110 of the Localism Act 2011[2] requires the council to cooperate with other local planning authorities and other 'prescribed bodies' in preparing and developing development plan documents and other local development documents so far as it relates to a strategic matter.

3.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 states that:

"(6) Where a local planning authority have co-operated with another local planning authority, county council, or a body or person prescribed under section 33A of the Act, the local planning authority's monitoring report must give details of what action they have taken during the period covered by the report."

3.5 The NPPF is clear about the role and requirements imposed by the Duty to Cooperate which states:

"Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere."[3]

3.6 There is no supporting evidence provided by the Council in the Draft Local Plan Regulation 19 Publication or associated evidence base to help demonstrate that its legal requirements to discharge the Duty to Cooperate, as part of the plan-making process, have been fulfilled. Given the previous two failures of the St Albans Local Plan at Examination on Duty to Cooperate grounds and the development proposed in proximity and adjacent to neighbouring authorities with clear cross-boundary strategic matters, one would expect cross-boundary working on these matters to be active, ongoing and constructive from the commencement of Local Plan preparation to be set out transparently and in full.

3.7 The only meaningful reference to the Duty to Cooperate can be found in the latest Authority's Monitoring Report 2023, which covers the period between April 2022 and March 2023. There is no further record of the Authority's monitoring since March 2023 onwards and RPC is unable to understand whether any joint working has taken place with neighbouring authorities and Prescribed Bodies since then in the preparation of the Draft Local Plan.

3.8 The Authority's Monitoring Report 2023 refers to several meetings and a workshop that took place with neighbouring authorities and Prescribed Bodies between 2021 and 2022 to discuss strategic cross boundary matters and a follow-up letter. However, the report does not explain what joint work has taken place since then in the following two years, to inform the currently proposed Draft Local Plan Publication (2024).

3.9 In order to demonstrate that effective and on-going joint working, Statements of Common Ground must be prepared and maintained with Prescribed Bodies and the PPG guidance on preparing a Statement of Common Ground (SOCG) is to be followed including the need for these to be publicly available through the plan making process for transparency:

"In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency."[4]

3.10 There are no published SOCGs with any prescribed bodies for communities and other stakeholders to view which help demonstrate that SACDC has fulfilled the legal and policy requirements of Government with relevant bodies since commencing with the preparation of the Local Plan.

South Hertfordshire Joint Strategic Plan SOCG

3.11 There is a SOCG on the South West Hertfordshire Joint Strategic Plan (JSP) website dated August 2021. It is unclear from the Draft Local Plan what the status of this JSP SOCG is. According to SACDC's Authority Monitoring Report (2022) this SOCG is in draft (see para 1.24 of the AMR). Regardless of existing a draft SOCG, this would only relate to the emerging JSP and not the St Albans Draft Local Plan 2041 in question.

3.12 Furthermore, whilst the JSP SOCG would be an essential element in the making of the JSP, it is only signed by the Local Planning Authorities that cover the South West Hertfordshire area but it is not signed by any of the Prescribed Bodies of Section 33A of the Planning and Compulsory Purchase Act 2004.

3.13 The published Overarching SOCG refers to the relationship between emerging Local plans and the JSP but it fails to identify how the Council and Prescribed Bodies have worked and continue to work jointly to ensure consistency and alignment in the production of local plans alongside the JSP.

Statement of Common Ground

3.14 RPC raises concerns with the high-level and insufficiently detailed SOCG that has been published together with the Draft Local Plan. The statement fails to include a plan showing the area of the SOCG and a justification for the selected area of application.

3.15 Furthermore, it does not include a timetable or programme for the development of the SOCG or subsequent individual statements with relevant bodies. There is no indication of expected milestones, stages or when reviews or updates to the SOCG would be required. This would be the normal case as the SOCG would evolve as joint working with Prescribed Bodies progress.

3.16 RPC is also concerned with the parties involved in the 'Planning for Infrastructure' and 'Hemel Garden Communities' Strategic Matters in the SOCG. These seem insufficient and relate mainly to highways and use of car as mode of transportation. It is no consideration of rail as one of the main modes of transport in the area, and Network Rail and Transport for London (and other rail service operators) have not been included in the list of bodies involved in the transport matter. Clearly, SACDC should have a more complete consideration of transport beyond car use and highway capacity and safety, including sustainable and active transport as part of the strategic matters in the SOCG. This is particularly relevant, as the Local Plan sets out climate change and low carbon as the first objective of the Local Plan. It would be reasonable to include sustainable transport and active travel in the SOCG and involve all relevant parties that contribute to deliver the necessary strategic cross-boundary infrastructure and services.

3.17 The SOCG is also ambiguous and provides no evidence of meaningful collaboration between SACDC and neighbouring authorities and Prescribed Bodies as there is no meaningful common ground between bodies in the SOCG. The common only common ground identified in the statement relates to the "*strategic geography and what comprises the strategic cross-boundary matters".* This is clearly an insufficient common ground and only sets out minimal preliminary work of eventual joint working, which has not demonstrated yet.

3.18 Planning Practice Guidance (PPG) states that authorities should make any statements of common ground (SOCG) available on their website **by the time they publish their draft plan so that communities and stakeholders have a transparent picture of how they have collaborated**:

"Authorities should have made a statement of common ground available on their website by the time they publish their draft plan, in order to provide communities and other stakeholders with a transparent picture of how they have collaborated".[5]

3.19 PPG states that the purpose of the SOCG is to demonstrate that plans are deliverable over the plan period:

"It documents where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries".[6]

3.20 Despite SACDC's attempt to evidence that it has discharged the duty in its Statement of Common Ground (Overarching) (Autumn 2024), there is lack of substantive and up to date evidence that 'active', 'ongoing' and 'constructive' cooperation took place from the start of the preparation of the Local Plan. If further evidence of cooperation were to be submitted by SACDC in the lead up to, or after submission of the Local Plan then this would clearly demonstrate that the Local Plan and its policies were not informed by this engagement – which is, after all, the entire reason for the Duty to Cooperate as explained in the NPPF: *"effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy"*[7].

3.21 The SOCG only establishes as common ground with SACDC's strategic partners: the strategic geography and what comprises the strategic cross-boundary matters. Unfortunately, **the SOCG does not contain any substance on what constitutes the material cooperation between parties on the agreed strategic matters**.

3.22 RPC considers that SADC fails to provide the necessary evidence to demonstrate that it has discharged its Duty to Cooperate for the following reasons:

- The SACDC's statement simply outlines the Duty to Cooperate bodies and the potential strategic cross boundary issues.
- There is no evidence provided of meeting minutes, emails or letters between SACDC and Prescribed Bodies. This makes it impossible for one to understand what sort of engagement, if any, has taken place between bodies.
- SACDC does not identify the stage of progress of any individual SOCG with any of the prescribed bodies.
- There is no indication of any governance arrangement for the cooperation process is in place.
- There is no indication of the distribution of needs in the area, or the process for agreeing the distribution of need (including unmet need) with partners.

3.23 **There is no SADC's Duty to Cooperate Statement of Compliance accompanying the Draft Local Plan (Regulation 19).**.

3.24 Based on the evidence currently provided, it is not clear what activities SACDC has undertaken to demonstrate discharging its legal Duty to Cooperate. Critically, SACDC cannot demonstrate that the Local Plan's policies have been developed through effective, ongoing and constructive engagement with Prescribed Bodies and that the additional necessary infrastructure is determined according to proposed growth needs.

3.25 The Duty to Cooperate cannot be rectified post-submission so if the Inspector finds that the Duty has not been complied with the examination will not proceed any further[8]. SACDC should not be proceeding with this Regulation 19 consultation given that all indications are that the Duty to Cooperate has not been discharged.

..

5. **Vision and Objectives**

Vision

5.1 Redbourn Parish Council provides several comments on the Vision and Objectives.

5.2 RPC considers that the proposed Vision and Objectives should be rooted to the local context and give a greater 'sense of place' of the District and a clear vision for its future that is both aspirational and realistic. We consider that it is important that the vision and objectives relate to St Albans District and they are not of an 'anywhere' place. The Vision and Objectives, as currently worded, do not relate directly to local context and the strategic policies in the Local Plan.

5.3 The proposed Vision states as follows:

"A thriving, inclusive and sustainable community which is a great place to live and work and has a vibrant economy"

5.4 Whilst RPC considers that the proposed vision is pleasant and it supports it generally, it requires more local context about what a thriving, inclusive and sustainable community means in St Albans District. What is the Local Plan envisaging when stating the district will be a great place to live and work? What is a vibrant economy in the context of St Albans? These should be better defined and put into context to ensure that the proposed aspiration is clear but also that objectives and policies feed from an unambiguous and contextually clear vision. The vision should be amended to better reflect what the aspiration is in terms of thriving, inclusivity, sustainability, etc.

5.5 The proposed vision, does not help, at this high level in setting out a clear design vision and expectations, as per paragraph 132 of the NPPF. Although design is not necessarily required to be included or mentioned in the Local Plan Vision, the proposed vision statement and supporting text fails to refer to the quality of place, which, in view of RPC, should be an important aspiration for the Local Plan.

5.6 Currently the Vision is void of talking about any places, settlements, special qualities or assets in the district, lacking any 'sense of place'. RPC would recommend amendments to the Vision so it makes meaningful connections to St Albans District and to include supporting text that would give context to where the vision comes from and where it relates to. Overall, it would be important to provide a spatial connection to what currently is a positively worded and simple aspiration.

5.7 For example, the Redbourn Neighbourhood Plan (2023) sets out locally distinctive Vision Statement and Objectives. This includes the following from its Vision Statement:

- *It has retained its village feel along with its particular individual characteristics including its high quality built heritage, high street and its green and spacious setting;*
- *Where development has taken place, this has been focused on providing for Redbourn's changing needs. The barrier created by not having enough of the type of properties that people want has been broken down. Additional affordable housing (for rent) and smaller dwellings have been built, enabling both young first-time buyers and older 'downsizers' to remain in the village (with all new dwellings built to Lifetime Homes standards so that they*

are capable of adaptation as people's needs change through their lives). This has been achieved with development that is in keeping with the character of Redbourn, in particular ensuring that historic and listed buildings remain protected;

- *Redbourn has become a thriving hub for small, start-up businesses. More residents now work locally';*
- *"The High Street is thriving in both daytime and evening and the appearance of the High Street reflects that. This has been anchored by the re-location of the Co-op to provide greater retail floorspace and parking provision at the former Bull Inn; and the re-location of the Redbourn Library to co-locate with the Fire Station at the northern end of the High Street, providing additional car parking for easy access to both the Library and High Street shops; and*
- *Redbourn remains a village with a distinct identity sitting in a rural setting. Development has served to improve access to the countryside surrounding Redbourn, which itself is protected from inappropriate development. This means that more Redbourn residents are able to enjoy the countryside including the Ver Valley's Nature Reserve which is run by a local community group of volunteers."*

South West Hertfordshire Vision

5.8 The emerging South Hertfordshire JSP has an agreed shared vision and set of principles that will be used to inform the JSP as it progresses. The document 'South West Hertfordshire 2050 – Our Vision for Realising our Potential (December 2023) sets out a general vision for the area and six pillars that contain specific principles that are designed to shape future policies. The vision states as follows:

"South West Herts will realise its full potential of being globally connected, nationally recognised and locally cherished. Known for its creative spirit, collaborative working and willingness to accelerate positive change, it will be a place where sustainable growth provides a better and healthy future for both people and the environment."

5.9 Unfortunately, the Draft Local Plan does not acknowledge the JSP's vision nor develops it into a locally contextual and specific St Albans Local Plan Vision. Both visions are separate and uncoordinated, not sharing aspirations. How is this good plan making, if two plans applicable to the same area and in preparation at the same time, are not coordinated even in their most basic aspirations?

5.10 Furthermore, the JSP sets out six pillars that will guide future policies:

- Living green in a healthy natural environment.
- Growing opportunities to work locally.
- Living in healthy, thriving local communities.
- Moving easily in well-connected places.
- Building homes and places that people are proud of.
- Delivering robust and sustainable infrastructure.

5.11 Notwithstanding the above, the proposed Local Plan Vision does not cover the above pillars and matters such the natural environment, health, connectivity and infrastructure are not part of the vision.

Objectives

5.12 RPC considers the Objectives to have severe faults. As a general point about the Plan's Objectives, they are not measurable and are therefore ineffective both in terms of the Local Plan Policies prepared to help deliver the respective objectives and in terms of decision making. Another problem with the proposed objectives, is that they do not directly relate to the pillars and objectives in the emerging South West Hertfordshire Joint Strategic Plan.

5.13 The Climate Change and Spatial Strategy objective is welcomed insofar as it follows from a global and national aspiration to tackle climate change. Notwithstanding this, there are several questions on whether this objective is realistic, effective and adequate, as currently worded.

5.14 The promotion of adaptation to and mitigation of climate change is not a strong objective, as 'promoting' only, in the absence of clear targets, could fall very short of the necessary measures to address mitigation of and adaptation to climate change. This objective is not ambitious, and it is not measurable, therefore not being effective.

5.15 Furthermore, the objective is aimed to achieve net zero carbon emissions by 2030, but the Local Plan covers the period from 2024 until 2041: the early years of the adopted plan would have very limited impact, as the spatial strategy would not be materially delivered with allocated sites until year 4 from adoption, meaning 2029/2030. How is the Local Plan going to achieve net zero by 2030 if the bulk of its spatial strategy won't start being delivered until that same year when net zero is supposed to be achieved? Furthermore, the plan period extends until 2041, but the objective does not set out targets beyond 2030.

5.16 The climate change objective is also ineffective and ambiguous where it states that the Council will do everything reasonably within its power. The text should set out a target that is clear and that could be followed by strategic policies for achieving of the objective. The current text is only aspirational, unmeasurable and non-committal.

5.17 None of the objectives set out in the Draft Local Plan are measurable and whilst they are good aspirations for the Local Plan, they do not seem to inform the policies contained within the plan. We raise concerns with the constant conflict between proposed policies and the objectives, as these are not aligned. RPC considers that the overall objectives are supported, but their content is unsound due to these being ineffective when being translated into planning policy and ambiguous.

...

6. Spatial Strategy

Policy SP1 (A Spatial Strategy for St Albans District)

6.1 RPC considers this policy to be **unsound** due it **not being justified, effective or consistent with national policy**. We explain the reasons for concluding this below.

6.2 Strategic Policy SP1 (A Spatial Strategy for St Albans District) is a confusing policy that fails to clearly set out the Spatial Strategy for the District in a coherent manner and is factually incorrect in many places. We make the following general points and then discuss the settlement hierarchy in more detail.

Key points:

6.3 Stating that "*The Spatial Strategy positively plans for the future to ensure that by 2041 St Albans District is a great place to live, work and visit*" is effectively just repeating the Vision and is not required and add clutter to an already confusing policy text.

6.4 Stating that "Growth must be supported by the necessary community infrastructure, transport improvements, green spaces and tree planting" appears to be very limited in scope of what SACDC expects to support 'growth' and what communities need. The terminology of using 'growth' is outdated and should instead use and reflect National Policy wording including 'Sustainable Development' and its overarching economic social and environmental objectives as set out in the NPPF.

6.5 Policy SP1 states that "growth will be located to make the most sustainable use of land in urban areas and then the Green Belt" and that "the approach seeks to develop Brownfield Land first".

- Firstly, the policy says nothing about the need for exceptional circumstances to be present before any release of Green Belt through the Local Plan and what exceptional circumstances SACDC purports there to be.
- Secondly, the policy is unclear in terms of differentiating between 'land in urban areas' and 'Brownfield Land'. Not all brownfield land is in urban areas, it can often be located outside of urban areas in the Green Belt. What does SACDC consider to be 'urban areas'– does this include all settlements or just Tier 1, Tier 2 and Tier 3 settlements for example? It is unclear. This should be clarified, and there should be, ideally, a cascade of preferred location for development, that gives consideration to sustainability according to the settlement hierarchy, Green Belt location, urban area location, and previously developed land (or Brownfield Land).
- Thirdly, it is apparent from the Draft Local Plan Housing Trajectory (Table 3.2) that 'Hemel Garden Communities' (Green Belt location), 'Medium and Small Sites' (599 homes), are assumed to start delivery in 2029/2030 the same year that 'Sites Within Urban Settlements' (HELAA and UCS) and 'Green Belt – Previously Developed Land'. Furthermore, the contribution of dwellings through allocations in previously developed land is very limited (1,040 homes) when compared to allocations in greenfield sites (9,613 homes), and very brief, with a trajectory between 2-7 years (brownfield sites), instead of 6-12 years (greenfield sites). So, it simply not the case that the Local Plan is planning for development in urban areas and brownfield land first.

6.6 This policy also identifies different thresholds of site allocations, but it does not justify where the type and size of allocations and these thresholds come from and what the definition of broad locations, other broad locations, large, medium and small sites is. A clearer policy wording is required, setting out the spatial strategy and allocation of development per parish/area and settlement, and it should be clearly visualised for the public and future users of the Local Plan to understand the policy without doubt. Any supporting text should include contextual information, such as the definition of settlement tiers and the size of allocations.

6.7 The measures stated to address the climate emergency do not fully reflect the Local Plan's draft Climate Emergency Policy. For example, it refers to 'layouts' yet this is not in the Climate Emergency Policy. It does not mention biodiversity net gain despite this being in the Climate Emergency Policy.

6.8 It is not necessary to state in the Policy wording that larger settlements provide a more comprehensive range of services etc. as it adds no substance to the policy.

6.9 The last paragraph of Policy SP1 relates to matters that the Local Plan supports, but this long paragraph and its 10 bullet points do not add substance to the spatial strategy, and some are irrelevant to the purpose of the policy. How is the building sustainability standards related to the spatial strategy of the Local Plan? This should be better included in a climate change and sustainable construction policy. Furthermore, the wording of the policy in this section is not strong enough as to be applicable and enforceable: "*The Local Plan supports...*" is not a robust wording of the policy and would lead to its ineffectiveness.

6.10 The Local Plan supports matters such "significant new employment space provision", significantly increasing tree cover..." or "Green Belt compensatory measures", but it should clarify whether these are general aspirations or whether these are expectations that are tied to broad or specific locations and developments. Whilst the Policy SP1 specifically identifies development areas for housing in broad and specific locations, other matters are relegated to mere Local Plan "support". A clearer and more robust policy is needed so this is effective and leads to unambiguous interpretation.

Key diagram

6.11 The Key Diagram has a number of deficiencies that result in the Local Plan being unsound as it is not effective and not consistent with national policy.

6.12 It is a very messy diagram for the District of St Albans (which boundary is not shown), to the point where it is not possible to make out what is being proposed, we suggest that it is simplified and clarified.

Figure 6.1: Key Diagram

The Settlement Hierarchy

6.13 The Draft Local Plan does not set out the overall housing planned by settlement, so we have taken the initiative to undertake this exercise to better understand how SACDC is proposing to distribute housing, with special interest in Redbourn. We have based our calculations on Part B of the Local Plan (Local Plan Sites) and the development assumptions set out in Table 3.1 of the Draft Local Plan.

6.14 We have included the Draft Local Plan's proposed Settlement Hierarchy allocation for each settlement in the table below. Redbourn is clearly an anomaly as the proposed location of a disproportionate amount of housing for its place in the Settlement Hierarchy as a Tier 4 (Large Village). Furthermore, Redbourn is allocated significantly more residential development than London Colney, which sits higher in the Settlement Hierarchy. This is explained in more detail in the section below.

Figure 6.2: Settlements, housing proposed and place in settlement hierarchy

6.15 We note that Policy SP1 states that "The City of St Albans will continue to be the pre-eminent focus in the District for housing, employment, services, retail, the evening economy, education and healthcare". However, according to our calculations the City of St Albans is not the pre-eminent focus of this Plan by a considerable margin; it is Hemel Hempstead that is the focus as the proposed location for 45% of the Draft Local Plan's housing growth (on broad locations and allocations). In contrast St Albans is the proposed location for 24% of the housing growth.

Figure 6.3: Pie chart illustrating the percentage of dwellings allocated per settlement

6.16 Within the Parish boundary of Redbourn, the Draft Local Plan proposed to allocate 3,718 homes across 5 sites. This includes sites H1 North Hemel Hempstead, H2 East Hemel Hempstead (North), and B3 West Redbourn, M6 South of Harpenden Lane and UC33 Land Rear of 53 Snatchup. 17 hectares of the Hemel Hempstead related growth of the site is located within the Parish of Redbourn.

6.17 Approximately 30% of housing growth in the St Albans District is proposed within the Parish of Redbourn. The map below shows the Policies Map and the key allocations around Redbourn village and on the edge of Hemel Hempstead.

Figure 6.4: Local Plan Policies Map showing the allocated sites within the Redbourn area.

6.18 Despite the Policy's claim that St Albans is the 'pre-eminent' focus for housing and employment development in the District this is clearly a false statement as the Draft Local Plan is proposing substantially less housing in St Albans compared to Hemel Hempstead and Hemel Hempstead is the focus of 53 hectares of strategic employment land in the District. The growth proposed at Redbourn Village (and Parish) is disproportionate for its place in the Settlement Hierarchy as a Tier 4 settlement. It is a Village with a rural setting and does not have the services and facilities to support the level of proposed growth.

6.19 The supporting text of Policy SP1 (paragraph 1.33) states that the spatial strategy has been shaped by the need to address the climate emergency and that new development will be generally concentrated on the basis of the Settlement Hierarchy, giving priority to larger urban centres, which can provide a greater range of services and facilities, supports the re-use of land, can reduce the need to travel and offer greater accessibility to active travel and public transport.

Redbourn Parish Council supports this approach, however it is concerned with the actual Settlement Hierarchy on Table 1.3 of the Draft Local Plan and the allocations proposed, as these do not reasonably comply with the aspiration of the policy in paragraph 1.33.

6.20 Whilst the supporting text of Policy SP1 (paragraphs 1.36-1.38) explains the general rationale for the proposed growth according to the Settlement Hierarchy with regards to St Albans City, Hemel Garden Communities, Harpenden and London Colney, it fails to explain the reasons why the Council considers that Redbourn should accommodate the fourth highest figure of dwellings for a single village (618 dwellings), and the highest figure for a single parish: 3,718 dwellings.

6.21 According to the data from the Office for National Statistics[9], the UK average household size is formed by 2.36 residents, which would mean that the proposed housing figure for Redbourn could result in approximately 1,500 new residents. According to the Settlement Hierarchy Study, Redbourn village (not parish) has a population of 5,000 residents. Therefore, the proposed allocations would result in an increase of population of the village by 30% in a period of 12 years (as expected in the proposed Housing Trajectory). This 30% increase in population in such a short period is unsustainable and would be difficult to achieve social sustainability in the village as a result.

9 https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2022#:~:text=Households-,There%20were%20an%20estimated%2028.2%20million%20households%20in%20the%20UK,both%202012%2 0and%20in%202022.

6.22 Redbourn Parish Council is also concerned with the implication that such increase in housing numbers would have in terms of sustainability. As set out throughout our representations, Redbourn is not an area that is well located to other uses and nor is it serviced by any choice of transport modes apart from the private automobile and poor bus services. Furthermore, whilst the village is served by the Nickey Line (cycle way), the general infrastructure and public realm in the village is not suitable for inclusive and safe cycling. This means that car usage in Redbourn is high.

6.23 There is a heavy reliance on the Nickey Line throughout SACDC's documentation in terms of its role in delivering a modal shift away from the car to sustainable modes. However, the HGC Transport Vision and Strategy (2024) states the following, indicating that its deliverability is yet to be determined and it should not be assumed that its delivery is certain:

"work remains ongoing to further understand how the route can be improved further to increase the number of people using it for active travel purposes and enhance its strategic importance to HGC; this includes:

- *"The HGC Nickey Line Strategy and Feasibility Study (Hemel Hempstead to Harpenden);*
- *The HCC Nickey Line Cycle Connectivity and Accesses Study; and*

6.24 *Sustrans Nickey Line Feasibility Study (Redbourn to Harpenden)"*The Settlement Hierarchy Study states that Redbourn is located at a 15-minute drive to Luton Airport, but this is not a service, or an infrastructure used by residents on a regular basis nor necessary for daily live. Rail services are not available in Redbourn, but they are in Harpenden, 3 miles to the east, which could be accessed conveniently by private automobile, and less so by an infrequent bus service or by cycle via the Nickey Line that is not accessible nor inclusive for all users. Therefore, the only reasonable option to travel to the nearest railway station is by private automobile.

6.25 The Nickey Line is an excellent cycle route for recreation, also serving for commuting for some cyclists for travelling from Redbourn to Harpenden and Hemel Hempstead. Notwithstanding its benefits, the cycle line is not lit at night and it is not surfaced appropriately. Moreover, the line is isolated and detached from what should be a wider and complete cycle network. In the absence of a cycle network that connects the Nickey Line to different areas of the village (centre, common, school, etc.), there will be difficulties in the Nickey Line being a meaningful commuting route for

all. All the above means that the Nickey Line is not an attractive infrastructure for all potential users, as it is a convenient and convenient use to all users. That is all potential users regardless of age, background, gender, health, etc.

6.26 There is no justification provided by SACDC for the selected Spatial Strategy in relation to Redbourn and to the disproportionate housing figure allocated in such unsustainable location. The proposed Policy SP1 is difficult to follow, considering the existing evidence (Settlement Hierarchy Study and Sustainability Appraisal) and it fails to effectively justify SACDC's decision to look to Redbourn for additional housing. The objectives of the Draft Local Plan regarding climate change and spatial strategy, housing and infrastructure state the following:

"Promote adaptation to and mitigation of the Climate Emergency; seek to achieve net zero by 2030, including through the Council doing everything reasonably within its power; promote the use of renewable resources, reduce greenhouse gas emissions, protect natural resources and reduce waste. [...]

Provide a sufficient amount of good quality housing which meets the needs of all sections of society in sustainable locations. [...]

Prioritise and enable the safe and attractive use of active and sustainable means of transport and reduce the need for people to travel."

6.27 Redbourn is a village that is not sustainable due to having limited services and facilities and residents depend on private automobile for transportation. How is the proposed disproportionate housing figure proposed for Redbourn village aligned with the above-mentioned objectives of the Draft Local Plan? The Council has not provided any meaningful explanation.

6.28 Redbourn has a poor bus service, which poses a barrier to the proposed housing allocations, necessitating a comprehensive review of the Draft Local Plan's proposed site allocations and distribution of development. This revaluation is essential to ensure that future residents have viable and accessible means of public transportation within the Parish of Redbourn and to surrounding settlements.

6.29 The Settlement Hierarchy Study (2023) states that the three highest scoring settlements: St Albans, Harpenden and London Colney, whilst not scoring equally, they all score relatively well against settlement size, sustainable modes of transport, access to key services and facilities and employment. The study also states (paragraph 6.39) that Redbourn does not contain higher order services such as supermarket or leisure centre and has fewer employment sites than London Colney. Furthermore, Redbourn is a self-contained village detached from any other settlement, poorly connected to other settlements by public transport with a deficient bus service. Whilst London Colney benefits from better public transport and shorter distances to other settlements' services by foot and cycle.

6.30 Therefore, RPC considers that there is not enough justification for Redbourn being allocated a high amount of development in the settlement (and parish) where there are other locations that perform higher in the settlement hierarchy and are more sustainable in their location.

6.31 RPC considers the proposed settlement hierarchy to be ineffective not based on robust evidence, as the submitted Settlement Hierarchy Study (2023) is flawed. We explain the reasons below.

6.32 Policy SP1 states that the Settlement Hierarchy (Table 1.3) provides the basis for allocation and location of growth generally within and adjacent to the larger and most sustainable urban centres that are Tier 1 (St Albans and Hemel Hempstead) Tier 2 (Harpenden), and Tier 3 (London Colney). Redbourn and Wheathampstead are identified as Large Villages in Tier 4.

Figure 6.5: Draft Local Plan Settlement Hierarchy (Table 1.3)

6.33 The current policy in the Adopted Local Plan (1994) has Bricket Wood, Chiswell Green, How Wood, London Colney, Park Street / Frogmore, Redbourn and Wheathampstead designated as 'Large Villages'. We note that the Green Belt Review (Stage 1) (2013) which SACDC seeks to retain as part of its Local Plan evidence base, includes Bricket Wood, Chiswell Green, How Wood, London Colney, Park Street/Frogmore, Redbourn and Wheathampstead as part of the 'Interpretation of the Local Settlement Hierarchy' (Table 3.2).

6.34 There is no explanation in the Draft Local Plan for why there is such a fundamental proposed change to the Settlement Hierarchy in terms of Redbourn and Wheathampstead remaining as Large Villages and the other settlements being downgraded.

6.35 We have reviewed the Settlement Hierarchy Study (June 2023) yet its methodology is quite crude and simplistic. The study uses a quantitative approach to assessing settlements in St Albans District, with regards to the following factors:

- Population
- Accessibility
- Services and facilities
- Employment

6.36 Population is an important factor but should not be decisive in the Settlement Hierarchy Study, as this document is designed to inform future growth in sustainable locations. Should a settlement have a relatively low population but score very high in terms of sustainability of its location, the low population factor should not score the settlement down, and vice versa. Appendix 3 of the Settlement Hierarchy Study gives 0.5 points to Redbourn due to its population. We contest that this scoring is necessary, as the assessment of settlements, when focused towards identifying sustainability and adequacy for future growth, should not necessarily be informed by the population (quantitative data), but the qualitative data of accessibility and availability of services, transport, etc.

6.37 The approach to assessing and scoring accessibility, for instance, is too simplistic and does not consider accessibility to transport options, but merely the presence of a service in a particular location. The study should provide points according to the distance of residential and employment areas to services, facilities and transport hubs. For example, the presence of a Nickey Line and other cycle routes in Redbourn means that the settlement scores 3 points in the transport assessment but given the route's location on the edge of the village, the conditions of the route, the limited destinations available and the intrinsic physical nature of cycling, the transportation service of the cycle route is limited. The Nickey Line is only suitable for recreational cycling currently and as highlighted previously the extension of this line is not yet evidenced so it should not be used in assumptions regarding accessibility scores.

6.38 Unfortunately, the study does not refer to these relevant accessibility factors, but merely scores the settlement based on the presence of the cycle route. A qualitative assessment would be required as well as a quantitative check.

6.39 In terms of transport, the Settlement Hierarchy Study scores equivalently different transport options. For example, the presence of five cycle routes within/between settlements is equivalent to the presence of a main line railway station. Clearly, these two cannot be compared and scored equally in principle, as railway services provide transportation services normally to nearby settlements, London and the rest of the country. On the other side, cycle infrastructure is limited as a transport option insofar as medium and large distances cannot be reasonable travelled by bicycle. Cycling is also not a feasible option for many people in the district due to disabilities, age, health, safety, etc. Rail and cycle are two different transport options that whist they are complementary to each other, cannot be compared with similar or equal scores. Similarly, bus lines are given a single point in the assessment, if there is a bus line present in a settlement. However, it is worth to question what the actual service of this bus line (and other transport option)

provides. Clearly an infrequent bus line connecting two small villages should not score equally to a frequent and regular bus service that connects a village to a city or a railway hub. The approach taken in the Settlement Hierarchy Study to assess accessibility and transport is too simplistic and therefore it is flawed.

6.40 We are concerned with the scoring given to Redbourn for cycling as it is not realistic. Appendix 4 (Accessibility Audit Scoring Table and Maps) identify three cycle routes and a confused picture of what cycling infrastructure is in Redbourn:

- Bridleway Flamstead 039 – a public right of way that meanders the countryside with no large settlement destination.
- Gaddesden Lane – a road with no dedicated cycle infrastructure, shared with vehicular traffic and leading to the countryside, not relevant destinations nor larger settlements.
- The Nickey Lane – national cycle route 57 along the south edge of Redbourn, connecting it to Hemel Hempstead and Harpenden.

6.41 The above gives a more realistic picture of the deficient cycle infrastructure in Redbourn, which should not be given 3 points in the scoring as the reality is that the aren't "*three to four strategic cycle routes within or between/connecting settlements*", which is the methodology requirement for scoring 3 points. Redbourn should score 1 point only as there is a single strategic cycle route that connects the village to other settlements.

Figure 6.6: The Nickey Line or National Cycle Route 57 shown in yellow/orange. The only strategic cycle route serving Redbourn.

6.42 RPC is also concerned with the scoring of buses in the Settlement Hierarchy Study. Redbourn scores 3 points in this field, as there are three bus lines offering services in Redbourn. We consider that this is a very simplistic assessment of the bus services in the settlement and that is flawed by not assessing the services qualitatively.

6.43 For instance, Bus 34 does not offer service all days of the week and the last service available during the week to travel to St Albans is at 18:10. The last service to return from St Albans is at 18:25.

*Figure 6.8: Bus 34 timetable from St Albans to Redbourn (*Intalink.org.uk*)*

6.44 Similarly, the 46 bus offers hourly services between Luton and Hemel Hempstead. The service to Luton operates between 06:58 to 20:14, Monday through Saturday. The service to Hemel Hempstead operates between 07:22 and 19:32, Monday through Saturday. There is no service on Sundays.

*Figure 6.10: Bus 46 timetable to Hemel Hempstead (*Intalink.org.uk*)*

6.45 The 357 Red Rose bus offers a 'Sunday only' convoluted and slow service between Redbourn and Borehamwood via Harpenden and St Albans. The service to Borehamwood operates at 10:06, 12:36, 16:06, and 18:36. The service from Borehamwood to Redbourn arrives and terminates at 10:04, 12:34, 16:04 and 18:32.

*Figure 6.11: Bus 357 timetable to Borehamwood (*Redrosetravel.com*)*

*Figure 6.12: Bus 357 timetable of arrivals in Redbourn (*Redrosetravel.com*)*

6.46 In summary, the public transport in Redbourn is insufficient with a shortage of evening buses timetabled throughout the week, especially poor connectivity between Redbourn and Harpenden and a lack of Sunday bus services including no services between Redbourn, Hemel Hempstead or Luton and a slow and convoluted service to St Albans. The lack of available routes and the constrained frequency of services should be better reflected in the Settlement Hierarchy Study, as these services are not adequate nor sufficient to score 3 points. Other settlement hierarchy studies' methodology would normally score points if buses provide frequent services all week.

This would be a more realistic and complete approach to assessing bus services in Redbourn. In the current context of bus services in Redbourn, the Settlement Hierarchy should score buses lower or zero points, instead of 3 points.

6.47 The Services and Facilities Audit (Appendix 5 of the Settlement Hierarchy Study) looks very basically at 'higher order services' and 'key services' (see below). We are concerned that this assessment is also flawed and misses several services and facilities normally found in settlements that haven't been accounted for, such as village halls, libraries, nurseries, public houses, places of worship, outdoor leisure facilities, hospitals, etc. Unfortunately, the study only refers to the following incomplete list of services and facilities:

- High order services: secondary school, supermarket, leisure centre.
- Key services: primary school, playground, convenience food shop, GP surgery

6.48 Redbourn scores the same as Bricket Wood, Chiswell Green and How Wood.

Figure 6.13: Appendix 5 – Services and Facilities Audit Scoring (Settlement Hierarchy Study).

6.49 Considering that How Wood and Chiswell Green were previously classified as 'Large Villages' individually there has clearly been merit in this designation. The Settlement Hierarchy (2023) gives an overall score for Chiswell Green as 9.3 and How Wood 7.4. The two settlements are functionally one settlement with a combined population of 7,557 which is greater than Redbourn (5,098). These settlements have access to a railway station whereas Redbourn is solely reliant on a bus service. We consider that How Wood and Chiswell Green should be considered as one settlement in the settlement hierarchy and at least Tier 4 as a 'Large Village'.

Figure 6.14: Satellite Image of How Wood and Chiswell Green (Source: Google Maps)

6.50 It is also concerning that Redbourn is given 2 points on the employment section due to having an employment allocation within the settlement area (Redbourn Industrial Park). Similarly to the comments above, the assessment is too simplistic and does not go into the detail of assessing the quality and amount of employment generation. How many work spaces are available? What typology of businesses are there?

6.51 Paragraph 6.27 of the Settlement Hierarchy Study states that "it is important that the quantitative outputs from this study are compared with qualitative data and local knowledge with regard to access to employment either within a settlement or by commuting to nearby settlements". This has not taken place and there is no evidence in the study that the qualitative data of Redbourn has been considered in the scoring. There is only reference to the points given to Redbourn based on the presence of one built out and functioning employment allocation in the area. This assessment is also blind of any other employment areas, such as the high street businesses.

6.52 In light of all the above, we are of the view that the Settlement Hierarchy Study (2023) is flawed, overly simplistic and it is not based on robust evidence. Therefore, the study is not an adequate tool to inform the Spatial Strategy of the Draft Local Plan, and it has compromised the spatial strategy. Consequently, **Policy SP1 (Spatial Strategy) is not unsound due to it being ineffective in delivering sustainable development, it is not justified and based on proportionate evidence and it is inconsistent with national policy**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Plan Period

Local Plan policies should look further ahead and at least 30 years to account for the likely delivery time required for delivering strategic development. Therefore, the plan and its policies clearly need to develop a vision which covers at least 30 years from the point of Local Plan adoption. If one assumes that the Local Plan adoption date is in 2025/26 then the policies and vision will need to extend to at least 2055/2056.

Duty to Cooperate

There is no supporting evidence provided by the Council in the Draft Local Plan Regulation 19 Publication or associated evidence base to help demonstrate that its legal requirements to discharge the Duty to Cooperate, as part of the plan-making process, have been fulfilled.

In order to demonstrate that effective and on-going joint working, Statements of Common Ground must be prepared and maintained with Prescribed Bodies and the PPG guidance on preparing a Statement of Common Ground (SOCG) is to be followed including the need for these to be publicly available through the plan making process for transparency.

Based on the evidence currently provided, it is not clear what activities SACDC has undertaken to demonstrate discharging its legal Duty to Cooperate. Critically, SACDC cannot demonstrate that the Local Plan's policies have been developed through effective, ongoing and constructive engagement with Prescribed Bodies and that the additional necessary infrastructure is determined according to proposed growth needs.

Housing Trajectory

Whilst the Housing Trajectory suggests compliance with paragraph 69 of the NPPF with regards to broad locations between years 6-15, it fails to demonstrate specific, deliverable sites for the first 5 years since the intended date of adoption of the Local Plan.

South West Hertfordshire Joint Strategic Plan

RPC suggests that SACDC should reconsider its timetable for production of the Local Plan so that it can prepare sound evidence base and properly align with the JSP whilst working closely with its neighbouring authorities and prescribed bodies on transport modelling, infrastructure delivery, phasing and housing and employment delivery.

SADC Vision

RPC would recommend amendments to the Vision so it makes meaningful connections to St Albans District and to include supporting text that would give context to where the vision comes from and where it relates to.

South West Hertfordshire Vision

Unfortunately, the Draft Local Plan does not acknowledge the JSP's vision nor develops it into a locally contextual and specific St Albans Local Plan Vision. Both visions are separate and uncoordinated, not sharing aspirations.

SADC Objectives

RPC considers the Objectives to have severe faults. As a general point about the Plan's Objectives, they are not measurable and are therefore ineffective both in terms of the Local Plan Policies prepared to help deliver the respective objectives and in terms of decision making. Another problem with the proposed objectives, is that they do not directly relate to the pillars and objectives in the emerging South West Hertfordshire Joint Strategic Plan.

The objective is aimed to achieve net zero carbon emissions by 2030, but the Local Plan covers the period from 2024 until 2041: the early years of the adopted plan would have very limited impact, as the spatial strategy would not be materially delivered with allocated sites until year 4 from adoption, meaning 2029/2030. How is the Local Plan going to achieve net zero by 2030 if the bulk

of its spatial strategy won't start being delivered until that same year when net zero is supposed to be achieved? Furthermore, the plan period extends until 2041, but the objective does not set out targets beyond 2030.

None of the objectives set out in the Draft Local Plan are measurable and whilst they are good aspirations for the Local Plan, they do not seem to inform the policies contained within the plan. We raise concerns with the constant conflict between proposed policies and the objectives, as these are not aligned. RPC considers that the overall objectives are supported, but their content is unsound due to these being ineffective when being translated into planning policy and ambiguous.

SP1

Policy SP1 states that "growth will be located to make the most sustainable use of land in urban areas and then the Green Belt" and that "the approach seeks to develop Brownfield Land first".

- Firstly, the policy says nothing about the need for exceptional circumstances to be present before any release of Green Belt through the Local Plan and what exceptional circumstances SACDC purports there to be.
- Secondly, the policy is unclear in terms of differentiating between 'land in urban areas' and 'Brownfield Land'. Not all brownfield land is in urban areas, it can often be located outside of urban areas in the Green Belt. What does SACDC consider to be 'urban areas'– does this include all settlements or just Tier 1, Tier 2 and Tier 3 settlements for example? It is unclear. This should be clarified, and there should be, ideally, a cascade of preferred location for development, that gives consideration to sustainability according to the settlement hierarchy, Green Belt location, urban area location, and previously developed land (or Brownfield Land).
- Thirdly, it is apparent from the Draft Local Plan Housing Trajectory (Table 3.2) that 'Hemel Garden Communities' (Green Belt location), 'Medium and Small Sites' (599 homes), are assumed to start delivery in 2029/2030 the same year that 'Sites Within Urban Settlements' (HELAA and UCS) and 'Green Belt – Previously Developed Land'. Furthermore, the contribution of dwellings through allocations in previously developed land is very limited (1,040 homes) when compared to allocations in greenfield sites (9,613 homes), and very brief, with a trajectory between 2-7 years (brownfield sites), instead of 6-12 years (greenfield sites). So, it simply not the case that the Local Plan is planning for development in urban areas and brownfield land first.

The last paragraph of Policy SP1 relates to matters that the Local Plan supports, but this long paragraph and its 10 bullet points do not add substance to the spatial strategy, and some are irrelevant to the purpose of the policy. How is the building sustainability standards related to the spatial strategy of the Local Plan? This should be better included in a climate change and sustainable construction policy. Furthermore, the wording of the policy in this section is not strong enough as to be applicable and enforceable: "*The Local Plan supports...*" is not a robust wording of the policy and would lead to its ineffectiveness.

This policy also identifies different thresholds of site allocations, but it does not justify where the type and size of allocations and these thresholds come from and what the definition of broad locations, other broad locations, large, medium and small sites is. A clearer policy wording is required, setting out the spatial strategy and allocation of development per parish/area and settlement, and it should be clearly visualised for the public and future users of the Local Plan to understand the policy without doubt. Any supporting text should include contextual information, such as the definition of settlement tiers and the size of allocations.

Key diagram

The Key Diagram has a number of deficiencies that result in the Local Plan being unsound as it is not effective and not consistent with national policy.

It is a very messy diagram for the District of St Albans (which boundary is not shown), to the point where it is not possible to make out what is being proposed, we suggest that it is simplified and clarified.

Settlement Hierarchy Study

We are of the view that the Settlement Hierarchy Study (2023) is flawed, overly simplistic and it is not based on robust evidence. Therefore, the study is not an adequate tool to inform the Spatial Strategy of the Draft Local Plan, and it has compromised the spatial strategy. Consequently, **Policy SP1 (Spatial Strategy) is not unsound due to it being ineffective in delivering sustainable development, it is not justified and based on proportionate evidence and it is inconsistent with national policy**.

RPC considers that there is not enough justification for Redbourn being allocated a high amount of development in the settlement (and parish) where there are other locations that perform higher in the settlement hierarchy and are more sustainable in their location.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 30

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

6. **Spatial Strategy**

Policy SP1 (A Spatial Strategy for St Albans District)

6.1 RPC considers this policy to be **unsound** due it **not being justified, effective or consistent with national policy**. We explain the reasons for concluding this below.

6.2 Strategic Policy SP1 (A Spatial Strategy for St Albans District) is a confusing policy that fails to clearly set out the Spatial Strategy for the District in a coherent manner and is factually incorrect in many places. We make the following general points and then discuss the settlement hierarchy in more detail.

Key points:

6.3 Stating that "*The Spatial Strategy positively plans for the future to ensure that by 2041 St Albans District is a great place to live, work and visit*" is effectively just repeating the Vision and is not required and add clutter to an already confusing policy text.

6.4 Stating that "Growth must be supported by the necessary community infrastructure, transport improvements, green spaces and tree planting" appears to be very limited in scope of what SACDC expects to support 'growth' and what communities need. The terminology of using 'growth' is outdated and should instead use and reflect National Policy wording including 'Sustainable Development' and its overarching economic social and environmental objectives as set out in the NPPF.

6.5 Policy SP1 states that "growth will be located to make the most sustainable use of land in urban areas and then the Green Belt" and that "the approach seeks to develop Brownfield Land first".

- Firstly, the policy says nothing about the need for exceptional circumstances to be present before any release of Green Belt through the Local Plan and what exceptional circumstances SACDC purports there to be.
- Secondly, the policy is unclear in terms of differentiating between ‘land in urban areas’ and ‘Brownfield Land’. Not all brownfield land is in urban areas, it can often be located outside of urban areas in the Green Belt. What does SACDC consider to be ‘urban areas’– does this include all settlements or just Tier 1, Tier 2 and Tier 3 settlements for example? It is unclear. This should be clarified, and there should be, ideally, a cascade of preferred location for development, that gives consideration to sustainability according to the settlement hierarchy, Green Belt location, urban area location, and previously developed land (or Brownfield Land).
- Thirdly, it is apparent from the Draft Local Plan Housing Trajectory (Table 3.2) that ‘Hemel Garden Communities’ (Green Belt location), ‘Medium and Small Sites’ (599 homes), are assumed to start delivery in 2029/2030 the same year that ‘Sites Within Urban Settlements’ (HELAA and UCS) and ‘Green Belt – Previously Developed Land’. Furthermore, the contribution of dwellings through allocations in previously developed land is very limited (1,040 homes) when compared to allocations in greenfield sites (9,613 homes), and very brief, with a trajectory between 2-7 years (brownfield sites), instead of 6-12 years (greenfield sites). So, it simply not the case that the Local Plan is planning for development in urban areas and brownfield land first.

6.6 This policy also identifies different thresholds of site allocations, but it does not justify where the type and size of allocations and these thresholds come from and what the definition of broad locations, other broad locations, large, medium and small sites is. A clearer policy wording is required, setting out the spatial strategy and allocation of development per parish/area and

settlement, and it should be clearly visualised for the public and future users of the Local Plan to understand the policy without doubt. Any supporting text should include contextual information, such as the definition of settlement tiers and the size of allocations.

6.7 The measures stated to address the climate emergency do not fully reflect the Local Plan's draft Climate Emergency Policy. For example, it refers to 'layouts' yet this is not in the Climate Emergency Policy. It does not mention biodiversity net gain despite this being in the Climate Emergency Policy.

6.8 It is not necessary to state in the Policy wording that larger settlements provide a more comprehensive range of services etc. as it adds no substance to the policy.

6.9 The last paragraph of Policy SP1 relates to matters that the Local Plan supports, but this long paragraph and its 10 bullet points do not add substance to the spatial strategy, and some are irrelevant to the purpose of the policy. How is the building sustainability standards related to the spatial strategy of the Local Plan? This should be better included in a climate change and sustainable construction policy. Furthermore, the wording of the policy in this section is not strong enough as to be applicable and enforceable: "*The Local Plan supports...*" is not a robust wording of the policy and would lead to its ineffectiveness.

6.10 The Local Plan supports matters such "significant new employment space provision", significantly increasing tree cover..." or "Green Belt compensatory measures", but it should clarify whether these are general aspirations or whether these are expectations that are tied to broad or specific locations and developments. Whilst the Policy SP1 specifically identifies development areas for housing in broad and specific locations, other matters are relegated to mere Local Plan "support". A clearer and more robust policy is needed so this is effective and leads to unambiguous interpretation.

....

6.52 In light of all the above, we are of the view that the Settlement Hierarchy Study (2023) is flawed, overly simplistic and it is not based on robust evidence. Therefore, the study is not an adequate tool to inform the Spatial Strategy of the Draft Local Plan, and it has compromised the spatial strategy. Consequently, **Policy SP1 (Spatial Strategy) is not unsound due to it being ineffective in delivering sustainable development, it is not justified and based on proportionate evidence and it is inconsistent with national policy**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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This policy also identifies different thresholds of site allocations, but it does not justify where the type and size of allocations and these thresholds come from and what the definition of broad locations, other broad locations, large, medium and small sites is. A clearer policy wording is required, setting out the spatial strategy and allocation of development per parish/area and settlement, and it should be clearly visualised for the public and future users of the Local Plan to understand the policy without doubt. Any supporting text should include contextual information, such as the definition of settlement tiers and the size of allocations.

Settlement Hierarchy Study

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Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 34

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy SP2 (Responding to the Climate Emergency)

7.1 RPC considers this policy to be **unsound** due it **not being justified, effective or consistent with national policy**. We explain the reasons for concluding this below.

7.2 Strategic Policy SP2 (Responding to the Climate Emergency), as currently drafted, is not effective, and is not justified. The Policy is a mix of a strategic policy and development management policy without providing an effective policy for plan-making or for determining planning applications.

7.3 The supporting text to the Policy does not provide suitably detailed context for the actual climate change issues facing the District. We refer SACDC to the Redbourn Neighbourhood Plan which sets out the approach at the Redbourn Parish-level highlighting key issues in relation to climate in the Parish in relation to the River Ver (chalk stream), the River Red (main groundwater drainage route for the area west of Redbourn and a main tributary of the River Ver) and the need to conserve and strengthen the Upper Ver Valley through the reversal of habitat fragmentation and the creation of and improvement of habitat links to create eco-corridors as set out in the Hertfordshire Landscape Character Assessment.

7.4 This importance of the River Ver and its tributaries is set out throughout SACDC's own Sustainability and Climate Crisis Strategy; for example it states:

"Locally, water levels in the River Ver and lakes make clear the impact of climate change on our District" (Page 3 - Joint statement from St Albans District political party group leaders)

"One of the most important habitats in the District is the River Ver, a chalk stream habitat rarely found outside of southern and eastern England. Chalkstreams are important habitats for species such as crayfish and kingfishers"(Page 35)

"Currently our chalk streams, such as the River Ver, are at risk from over abstraction, pollution and climate change" (Page 40)

7.5 We would expect this Strategic Policy to first set out the strategic measures the Local Plan is doing to respond to the Climate Emergency.

7.6 The Policy and supporting text fail to refer to the Government's Environment Act (2021) or its requirement for a Local Nature Recovery Strategies and how this is being delivered in the District.

7.7 The Policy uses the text ‘the Council will support’ before listing what development proposals will need to do in order to comply with the policy. However, the Policy does not explain in which instances the Policy requirements would not be appropriate. This should be clarified. Furthermore, the ‘support’ does not specifically mean whether the list of climate change-related criteria (a-k) are actually required in order to gain planning consent. The wording selected for the policy is not clear and strong enough and would lead to ambiguous interpretations of the policy and its ineffectiveness.

7.8 In terms of the Policy criteria (a-k) we make the following points:

a) This criterion is not specific about what is required to "demonstrate mitigation and adaption to climate change". Requiring an applicant to demonstrate it is simply"pursing the reduction of whole life-cycle carbon emissions" will not deliver the urgent changes required. This criterion should be measurable.

b) As we have set out in these representations, whilst SACDC claims to be prioritising the use of previously developed land it is not actually doing this. The NPPF requires that strategic policies set out a clear strategy for accommodating objectively assessed needs in a way that makes as much use possible of previously developed or 'brownfield land'. (NPPF para 119). There is no such clear strategy in this policy or other Local Plan policies. Furthermore, simply allocating development in previously developed land would not make it more sustainable or would necessarily contribute to tackle climate change. Policy should refer to previously developed land in sustainable locations.

c) This criterion is not specific enough about what design measures should be used to 'improve resilience to climate change'.

d) One would expect this to be part of the Strategic Policy regarding how the Local Plan itself is responding to the Climate Emergency and it does not provide any specifics about where it considers the 'most sustainable locations for growth' are in the District.

e) This criterion is vague in terms of stating what is meant by 'high standards of energy efficiency and low carbon energy'. It is also not measurable, as currently worded and it is not proportionate to the nature and size of development.

f) This criterion is not specific enough about what it considers to be sustainable and active transport modes of travel and includes no metrics that can be monitored or measured. The use of ‘prioritise’ as a criterion is too weak and would not contribute to secure the necessary infrastructure and design. This criterion should be more clearly worded.

g) This criterion is silent on the amount of biodiversity net gain that will be delivered.

h) Mitigating flood risk is already a national and local policy requirement. How is this criterion adding anything new with regards to tackling climate change? Could the mitigation be done through nature-based solutions?

i) SuDS should be a requirement for all new development, where it is technically feasible. This criterion should be strengthened to ensure that all developments include SuDS. It should not be left to future interpretation when SuDS are appropriate or not, as it would lead to policy ambiguity.

j) Criterion simply states 'demonstrate tree planting’ with no specifics of the quantum, location or any other details.

k) The combination of environmental payments could lead to the offset of most of the climate change and environmental expectations of a development. This criterion could make all other requirements ineffective as currently worded.

7.9 For the reasons outlined above, RPC considers Policy SP2 to be unsound due it **not being justified, effective or consistent with national policy**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Strategic Policy SP2 (Responding to the Climate Emergency), as currently drafted, is not effective, and is not justified. The Policy is a mix of a strategic policy and development management policy without providing an effective policy for plan-making or for determining planning applications.

We would expect this Strategic Policy to first set out the strategic measures the Local Plan is doing to respond to the Climate Emergency.

In terms of the Policy criteria (a-k) we make the following points:

a) This criterion is not specific about what is required to "demonstrate mitigation and adaption to climate change". Requiring an applicant to demonstrate it is simply"pursing the reduction of whole life-cycle carbon emissions" will not deliver the urgent changes required. This criterion should be measurable.

b) As we have set out in these representations, whilst SACDC claims to be prioritising the use of previously developed land it is not actually doing this. The NPPF requires that strategic policies set out a clear strategy for accommodating objectively assessed needs in a way that makes as much use possible of previously developed or 'brownfield land'. (NPPF para 119). There is no such clear strategy in this policy or other Local Plan policies. Furthermore, simply allocating development in previously developed land would not make it more sustainable or would necessarily contribute to tackle climate change. Policy should refer to previously developed land in sustainable locations.

c) This criterion is not specific enough about what design measures should be used to 'improve resilience to climate change'.

d) One would expect this to be part of the Strategic Policy regarding how the Local Plan itself is responding to the Climate Emergency and it does not provide any specifics about where it considers the 'most sustainable locations for growth' are in the District.

e) This criterion is vague in terms of stating what is meant by 'high standards of energy efficiency and low carbon energy'. It is also not measurable, as currently worded and it is not proportionate to the nature and size of development.

f) This criterion is not specific enough about what it considers to be sustainable and active transport modes of travel and includes no metrics that can be monitored or measured. The use of ‘prioritise’ as a criterion is too weak and would not contribute to secure the necessary infrastructure and design. This criterion should be more clearly worded.

g) This criterion is silent on the amount of biodiversity net gain that will be delivered.

h) Mitigating flood risk is already a national and local policy requirement. How is this criterion adding anything new with regards to tackling climate change? Could the mitigation be done through nature-based solutions?

i) SuDS should be a requirement for all new development, where it is technically feasible. This criterion should be strengthened to ensure that all developments include SuDS. It should not be left to future interpretation when SuDS are appropriate or not, as it would lead to policy ambiguity.

j) Criterion simply states 'demonstrate tree planting' with no specifics of the quantum, location or any other details.

k) The combination of environmental payments could lead to the offset of most of the climate change and environmental expectations of a development. This criterion could make all other requirements ineffective as currently worded.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy CE1 (Promoting Sustainable Design, Construction and Building Efficiency)

7.10 Policy CE1 is ineffective insofar as it fails to set out clear and measurable requirements for development proposals, making it impossible to apply in the development management stage.

7.11 RPC is concerned with the lack of clarity on how the Council expects applicants to "demonstrate sustainable design and construction and a high degree of resource efficiency". What is the evidence required by the Council? Furthermore, the policy states that this requirement would be to a degree of proportionality to the proposal. However, it does not explain what the requirement for each typology or size of proposal would be. Is the Council leaving this proportionality issue to be interpreted in the future? By whom? RPC considers that the Council should be setting out in the Local Plan policy clear requirements for different development proposals, according to their principles of proportionality, as well as identify the evidence documents that would be required at planning application stage.

7.12 Criterion a) of the policy is not measurable, and this is a problem. The policy should establish the thresholds allowed and not permitted when it refers to carbon emissions, pollution, energy, etc.

7.13 Therefore, RPC considers this policy to be **unsound due to not being effective**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy CE1 is ineffective insofar as it fails to set out clear and measurable requirements for development proposals, making it impossible to apply in the development management stage.

The Council should be setting out in the Local Plan policy clear requirements for different development proposals, according to their principles of proportionality, as well as identify the evidence documents that would be required at planning application stage.

Criterion a) of the policy is not measurable, and this is a problem. The policy should establish the thresholds allowed and not permitted when it refers to carbon emissions, pollution, energy, etc.

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Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

CE2 - Renewable and Low Carbon Energy

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy CE2 (Renewable and Low Carbon Energy)

7.14 Similarly to Policy CE1 above, Policy CE2 lacks sufficient clarity on what the Council's requirements are for new development. Whilst the expectations of the Council are the maximisation of use of renewable or low carbon energy, it is not clear how these requirements would apply to minor development. Is the Council's intention, according to criterion b), that only major development is required to submit an energy Statement demonstrating the proposed use of renewable and low carbon energy sources? The Council has not defined what low carbon energy means.

7.15 The above questions highlight that **Policy CE2 is unsound, as it lacks clarity, measurable requirements and leads to ambiguity of interpretation, not being effective**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy CE2 lacks sufficient clarity on what the Council's requirements are for new development. Whilst the expectations of the Council are the maximisation of use of renewable or low carbon energy, it is not clear how these requirements would apply to minor development. Is the Council's intention, according to criterion b), that only major development is required to submit an energy Statement demonstrating the proposed use of renewable and low carbon energy sources? The Council has not defined what low carbon energy means.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 31

Type:

* Table

Number:

3.2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Refer to Attached submission letter for whole response and figures.

2. **Plan Period**

2.1 The Draft Local Plan proposes a plan period of 2024/25 to 2040/41; however, it provides no justification for why this plan period has been selected. As we set out below SACDC has selected the very minimum plan period based on its current Local Development Scheme (Sep 2024) which does not appear to be adequate time to allow for the planning application and development process to take place as set out in the Local Plan's Housing Trajectory (Table 3.2 below).

2.2 The National Planning Policy Framework (NPPF) requires a minimum 15-year period from the adoption of the Local Plan. SACDC's LDS indicates a Local Plan adoption date of March 2026 so the minimum Local Plan period would end in March 2041. The proposed Draft Local Plan period would only be within the NPPF plan period requirement if it were indeed adopted by March 2026 which is a very narrow margin and assumes the Local Plan process (including examination) will stick to schedule with no margin for error. This is particularly relevant and concerning, as the Council admits in paragraph 3.5 of the Local Development Scheme that some aspects of the timetable are not within the control of the Council. Any delay in the adoption of the Local Plan would entail failure to comply with the 15-year rule of paragraph 22 NPPF.

Figure 2.1: Local Plan programme until adoption (Local Development Scheme, September 2024)

2.3 However, this assumes that the requirement for policies to be set within a vision that looks ahead at least 30 years imposed by paragraph 22 of the NPPF would not be required. The NPPF states:

"Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery."

2.4 There are clearly a number of options in the Draft Local Plan that do propose 'larger scale developments'. In this case, Local Plan policies should look further ahead and at least 30 years to account for the likely delivery time required for delivering strategic development. One need to look no further than the proposals at the 'Hemel Garden Communities' which, despite SACDC's optimistic development start dates and delivery rates, requires 750 dwellings to be delivered beyond the proposed plan period. In order to be effective and consistent with the NPPF, the Local Plan must extend its plan period to include the full development it is proposing.

2.5 Therefore, the plan and its policies clearly need to develop a vision which covers at least 30 years from the point of Local Plan adoption. If one assumes that the Local Plan adoption date is in 2025/26 then the policies and vision will need to extend to at least 2055/2056.

2.6 MHCLG introduced this change to the NPPF in response to the Building Better Building Beautiful Commission recommendations to clarify that councils need to take into account the likely timescale for delivery of larger scale developments which take considerable time to plan and deliver.

2.7 The proposed Draft Local Plan Housing Trajectory identifies broad locations for growth to be delivered from year 6 since the adoption of the Local Plan, until year 15 of the Local Plan. The trajectory also expects some smaller and specific sites to be delivered within the first 5-year period since the adoption of the Local Plan. However, the Local Plan only expects specific sites allocated in the Local Plan to be delivered in years 4 and 5. The expectation, according to the submitted trajectory, is that 482 new dwellings will be delivered in year 4 and 778 on year 5.

Figure 2.2: Table 3.2 (Draft Local Plan Housing Trajectory)

2.8 Whilst the Housing Trajectory suggests compliance with paragraph 69 of the NPPF with regards to broad locations between years 6-15, it fails to demonstrate specific, deliverable sites for the first 5 years since the intended date of adoption of the Local Plan.

2.9 We provide a detailed analysis and critique of the Housing Trajectory in relation to the Hemel Garden Communities covered under Policy LG2 (Support for Transformation of Hemel Hempstead).

...

6. Spatial Strategy

Policy SP1 (A Spatial Strategy for St Albans District)

...

6.5 Policy SP1 states that "growth will be located to make the most sustainable use of land in urban areas and then the Green Belt" and that "the approach seeks to develop Brownfield Land first".

..... it is apparent from the Draft Local Plan Housing Trajectory (Table 3.2) that 'Hemel Garden Communities' (Green Belt location), 'Medium and Small Sites' (599 homes), are assumed to start delivery in 2029/2030 the same year that 'Sites Within Urban Settlements' (HELAA and UCS) and 'Green Belt – Previously Developed Land'. Furthermore, the contribution of dwellings through allocations in previously developed land is very limited (1,040 homes) when compared to allocations in greenfield sites (9,613 homes), and very brief, with a trajectory between 2-7 years (brownfield sites), instead of 6-12 years (greenfield sites). So, it simply not the case that the Local Plan is planning for development in urban areas and brownfield land first.

6.6 This policy also identifies different thresholds of site allocations, but it does not justify where the type and size of allocations and these thresholds come from and what the definition of broad locations, other broad locations, large, medium and small sites is. A clearer policy wording is required, setting out the spatial strategy and allocation of development per parish/area and settlement, and it should be clearly visualised for the public and future users of the Local Plan to understand the policy without doubt. Any supporting text should include contextual information, such as the definition of settlement tiers and the size of allocations.

...

Hemel Garden Communities Trajectory

11.5 Policy LG2 states that "*the Hemel Garden Communities programme will deliver at least 4,300 new homes by 2041 and 5,500 homes in total by 2050, delivering this through a network of new garden communities to the north east and east of the town within St Albans District".*

11.6 Paragraph 75 of the NPPF states that: *"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites".*

11.7 The Draft Local Plan fails to include a housing trajectory for specific sites (including those in the Hemel Garden Communities) so that consultees can comment on the potential timing of housing delivery and the need for supporting infrastructure that needs to be delivered in close coordination for each site. This makes it rather difficult to comment on any delivery assumptions for particular sites when the Council has not considered this even though it has selected the sites as allocations.

11.8 However, the Draft Local Plan does include a high level housing trajectory (Table 3.2) and we have analysed this due to a lack of more detailed information presented by SACDC.

11.9 Furthermore, we seriously question what the Housing Trajectory is not only for the HGC sites in St Albans District but for those in Dacorum – this is not set out in the Local Plan and is clearly a critical missing piece of information for the overall Local Plan.

11.10 As the Lichfields 'From Start to Finish' evidence (Editions 1 -3) and the Letwin Review (2018) highlight, the delays with the delivery of large development proposals should not be underestimated as there will be many aspects of the housing trajectory that are beyond the immediate control of a local planning authority. We provide an analysis of this below.

Development Lead in Times

11.11 The trajectory is particularly unrealistic in terms of when it assumes that housing delivery will commence at the Hemel Garden Communities. The first delivery year assumed is 2029/30 with 100 dwellings. This is in four years from now.

11.12 In the recently published *'Start to Finish – How quickly do large-scale housing sites deliver"* 3rd Edition, September 2024 (Lichfields) (see Appendix B of these representations) provides an update on important research on the delivery of strategic sites across England. Its findings are that for sites of 2,000 dwellings or more (like Hemel Garden Communities) that it takes between 4 and 7.9 years from the validation of the first planning application to the first dwelling being delivered (see Table below).

Figure 11.3: 'Start to Finish – How quickly do large-scale housing sites deliver" 3rd Edition, September 2024 (Lichfields)

11.13 The Report updates the previous report on the average time taken from gaining outline permission to the completion of the first dwelling on site (see below). This indicates that it takes on average around 3 to 4.6 years from the grant of outline planning permission to deliver the first dwelling. It concludes that at the time of its granting, an outline permission will deliver limited housing in a five-year period.

Figure 11.4: 'Start to Finish – How quickly do large-scale housing sites deliver" 3rd Edition, September 2024 (Lichfields)

11.14 As Policy LG2 (Support to Transformation of Hemel Hempstead) states all development in the HGC Programme Area must follow a planned and coordinated approach to growth and infrastructure and is expected to be in accordance with:

- *Local Plan Infrastructure Delivery Plans (IDPs)*
- *Hemel Garden Communities Spatial Vision*
- *HGC Framework Plan evidence base*
- *HGC Concept Plan*
- *HGC Local Plan Policies,*
- *Supporting SPDs and Design Codes.*

11.15 It requires that "Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to secure a collaboration agreement which ensures an integrated and seamless approach across site boundaries. Critical infrastructure necessary to support development must be delivered ahead of occupation. Proposals must not prejudice or impede the provision of wider infrastructure required within the HGC Programme Area. Infrastructure, contributions and wider funding will be required to deliver on and offsite infrastructure, in accordance with the above documents."

11.16 Clearly the HGC is highly complex with many authorities and parties involved in the planning and delivery process. There is also rightly a commitment to working closely with the local communities as part of this process. All of this suggests that the

Lichfields research is very much a 'best case scenario' in relation to the HGC Broad Locations.

11.17 **So, we ask, what is SACDC's assumption about each of the proposed four Broad Locations at Hemel Garden Communities (H1, H2, H3, H4) in terms of the following:**

- When will the Design Codes and SPDs will be prepared and approved?
- When will the pre-application process take place including consultation and engagement with relevant consultees and stakeholders?
- When will the preparatory site works, to be informed by site-specific survey recommendations and monitoring before commencement take place?
- When will an outline application be submitted and approved for each Broad Location?
- When will a full application will be submitted and approved?
- When will reserved matters applications be submitted and approved?
- There is reference in Policy LG3 (Hemel Garden Communities Growth Areas Place Principles) to the potential need to use Compulsory Purchase Orders (CPO) powers to ensure infrastructure is provided in a timely manner. What are the time estimates made for this in the housing trajectory?
- When will the S106 for each parcel is expected to be agreed?
- When will the pre-commencement conditions for each parcel be agreed by SACDC?
- What are SACDC's assumptions for the opening up works required for each of the sites and combined?
- What infrastructure is required to be funded and / or delivered prior to commencement for each of the broad locations?
- What is the planning approval process and timing for each piece of infrastructure?
- When will conditions be discharged?

11.18 SACDC needs to answer these questions so that a realistic housing trajectory can be prepared as the current version will lead to a shortfall in housing in the District over the first five years upon adoption. As a result, the borough will be subject to planning appeals due to a lack of a five-year housing land supply. With the Local Plan still yet to be submitted to the Secretary of State there is still an opportunity for SACDC to allocate additional housing sites to ensure that the shortfall of anticipated delivery is addressed.

Figure 11.6: Timeline for the delivery of strategic housing sites – Start to Finish Lichfields (2024)

11.19 The additional and important benefit of this approach is that the SPDs and planning applications at Hemel are not 'rushed through' in hopes that the development will meet unrealistic commencement dates.

11.20 The report concludes that for schemes of 2,000+ dwellings the mean years from validation of the first planning application to the first dwelling being completed is 6.6 years.

11.21 Therefore, considering this research, RPC is concerned with the proposed housing trajectory, as it would not be realistic to rely on the Hemel Garden Communities development (over 4,300 dwellings) would deliver its first homes in year 6 since the adoption of the Local Plan.

Figure 11.5: Overall lead-in times for sites of 100 dwellings or more, including time taken for outline consent size by size. Source: Lichfields report 'Start to Finish' (2024).

11.22 Hemel Garden Communities is clearly a cross-boundary joint working project between SACDC, Dacorum, Herts County Council and others. The South West Hertfordshire Joint Strategic Plan is being prepared with Dacorum, Hertsmere, Three River and Watford Councils and there is no agreed timetable for taking this forward (as set out earlier in our representations). This complexity and cross-boundary working is likely to slow the process down even further so the assumptions above should be considered a 'best case' scenario.

Housing Delivery Rates

11.23 We also question the delivery rates in the housing trajectory based on the amount of infrastructure required at each phase which still remains unclear. Linked to this is the question about how the funding of infrastructure will work? Are the developers going to forward fund infrastructure costs?

11.24 The housing delivery rates have been updated in the Lichfields report which concludes that the build-out rates for schemes of 2,000 dwellings or more is 100 to 188 dpa using the lower and upper quartiles of their analysis. SACDC's housing trajectory assumes the following delivery rates by year for HGC which are clearly well in excess of what should be considered achievable delivery rates.

- 2029/30: 100
- 2030/31: 175
- 2031/32: 250
- 2032/33: 315
- 2033/34: 340
- 2034/35: 365
- 2035/36: 365
- 2036/37: 440
- 2037/38: 490
- 2038/39: 500
- 2039/40: 495
- 2040/41: 465

11.25 This equates to 4,300 dwellings over twelve years which is an average of 358 dwellings per annum. This takes no account of market or economic changes or the fact that there will be additional competing sites in the neighbouring authorities and settlements all building at the same time flooding the local market. The assumptions are simply unrealistic and are setting SACDC and its communities up for housing shortfall over the of the plan period.

11.26 This demonstrates that the Hemel Garden Communities sites cannot be delivered within the stated plan period of 2041 and would not make any meaningful contribution to the Council's housing needs for many years to come.

11.27 As highlighted, delivery will also rely on cooperation with adjoining authorities and liaison and negotiation with statutory consultees. Even the slightest delay in the start date will result in a slower performance, which is then likely to render the assumed delivery rates unachievable.

11.28 Overall, we consider that the preparation of a realistic housing trajectory is urgently needed, considering a more realistic start date and rate of delivery than the crude assumptions included in the Draft Local Plan.

11.29 The Council's poorly thought-out assumptions regarding housing delivery and an unrealistic housing trajectory result in the Draft Local Plan being currently unjustified and requiring much further evidence looking closely at what could realistically be viably delivered.

...

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Housing Trajectory

Whilst the Housing Trajectory suggests compliance with paragraph 69 of the NPPF with regards to broad locations between years 6-15, it fails to demonstrate specific, deliverable sites for the first 5 years since the intended date of adoption of the Local Plan.

Overall, we consider that the preparation of a realistic housing trajectory is urgently needed, considering a more realistic start date and rate of delivery than the crude assumptions included in the Draft Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf
2. APPEND~2.pdf

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* Yes, I wish to participate in hearing session(s)

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Strategic Policy SP3 - Land and the Green Belt

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

8. **Housing Need and Requirement**

8.1 Policy SP3 (Land and the Green Belt) states that:

*"The minimum number of homes needed in the District, following a local housing need assessment conducted using the Government's required Standard Methodology – is **885** dwellings per year, or a total need of **14,603** to 2041. This housing need figure is the same as the housing requirement figure of **885** dwellings per year, or a total need of **14,603 in the period 1 October 2024 to 31 March 2041**."*

8.2 There is no meaningful text to support this policy in the Draft Local Plan that sets out what SACDC considers to be its housing need / requirement and where these figures come from. This is entirely unacceptable.

8.3 In order to read any further information on the housing need / requirement that the Draft Local Plan is presumably based on, one must look to Chapter 3 (Sustainable Use of Land and Green Belt) of the Draft Local Plan in the supporting text (para 3.7) to Strategic Policy SP3 (Land and the Green Belt). This supporting text states that "*to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the Government's 'Standard Method' for calculating local housing need in national policy and guidance"*.

8.4 However, SACDC does not explain in this section what 'local housing need assessment' has been used to arrive at its housing need. How can the Draft Local Plan consultees understand or interrogate the housing need evidence used by SACDC when there is none provided apart from saying it used the 'Standard Method'?

8.5 Has SACDC used the South West Hertfordshire Local Housing Needs Assessment (September 2020) to arrive at its housing need figure? This study was undertaken four years ago (2020) which is a considerable time ago and should be considered by SACDC to be an out-of-date evidence base document. Policy HOU2 (Affordable Housing) refers to a Local Housing Needs Assessment (LHNA) dated 2019 however this does not appear in the Draft Local Plan Evidence Base on SACDC's website.

8.6 The text goes on to explain (para 3.11) that "*Government requirements for housing and employment growth need to be met in line with the law and Government planning policy. This will ultimately be judged by a Government appointed Planning Inspector. The Council cannot adopt a Local Plan without going through this process. At this point in time, these requirements therefore lead to the use of the housing figures set out at 3.8 above*". It sounds from this statement like SACDC does not place much faith in the housing numbers it is using and is placing any liabilities with Government and the Planning Inspectorate.

8.7 Confusingly, Strategic Policy SP3 (Land and the Green Belt) states that the housing need figure is the same as the housing requirement figure of 885 dwellings per year, or a total need of 14,603.

8.8 It is both irresponsible and a waste of time and resources for SACDC to publish a Draft Local Plan proposing to release broad swathes of the Green Belt based on housing need / requirement figures that it has no faith in and that are not backed by robust evidence.

...

9. **Exceptional Circumstances and Green Belt**

Exceptional Circumstances

9.1 The NPPF affords great weight to Green Belts. Chapter 13 of the NPPF sets out policies which relate to the protection of the Green Belt. Paragraph 142 of the NPPF (Dec 2023) states that "*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*."

9.2 The NPPF states that:

"*Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non- strategic policies, including neighbourhood plans.*" (NPPF para 145).

9.3 Paragraph 3.19 of the supporting text of Policy SP3 acknowledges the requirements of national planning policy with regards to exceptional circumstances to justify changes to the Green Belt:

"*Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:*

1. *Makes as much use as possible of suitable brownfield sites and underutilised land;*
2. *Optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
3. *Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground."*(NPPF para 146)

9.4 Notwithstanding the above, RPC raised concerns with the lack of text and evidence explaining the 'exceptional circumstances' that would lead to the justification of changes to the Green Belt. The Draft Local Plan (both Reg. 18 and Reg. 19 versions) fail to state what 'exceptional circumstances' there are for proposing the Draft Local Plan sites in the Green Belt. RPC concluded in previous representations that there was no demonstration by SACDC that it has "examined fully all other reasonable options for meetings its identified need for development".

9.5 Since then, the Council produced a Green Belt Exceptional Circumstances Evidence Paper (September 2024). A detailed examination of this paper outlines several serious concerns:

1. The paper does not attempt to address any of the three criteria in paragraph 146 NPPF.
2. It does not explain how the Council has made as much use as possible of suitable brownfield sites and underutilised land.
3. The Council fails to explain whether they have considered optimising the density of development in town and city centres (St Albans or Harpenden) and other locations served by public transport (e.g. London Colney, Park Street, How Wood and Chiswell Green).
4. It states that one of the 'exceptional circumstances' is *"The nature and extent of the harm to the Green Belt that would arise if the boundaries were to be altered as proposed".* This is a confusing statement and is unclear what SACDC considers to be exceptional about the 'nature and extent of the harm to the Green Belt'.
5. It is also not clear what is meant by*: "The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable practicable extent".*
6. Importantly, the SACDC has not complied with the Government's legal test for discharging its Duty to Cooperate. Local authorities must fulfil the legal requirement to cooperate with the Duty to Cooperate prescribed bodies by *"engaging constructively, actively and on an ongoing basis"*[10] on cross boundary strategic matters from the commencement of preparing the Local

Plan to submission of the Local Plan to the Secretary of State for examination. Paragraph 146 NPPF requires discussions with neighbouring authorities about accommodating some of the identified need for development and to demonstrate it in a Statement of Common Ground.

9.6 The Green Belt Exceptional Circumstances Evidence Paper gives no evidence of discussions between SACDC and neighbouring authorities regarding meeting development need. It does not include demonstrated evidence of making as much use of brownfield and underutilised land, and there is a lack of demonstration of density optimisation. Consequently, RPC contests that the Council has demonstrated examining fully all reasonable options for meeting its identified need for development before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries.

Green Belt Review

9.7 The Draft Local Plan makes scant mention of the SACDC Green Belt Review (GBR) (Stage 1 2013 and Stage 2 2023). The supporting text of Policy SP3 (paragraph 3.17) only states that the Council undertook a detailed Green Belt Review in order to understand the impacts of potential development in the Green Belt.

9.8 It is perplexing how SACDC can prepare a Stage 2 Green Belt Review consisting of a Main Report of 143 pages and an Annexe of 765 pages and only mention this GBR in passing in the Draft Local Plan.

9.9 Furthermore, the Local Plan's description that the Green Belt Review was undertaken in order to "understand the impacts of potential development in the Green Belt" is not the reason that SACDC should have prepared a Green Belt Review. As the Green Belt Review itself explains the purpose of a GBR is to provide evidence of how different areas of the Green Belt perform against the Green Belt purposes. It is then the role of LPA to take these findings into account alongside other evidence in making decisions about the Draft Local Plan strategy, site allocations / broad locations and ultimately possible alterations to Green Belt boundaries.

9.10 The Local Planning Authority should take the findings of the GBR into account alongside other evidence in making decisions about the Local Plan strategy, site allocations / broad locations and ultimately possible alterations to Green Belt boundaries. Strategic policies that establish the need for changes to the Green Belt boundaries should have regard to the Green Belt intended permanence in the long term, so Green Belts can endure beyond the plan period (paragraph 145, NPPF 2023).

9.11 A GBR forms an important part of the evidence base. It helps a council determine the manner and degree to which change in the Green Belt could be considered without damaging the purposes for including land in the Green Belt and the degree to which harm to the Green Belt would result if development were to take place.

“The purpose of a GBR is to provide evidence of how different areas of Green Belt perform against the Green Belt purposes, as set out in the National Planning Policy Framework (NPPF, 2021). The Local Planning Authority then take the findings of the review into account alongside other evidence in making decisions about the Local Plan strategy, site allocations / broad locations and ultimately possible alterations to Green Belt boundaries.

A GBR forms an important part of the evidence base. It helps a council determine the manner and degree to which change in the Green Belt could be considered without damaging the purposes for including land in the Green Belt and the degree to which harm to the Green Belt would result if development were to take place.”

(Green Belt Review Stage 2 - Section 1.2)

9.12 The Draft Local Plan explains that a "Site Selection assessment has considered constraints such as environmental considerations like flood risk and wildlife conservation, and other planning factors such as distance to facilities, heritage and access" (Draft Local Plan para 3.18). A series of documents supporting site selection and allocation have been published on the Local Plan library in 2024, which we cover below.

9.13 RPC would also like to raise the following key points regarding the Green Belt Review.

- We question SACDC's decision to reuse the 2013 Green Belt Review Stage 1. This is a study that was conducted over 11 years ago. It was one of the first Green Belt Reviews in the country and consisted of a Stage 1 (Purpose Assessment) and Stage 2 (Site and Boundaries Study). SACDC wants to keep the Stage 1 Study but reject the Stage 2 Study. The reason for this as we understand it is that SACDC and its consultants that prepared the Green Belt Review Stage 2 (2023) claim that the 2013 Stage 1 Review was in some way 'endorsed' by the Inspectors who conducted the Examination for the withdrawn Local Plan in 2020. The Green Belt Review Stage 2 (2023) refers to the Post Hearing Letters issued by the Inspectors explaining that their only concerns with the Green Belt evidence were in relation to the Stage 2 (Site and Boundaries Study). Yet when one reads the Inspectors' Letter (14th April 2020) nowhere does it state this. In fact, the Inspectors appear concerned that the Stage 1 Review was conducted "around the time that the Council was working on the previous SLP. At that time housing requirements were 8,720 (or 436 per annum) and so much lower than the current objectively assessed need (OAN) of 14,608 homes over the plan period". They then raise concerns that the Green Belt Review as not re-visited in the context of the much higher scale of need.
- Over a decade has passed since this first Review was undertaken and the OAN for the District remains as high (14,603 dwellings) and there have been numerous versions of the NPPF since as well as three withdrawn St Albans Local Plans and there is an expected significant amendment to the NPPF announced by Government by the end of 2024/early 2025. Surely SACDC should have started afresh with a full new Stage 1 GBR. In addition to the changes at the national level, there have been numerous Neighbourhood Plans prepared in St Albans District including the Redbourn Neighbourhood Plan (2023) which would need to form part of a GBR Stage 1 Study yet there is no such opportunity for this due to SACDC's decision to focus solely on a GBR Stage 2.
- The GBR Stage 2 (2023) appears to have effectively disregarded the GBR Stage 1 (2013) in any case. Arup describes it as a "more spatially focused piece of work" whereby they simply drew a buffer around each settlement inset from the Green Belt. A 400 metre buffer was drawn for the main settlements (St Albans, Harpenden, Hemel Hempstead, Radlett, Hatfield and Watford) while a 250 metre buffer was drawn for lower order settlements (Bricket Wood, Chiswell Green, How Wood, London Colney, Park Street / Frogmore, Redbourn, Wheathampstead, Shenley, Blackmore End, Abbots Langley) (Section 4.2.1). It then explains that these areas of assessment within the buffers were refined by taking into account (Section 4.2.2):
- SKM Stage 1 GBR weakly performing land against NPPF purposes.
- Promoted sites identified through the Council's site selection work.
- Non-Green Belt land.
- It then states that "The full list of eight strategic and eight small-scale sub-areas, (Figure 3.3), that contribute least towards Green Belt purposes as assessed in the SKM Stage 1 GBR were considered for this exercise. However, only those sub-areas that fell entirely or partially

within the settlement buffer, or immediately adjacent to another area / site entirely or partially within the settlement buffer (see application of settlement buffers), were taken forward. (Page 23).

- Stage 2 has also not taken forward the 'Local Purpose' of the Green Belt established in the Stage 1 GBR which is "To maintain the existing settlement pattern'. This purpose is effectively to assess and maintain the pattern of inner band local gaps between 1st tier settlements from 2nd and 3rd tier settlements and outer bands of secondary local gaps which separate 2nd and 3rd tier settlements. Importantly, Redbourn (2nd tier settlement) and the gap between it and Hemel Hempstead (1st tier settlement), St Albans (1st tier settlement) and the gap between Redbourn and Harpenden (1st tier settlement) is considered a 'primary local gap' as illustrated in Figure 7.7 of the GBR Stage 1 (see below).

Figure 9.1: Extract from GBR Stage 1 (2013) Figure 7.7 Green Belt Functions

9.14 Based on the proposed broad locations and allocations in Redbourn in the Draft Local Plan, these 'primary local gaps' between Redbourn and Hemel Hempstead and Redbourn and Harpenden will be significantly eroded to 1.48km and 1.56km respectively (see map and measurements below). The GBR Stage 2 does not appear to acknowledge this or take this into consideration.

Figure 9.2: Primary Local Gap Erosion between Redbourn - Hemel Hempstead and Redbourn - Harpenden

9.15 Paragraph 4.23 of the Stage 2 GBR explains the filtering process that was undertaken to remove areas that are largely constrained by major policy constraints. It lists the following 'major policy constraints': Flood zone 3b; Scheduled Monuments; Registered Parks and Gardens; Ancient Woodland; and Sites of Special Scientific Interest (SSSI). Foot note 26 to SSI states "Other sites of international and national nature conservation importance (i.e. Special Protected Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites do not apply in St Albans. However, as highlighted in Sustainability Appraisal the Recreational Impact Zone for the Ashridge Woods and Commons SSSI component of the Chilterns Beechwoods SAC is located in the District and the great majority of affected sites are located to the east of Hemel Hempstead or at Redbourn. The GBR should take this into consideration.

9.16 As we detail under the HGC policies section in these representations, it is entirely unclear as to how SACDC can justify its disregard for the GBR studies which have not recommended the majority of Hemel East for removal from the Green Belt and in the case of West Redbourn the GBR does not recommend this site is taken forward if HGC is also taken forward.

9.17 It is both disappointing and an oversight that the GBR fails to include a review of the Redbourn Neighbourhood Plan which was 'made' in 2023 including its Design Guidance and Codes (2021) and contains a number of relevant policies and context that should be taken into account as part of the preparation of the GBR which is not even acknowledged. Central to the Neighbourhood Plan is its Vision for it to retain its village feel along with its particular individual characteristics including its high quality built heritage, high street and its green and spacious setting. As stated in the Redbourn Neighbourhood Development Plan (para 6.19):

“The character of Redbourn derives from its scale and relationship with surrounding Green Belt, which comprises countryside, green and open spaces.”

9.18 Policy Red 6 (New Housing Sites) (see below) contains a number of requirements that should be taken into consideration as part of the GBR.

Figure 9.3: Redbourn Neighbourhood Plan 2023 Policy Red 6 (New Housing Sites)

...

11 Policy LG2 (Support for Transformation of Hemel Hempstead)

Green Belt

11.1 The Stage 2 GBR (2023) concludes that Sub-Areas SA-167, SA-168, SA169a, SA-169b, SA-170, SA-171 and SA-172 perform strongly against the NPPF Green Belt purposes. Of these Sub-Areas the GBR recommends that only SA-167, SA-169a and SA-169b should be taken forward for further consideration and there are still concerns raised regarding these Sub Areas in the GBR as set out below. We note that 169a is proposed for release in the Draft Local Plan but 168b is not proposed for release.

11.2 Sub-Areas (SA-168, SA-170, SA-171 and SA-172) form the Broad Locations North Hemel Hempstead and East Hemel Hempstead (North) and are also assessed as 'Important' in terms of their wider impact on the Green Belt.

11.3 Given that the two proposed Broad Locations at North Hemel Hempstead and East Hemel Hempstead (North) have not been recommended to be taken forward for further consideration SACDC and the Local Plan should not be proposing these areas for Green Belt release. **This should effectively remove these two Broad Locations along with their development assumptions which principally consist of a total of 3,100 dwellings.**

11.4 We pull out some of the key points from the GBR in relation to these Sub-Areas as a record of the clear recommendations of the GBR that the Broad Locations at North Hemel Hempstead and East Hemel Hempstead (North) are not recommended for further consideration:

SA-167

- *"The sub-area plays a moderately important role in preventing the irregular sprawl of Hemel Hempstead, in the absence of prominent inner boundary features".*
- *"Due to its strongly unspoilt rural character, the sub-area makes a more important contribution to safeguarding the countryside from encroachment."*
- *"In combination with SA-168, the release of the sub-area would lead to the irregular and large-scale sprawl of Hemel Hempstead".*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-168, SA-169a, SA-169b, SA-170, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*

SA-168

- *"It is judged that development in the sub-area would lead to the perceptual merging of the neighbouring built-up areas."*
- *"The sub-area has a rising topography to the south, allowing views from the southern part of the sub-area onto the open fields in the north. Overall the subarea has a largely rural character."*
- *"If the sub-area was released in isolation, it would significantly alter the performance of the wider Green Belt by enclosing Green Belt to the north and south in built form if developed, and leading to the large scale, irregular sprawl of Hemel Hempstead. It would also strengthen the role of the Green Belt to the north-east in maintaining the gap between Hemel Hempstead, with only a small part of Green Belt and the M1 preventing complete physical coalescence of the settlements."*
- *"In combination with either SA-169a, SA169b and SA-171, or with SA-167 the removal of the sub-area is likely to alter the performance of the wider Green Belt by enclosing Green Belt to the north and south respectively in built form if developed, and leading to the effective coalescence of Hemel Hempstead and Redbourn. The release of the sub-areas in combination would also lead to the disproportionate sprawl of Hemel Hempstead in comparison to the existing settlement size."*

- *“Overall, the sub-area plays an important role with respect to the strategic land parcel, and its release in isolation or in combination would harm the performance of the wider Green Belt.”*
- *“The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration.”*

SA-169a

- *“In combination with other sub-areas in the wider cluster in which the sub-area is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169b, SA-170, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans.”*
- *“The southern boundary is readily recognisable but less likely to be permanent. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition. The new boundary would require strengthening.”*
- *“The sub-area performs strongly against NPPF purposes but makes a less important contribution to the wider Green Belt. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition for readily recognisable and likely to be permanent boundaries. The new boundary would require strengthening. Recommended for further consideration in isolation as RA-54 or in combination with SA-169b as RC-13.”*

SA-169b

- *“In combination with SA-168, the removal of the sub-areas is likely to alter the performance of the wider Green Belt by leading to the large-scale sprawl of Hemel Hempstead, introducing urbanising influences, and strengthening the role of the Green Belt to the north-east in preventing the coalescence of Hemel Hempstead and Redbourn.”*
- *“In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a, SA-170, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans.”*
- *“Both the inner and outer boundaries of the sub-area are readily recognisable but not likely to be permanent. If the sub-area was released, the new inner*

Green Belt boundary would not meet the NPPF definition. The new inner boundary would require strengthening.”

- *“Overall, the sub-area performs strongly against NPPF purposes but makes a less important contribution to the wider Green Belt. If the sub-area is released, the new inner Green Belt boundary would meet the NPPF definition for readily recognisable and likely to be permanent boundaries. Recommended for further consideration with in isolation as RA-55 or in combination with SA-169a as RC-13.”*

SA-170

- “The removal of the sub-area in isolation is likely to alter the performance of *the surrounding Green Belt by strengthening its role in preventing further sprawl of Hemel Hempstead and the coalescence of Hemel Hempstead with Redbourn.”*
- *“In combination with either SA-169a, SA-171 or SA-172, the release of the subareas is likely to impact on the performance of the wider Green Belt by leading to the outward and irregular sprawl of Hemel Hempstead and by significantly reducing the gap between Hemel Hempstead and Redbourn.”*

- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a, SA-169b, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*
- *"Overall, the sub-area plays an important role with respect to the strategic land parcel, and its release in isolation or in combination would harm the performance of the wider Green Belt."*
- *"The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration."*

SA-171

- *"The sub-area forms almost the entire gap between Redbourn and Hemel Hempstead and prevents the creation of ribbon development between the two settlements. It is judged that development in the sub-area will lead to the perceptual merging of neighbouring built-up areas."*
- *"The removal of the sub-area in isolation would create a 'hole' in the Green Belt, introducing urbanising influences which would diminish the contribution of the surrounding Green Belt against purpose 3, and harming the integrity of the wider Green Belt. Its release in isolation is also likely to impact on the performance of the surrounding Green Belt by strengthening its role in preventing the further sprawl of Hemel Hempstead and its coalescence with Redbourn."*
- *"In combination with any of the sub-areas, their removal is likely to impact on the performance of the wider Green Belt. The release would lead to the significant sprawl of Hemel Hempstead, both in terms of settlement shape and in size, and its encroachment into the countryside. It would also lead to the perceptual merging of Hemel Hempstead and Redbourn, physically separated only by the M1."*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a,*

SA-169b, SA-170 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap

between Hemel Hempstead and both Redbourn and St Albans."

- *"The outer boundary of the sub-area is readily recognisable however the southern boundary is less likely to be permanent. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition. The new boundary would require strengthening."*
- *" The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration."*

SA-172

- *"The sub-area forms almost the entire gap between Redbourn and Hemel Hempstead, and has perceptual visual links to Redbourn. It is judged that development in this sub-area would lead to the physical and perceptual merging of neighbouring built-up areas."*
- *"Overall the sub-area has a strongly unspoilt rural character"*
- *"The sub-area performs an important role in preventing the outward sprawl of Hemel Hempstead and preventing encroachment into the countryside due to its unspoilt rural character. The sub-area plays a more important role in preventing the merging of settlements, forming the entire gap between Redbourn and Hemel Hempstead."*
- *"Its release would enclose the Green Belt in built form if it was released, and strengthen both its role in preventing the further unchecked sprawl of Hemel Hempstead and the coalescence of Hemel Hempstead and Redbourn. It would also introduce urbanising influences to the surrounding Belt Green and diminish the sense of openness in the countryside."*

- *"In combination with SA-170, the removal of the sub-area is likely to alter the performance of the wider Green Belt against purposes 1 and 2 as it would lead to significant sprawl of Hemel Hempstead, and a diminution of the gap between Hemel Hempstead and Redbourn."*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a, SA-169b, SA-170 and SA-171), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*
- *"As it is located on the district boundary, the sub-area may be impacted by potential Green Belt releases in the neighbouring authority of Dacorum Borough Council. The Dacorum Borough Council Stage 2 Green Belt review and Landscape Appraisal Study (2016) identified sub-area HH-A1 to the west of the sub-area for further consideration. If Dacorum Borough Council decide to release Dacorum HH-A1 as part of their spatial strategy for their emerging Local Plan, the cumulative impact would need to be considered."*
- *"Overall, the sub-area plays an important role with respect to the strategic land parcel, and its release in isolation or in combination would harm the performance of the wider Green Belt."*
- *"The inner boundary of the sub-area is readily recognisable and likely to be permanent. The outer boundaries of the sub-area are readily recognisable but not necessarily permanent. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition. The new boundary would require strengthening."*
- *"The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration*."

Figure 11.1: Stage 2 GBR(2023) Figure 5.11 Overall performance against NPPF purposes

Figure 11.2: Stage 2 GBR (2023) Figure 5.15 Categorisation

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is no meaningful text to support this policy in the Draft Local Plan that sets out what SACDC considers to be its housing need / requirement and where these figures come from.

The Draft Local Plan makes scant mention of the SACDC Green Belt Review (GBR) (Stage 1 2013 and Stage 2 2023).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

LG1 - Broad Locations

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

10 Strategic Policy LG1 (Broad Locations)

10.1 Policy LG1 fails to set out in Policy what Broad Locations are actually being proposed as part of the policy wording. It relies entirely on Part B of the Local Plan (Local Plan Sites). This is particularly confusing for the Hemel Hempstead related Broads Locations given that this area also has two of its own separate policies (LG2 and LG3). We reserve our comments on the Hemel Hempstead related Broad Locations for Policies LG2 and LG3; however please note that they also apply to Policy LG1 as far as those Broad Locations are concerned.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy LG1 fails to set out in Policy what Broad Locations are actually being proposed as part of the policy wording. It relies entirely on Part B of the Local Plan (Local Plan Sites).

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LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

11 Policy LG2 (Support for Transformation of Hemel Hempstead)

Green Belt

11.1 The Stage 2 GBR (2023) concludes that Sub-Areas SA-167, SA-168, SA169a, SA-169b, SA-170, SA-171 and SA-172 perform strongly against the NPPF Green Belt purposes. Of these Sub-Areas the GBR recommends that only SA-167, SA-169a and SA-169b should be taken forward for further consideration and there are still concerns raised regarding these Sub Areas in the GBR as set out below. We note that 169a is proposed for release in the Draft Local Plan but 168b is not proposed for release.

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11.3 Given that the two proposed Broad Locations at North Hemel Hempstead and East Hemel Hempstead (North) have not been recommended to be taken forward for further consideration SACDC and the Local Plan should not be proposing these areas for Green Belt release. **This should effectively remove these two Broad Locations along with their development assumptions which principally consist of a total of 3,100 dwellings.**

11.4 We pull out some of the key points from the GBR in relation to these Sub-Areas as a record of the clear recommendations of the GBR that the Broad Locations at North Hemel Hempstead and East Hemel Hempstead (North) are not recommended for further consideration:

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- *"The sub-area plays a moderately important role in preventing the irregular sprawl of Hemel Hempstead, in the absence of prominent inner boundary features".*
- *"Due to its strongly unspoilt rural character, the sub-area makes a more important contribution to safeguarding the countryside from encroachment."*
- *"In combination with SA-168, the release of the sub-area would lead to the irregular and large-scale sprawl of Hemel Hempstead".*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-168, SA-169a, SA-169b, SA-170, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*

SA-168

- *"It is judged that development in the sub-area would lead to the perceptual merging of the neighbouring built-up areas."*
- *"The sub-area has a rising topography to the south, allowing views from the southern part of the sub-area onto the open fields in the north. Overall the subarea has a largely rural character."*
- *"If the sub-area was released in isolation, it would significantly alter the performance of the wider Green Belt by enclosing Green Belt to the north and south in built form if developed, and leading to the large scale, irregular sprawl of Hemel Hempstead. It would also strengthen the role of the Green Belt to the north-east in maintaining the gap between Hemel Hempstead, with only a small part of Green Belt and the M1 preventing complete physical coalescence of the settlements."*
- *"In combination with either SA-169a, SA169b and SA-171, or with SA-167 the removal of the sub-area is likely to alter the performance of the wider Green Belt by enclosing Green Belt to the north and south respectively in built form if developed, and leading to the effective coalescence of Hemel Hempstead and Redbourn. The release of the sub-areas in combination would also lead to the disproportionate sprawl of Hemel Hempstead in comparison to the existing settlement size."*
- *"Overall, the sub-area plays an important role with respect to the strategic land parcel, and its release in isolation or in combination would harm the performance of the wider Green Belt."*
- *"The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration."*

SA-169a

- *"In combination with other sub-areas in the wider cluster in which the sub-area is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169b, SA-170, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*

- *"The southern boundary is readily recognisable but less likely to be permanent. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition. The new boundary would require strengthening."*
- *"The sub-area performs strongly against NPPF purposes but makes a less important contribution to the wider Green Belt. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition for readily recognisable and likely to be permanent boundaries. The new boundary would require strengthening. Recommended for further consideration in isolation as RA-54 or in combination with SA-169b as RC-13."*

SA-169b

- *"In combination with SA-168, the removal of the sub-areas is likely to alter the performance of the wider Green Belt by leading to the large-scale sprawl of Hemel Hempstead, introducing urbanising influences, and strengthening the role of the Green Belt to the north-east in preventing the coalescence of Hemel Hempstead and Redbourn."*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a, SA-170, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*
- *"Both the inner and outer boundaries of the sub-area are readily recognisable but not likely to be permanent. If the sub-area was released, the new inner*

Green Belt boundary would not meet the NPPF definition. The new inner boundary would require strengthening."

- *"Overall, the sub-area performs strongly against NPPF purposes but makes a less important contribution to the wider Green Belt. If the sub-area is released, the new inner Green Belt boundary would meet the NPPF definition for readily recognisable and likely to be permanent boundaries. Recommended for further consideration with in isolation as RA-55 or in combination with SA-169a as RC-13."*

SA-170

- "The removal of the sub-area in isolation is likely to alter the performance of *the surrounding Green Belt by strengthening its role in preventing further sprawl of Hemel Hempstead and the coalescence of Hemel Hempstead with Redbourn."*
- *"In combination with either SA-169a, SA-171 or SA-172, the release of the subareas is likely to impact on the performance of the wider Green Belt by leading to the outward and irregular sprawl of Hemel Hempstead and by significantly reducing the gap between Hemel Hempstead and Redbourn."*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a, SA-169b, SA-171 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*
- *"Overall, the sub-area plays an important role with respect to the strategic land parcel, and its release in isolation or in combination would harm the performance of the wider Green Belt."*
- *"The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration."*

SA-171

- *"The sub-area forms almost the entire gap between Redbourn and Hemel Hempstead and prevents the creation of ribbon development between the two settlements. It is judged that development in the sub-area will lead to the perceptual merging of neighbouring built-up areas."*

- *"The removal of the sub-area in isolation would create a 'hole' in the Green Belt, introducing urbanising influences which would diminish the contribution of the surrounding Green Belt against purpose 3, and harming the integrity of the wider Green Belt. Its release in isolation is also likely to impact on the performance of the surrounding Green Belt by strengthening its role in preventing the further sprawl of Hemel Hempstead and its coalescence with Redbourn."*
- *"In combination with any of the sub-areas, their removal is likely to impact on the performance of the wider Green Belt. The release would lead to the significant sprawl of Hemel Hempstead, both in terms of settlement shape and in size, and its encroachment into the countryside. It would also lead to the perceptual merging of Hemel Hempstead and Redbourn, physically separated only by the M1."*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a,*

SA-169b, SA-170 and SA-172), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap

between Hemel Hempstead and both Redbourn and St Albans."

- *"The outer boundary of the sub-area is readily recognisable however the southern boundary is less likely to be permanent. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition. The new boundary would require strengthening."*
- *" The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration."*

SA-172

- *"The sub-area forms almost the entire gap between Redbourn and Hemel Hempstead, and has perceptual visual links to Redbourn. It is judged that development in this sub-area would lead to the physical and perceptual merging of neighbouring built-up areas."*
- *"Overall the sub-area has a strongly unspoilt rural character"*
- *"The sub-area performs an important role in preventing the outward sprawl of Hemel Hempstead and preventing encroachment into the countryside due to its unspoilt rural character. The sub-area plays a more important role in preventing the merging of settlements, forming the entire gap between Redbourn and Hemel Hempstead."*
- *"Its release would enclose the Green Belt in built form if it was released, and strengthen both its role in preventing the further unchecked sprawl of Hemel Hempstead and the coalescence of Hemel Hempstead and Redbourn. It would also introduce urbanising influences to the surrounding Belt Green and diminish the sense of openness in the countryside."*
- *"In combination with SA-170, the removal of the sub-area is likely to alter the performance of the wider Green Belt against purposes 1 and 2 as it would lead to significant sprawl of Hemel Hempstead, and a diminution of the gap between Hemel Hempstead and Redbourn."*
- *"In combination with other sub-areas in the wider cluster in which the subarea is located (i.e. SA-163, SA-164, SA-165, SA-166, SA-167, SA-168, SA-169a, SA-169b, SA-170 and SA-171), the removal of the sub-area would lead to large-scale unchecked sprawl of Hemel Hempstead, and significantly reduce the gap between Hemel Hempstead and both Redbourn and St Albans."*
- *"As it is located on the district boundary, the sub-area may be impacted by potential Green Belt releases in the neighbouring authority of Dacorum Borough Council. The Dacorum Borough Council Stage 2 Green Belt review and Landscape Appraisal Study (2016) identified sub-area HH-A1 to the west of the sub-area for further consideration. If Dacorum Borough Council decide to release Dacorum HH-A1 as part of their spatial strategy for their emerging Local Plan, the cumulative impact would need to be considered."*
- *"Overall, the sub-area plays an important role with respect to the strategic land parcel, and its release in isolation or in combination would harm the performance of the wider Green Belt."*

- *"The inner boundary of the sub-area is readily recognisable and likely to be permanent. The outer boundaries of the sub-area are readily recognisable but not necessarily permanent. If the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition. The new boundary would require strengthening."*
- *"The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration*."

Figure 11.1: Stage 2 GBR(2023) Figure 5.11 Overall performance against NPPF purposes

Figure 11.2: Stage 2 GBR (2023) Figure 5.15 Categorisation

Hemel Garden Communities Trajectory

11.5 Policy LG2 states that "*the Hemel Garden Communities programme will deliver at least 4,300 new homes by 2041 and 5,500 homes in total by 2050, delivering this through a network of new garden communities to the north east and east of the town within St Albans District".*

11.6 Paragraph 75 of the NPPF states that: *"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites".*

11.7 The Draft Local Plan fails to include a housing trajectory for specific sites (including those in the Hemel Garden Communities) so that consultees can comment on the potential timing of housing delivery and the need for supporting infrastructure that needs to be delivered in close coordination for each site. This makes it rather difficult to comment on any delivery assumptions for particular sites when the Council has not considered this even though it has selected the sites as allocations.

11.8 However, the Draft Local Plan does include a high level housing trajectory (Table 3.2) and we have analysed this due to a lack of more detailed information presented by SACDC.

11.9 Furthermore, we seriously question what the Housing Trajectory is not only for the HGC sites in St Albans District but for those in Dacorum – this is not set out in the Local Plan and is clearly a critical missing piece of information for the overall Local Plan.

11.10 As the Lichfields 'From Start to Finish' evidence (Editions 1 -3) and the Letwin Review (2018) highlight, the delays with the delivery of large development proposals should not be underestimated as there will be many aspects of the housing trajectory that are beyond the immediate control of a local planning authority. We provide an analysis of this below.

Development Lead in Times

11.11 The trajectory is particularly unrealistic in terms of when it assumes that housing delivery will commence at the Hemel Garden Communities. The first delivery year assumed is 2029/30 with 100 dwellings. This is in four years from now.

11.12 In the recently published *'Start to Finish – How quickly do large-scale housing sites deliver"* 3rd Edition, September 2024 (Lichfields) (see Appendix B of these representations) provides an update on important research on the delivery of strategic sites across England. Its findings are that for sites of 2,000 dwellings or more (like Hemel Garden Communities) that it takes between 4 and 7.9 years from the validation of the first planning application to the first dwelling being delivered (see Table below).

Figure 11.3: 'Start to Finish – How quickly do large-scale housing sites deliver" 3rd Edition, September 2024 (Lichfields)

11.13 The Report updates the previous report on the average time taken from gaining outline permission to the completion of the first dwelling on site (see below). This indicates that it takes on average around 3 to 4.6 years from the grant of outline planning permission to deliver the first dwelling. It concludes that at the time of its granting, an outline permission will deliver limited housing in a five-year period.

*Figure 11.4: 'Start to Finish – How quickly do large-scale housing sites deliver"*3rd Edition, September 2024 (Lichfields)

11.14 As Policy LG2 (Support to Transformation of Hemel Hempstead) states all development in the HGC Programme Area must follow a planned and coordinated approach to growth and infrastructure and is expected to be in accordance with:

- *Local Plan Infrastructure Delivery Plans (IDPs)*
- *Hemel Garden Communities Spatial Vision*
- *HGC Framework Plan evidence base*
- *HGC Concept Plan*
- *HGC Local Plan Policies,*
- *Supporting SPDs and Design Codes.*

11.15 It requires that "Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to secure a collaboration agreement which ensures an integrated and seamless approach across site boundaries. Critical infrastructure necessary to support development must be delivered ahead of occupation. Proposals must not prejudice or impede the provision of wider infrastructure required within the HGC Programme Area. Infrastructure, contributions and wider funding will be required to deliver on and offsite infrastructure, in accordance with the above documents."

11.16 Clearly the HGC is highly complex with many authorities and parties involved in the planning and delivery process. There is also rightly a commitment to working closely with the local communities as part of this process. All of this suggests that the

Lichfields research is very much a 'best case scenario' in relation to the HGC Broad Locations.

11.17 **So, we ask, what is SACDC's assumption about each of the proposed four Broad Locations at Hemel Garden Communities (H1, H2, H3, H4) in terms of the following:**

- When will the Design Codes and SPDs will be prepared and approved?
- When will the pre-application process take place including consultation and engagement with relevant consultees and stakeholders?
- When will the preparatory site works, to be informed by site-specific survey recommendations and monitoring before commencement take place?
- When will an outline application be submitted and approved for each Broad Location?
- When will a full application will be submitted and approved?
- When will reserved matters applications be submitted and approved?
- There is reference in Policy LG3 (Hemel Garden Communities Growth Areas Place Principles) to the potential need to use Compulsory Purchase Orders (CPO) powers to ensure infrastructure is provided in a timely manner. What are the time estimates made for this in the housing trajectory?
- When will the S106 for each parcel is expected to be agreed?
- When will the pre-commencement conditions for each parcel be agreed by SACDC?
- What are SACDC's assumptions for the opening up works required for each of the sites and combined?
- What infrastructure is required to be funded and / or delivered prior to commencement for each of the broad locations?

- What is the planning approval process and timing for each piece of infrastructure?
- When will conditions be discharged?

11.18 SACDC needs to answer these questions so that a realistic housing trajectory can be prepared as the current version will lead to a shortfall in housing in the District over the first five years upon adoption. As a result, the borough will be subject to planning appeals due to a lack of a five-year housing land supply. With the Local Plan still yet to be submitted to the Secretary of State there is still an opportunity for SACDC to allocate additional housing sites to ensure that the shortfall of anticipated delivery is addressed.

Figure 11.6: Timeline for the delivery of strategic housing sites – Start to Finish Lichfields (2024)

11.19 The additional and important benefit of this approach is that the SPDs and planning applications at Hemel are not 'rushed through' in hopes that the development will meet unrealistic commencement dates.

11.20 The report concludes that for schemes of 2,000+ dwellings the mean years from validation of the first planning application to the first dwelling being completed is 6.6 years.

11.21 Therefore, considering this research, RPC is concerned with the proposed housing trajectory, as it would not be realistic to rely on the Hemel Garden Communities development (over 4,300 dwellings) would deliver its first homes in year 6 since the adoption of the Local Plan.

Figure 11.5: Overall lead-in times for sites of 100 dwellings or more, including time taken for outline consent size by size. Source: Lichfields report 'Start to Finish' (2024).

11.22 Hemel Garden Communities is clearly a cross-boundary joint working project between SACDC, Dacorum, Herts County Council and others. The South West Hertfordshire Joint Strategic Plan is being prepared with Dacorum, Hertsmere, Three River and Watford Councils and there is no agreed timetable for taking this forward (as set out earlier in our representations). This complexity and cross-boundary working is likely to slow the process down even further so the assumptions above should be considered a 'best case' scenario.

Housing Delivery Rates

11.23 We also question the delivery rates in the housing trajectory based on the amount of infrastructure required at each phase which still remains unclear. Linked to this is the question about how the funding of infrastructure will work? Are the developers going to forward fund infrastructure costs?

11.24 The housing delivery rates have been updated in the Lichfields report which concludes that the build-out rates for schemes of 2,000 dwellings or more is 100 to 188 dpa using the lower and upper quartiles of their analysis. SACDC's housing trajectory assumes the following delivery rates by year for HGC which are clearly well in excess of what should be considered achievable delivery rates.

- 2029/30: 100
- 2030/31: 175
- 2031/32: 250
- 2032/33: 315
- 2033/34: 340
- 2034/35: 365
- 2035/36: 365
- 2036/37: 440
- 2037/38: 490
- 2038/39: 500
- 2039/40: 495
- 2040/41: 465

11.25 This equates to 4,300 dwellings over twelve years which is an average of 358 dwellings per annum. This takes no account of market or economic changes or the fact that there will be additional competing sites in the neighbouring authorities and settlements all building at the same time flooding the local market. The assumptions are simply unrealistic and are setting SACDC and its communities up for housing shortfall over the of the plan period.

11.26 This demonstrates that the Hemel Garden Communities sites cannot be delivered within the stated plan period of 2041 and would not make any meaningful contribution to the Council's housing needs for many years to come.

11.27 As highlighted, delivery will also rely on cooperation with adjoining authorities and liaison and negotiation with statutory consultees. Even the slightest delay in the start date will result in a slower performance, which is then likely to render the assumed delivery rates unachievable.

11.28 Overall, we consider that the preparation of a realistic housing trajectory is urgently needed, considering a more realistic start date and rate of delivery than the crude assumptions included in the Draft Local Plan.

11.29 The Council's poorly thought-out assumptions regarding housing delivery and an unrealistic housing trajectory result in the Draft Local Plan being currently unjustified and requiring much further evidence looking closely at what could realistically be viably delivered.

11.30 Policy LG2 also proposes 6,000 new jobs at an expanded Maylands Business Park. Clearly for the housing, employment, infrastructure to be planned and delivered in an integrated way, will indeed require very close coordination and alignment of resources.

Infrastructure Delivery

11.31 Policy LG2 states that:

"Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to secure a collaboration agreement which ensures an integrated and seamless approach across site boundaries. Critical infrastructure necessary to support development must be delivered ahead of occupation. Proposals must not prejudice or impede the provision of wider infrastructure required within the HGC Programme Area.."

11.32 These statements do not instill confidence that SACDC has an adequate grasp on what infrastructure is required to deliver the development is proposing at Hemel Hempstead through the Draft Local Plan, who will be responsible for delivering it, its timing and its cost. It is entirely unclear from this statement what infrastructure projects SACDC is seeking contributions.

Transport Infrastructure

11.33 In relation to 'transport infrastructure the IDP states (paragraph 9.1.6) that:

"One of the core principles of the Garden Community is to deliver transformative mobility improvements to achieve a significant shift towards active and sustainable modes of transport. Whilst a significant amount of baseline information has been collected to support the development of the sections below, there are a number of evolving transport studies and strategies that are not yet completed that will identify and evidence the transport interventions required to support behaviour change in a shift to sustainable modes. These will need to be incorporated into future iterations of this IDP."

11.34 The fact that the delivery of mobility improvements to achieve a significant shift towards active and sustainable modes of transport cannot be evidenced through the IDP due to a number of evolving transport studies and strategies being incomplete raises serious concerns about the deliverability of this infrastructure. To simply state that these will need to be incorporated into future iterations of the IDP provides no confidence that there is a sound transport infrastructure evidence base on which the plan is based.

11.35 The IDP provides an *"inexhaustive list of planned highways infrastructure projects, as included in the St Albans IDP Infrastructure Schedule, of most relevance to the Hemel Garden Communities"*. It then provides two bullet points which are:

- M1 junction 8 enhancement (Phases 1 to 3)
- Access enhancements to support development at Hemel Garden Communities

11.36 This is clearly not sufficient information. We sought clarification on the highways infrastructure in the IDS however the information appears to be incomplete and it is very difficult to ascertain using the IDS spreadsheet which is not at all 'user friendly'.

11.37 Reference 141 of the IDS is for Highways Access to support development at East Hemel which includes transport measures as part of M1 J8 Enhancements:

Figure 11.6: IDS Reference 141

11.38 Yet when looking for the estimated costs there is no estimation despite it being a Critical piece of transport infrastructure. Furthermore, the time period for its delivery is stated as 2025 – 2041. That is a very wide period of time which indicates that SACDC simply does not know the cost or when it is likely to be delivered let alone what development will trigger its necessity for delivery.

Figure 11.7: IDS Reference 141

11.39 There are many other examples of this in the IDS which do not need to be highlighted as there is clearly a fundamental issue with the IDP and IDS in that they lack the required information to demonstrate the allocations are sound and deliverable. Based on the current information available there is nothing to suggest that the infrastructure to support the growth at Hemel is sound or deliverable.

Rail Services

11.40 The IDP states at Page 188 that:

"The proposed expansion of Hemel Hempstead is likely to have an impact on the nearby railway stations (Hemel Hempstead station and Apsley station) and the need to improve and expand station facilities, as necessary, to reflect increased demand for rail services has been raised in the engagement as a concern."

11.41 *"Further details are not yet developed as to exactly what new or improved infrastructure is required to facilitate this increased demand".* Again, a key piece of required infrastructure has no evidence on what is needed or its cost etc.

Bus Services

11.42 The IDP explains at Page 189 that:

"Initial investigations undertaken with developers suggest that new bus routes could be introduced, and existing routes expanded to link the HGC developments with both Hemel Hempstead (including the train station, which will provide further, regional public transport connectivity) and St Albans City".

11.43 "Initial investigations" are not sufficient to justify the proposed allocations and evidence deliverability and soundness.

Walking and Cycling Infrastructure

11.44 Whilst it is important that there is sustainable and safe walking and cycling infrastructure delivered as part of the allocations there is quite a contrast in the level of detail provided in the IDP and IDS for these schemes compared to the strategic transport requirements. It is helpful to

have this detailed level of costings and projects for walking and cycling infrastructure however it is currently very much an 'incomplete picture' of the full range of strategic transport measures required and how, when by whom and their cost.

Physical Infrastructure
Potable Water

11.45 Paragraph 9.2.1 of the IDP explains that there is no modelling yet for the possibility

that a new water supply network might be required for HGC and that there could be cross boundary issues with the supply of potable water. This does not appear to be covered in the IDS.

"It is possible that new water supply network infrastructure will be required when connecting large allocations like Hemel Garden Communities. However, this will be modelled as sites are brought forward by developers. During stakeholder engagement in May 2023, Affinity Water suggested that the pressure due to development at Hemel Hempstead will be increased by the growth in bordering local authorities. Cross-local authority boundary sites are most likely to encounter issues when connecting to the supply and timing and phasing of how these sites are brought forward should be aligned and considered when applying to Affinity Water for connection to the supply network."

Waste Water

11.46 The IDP explains (paragraph 9.2.2) that:

"The strategic upgrades to wastewater treatment works outlined in Section 8.1.2 will also apply to Hemel Garden Communities. Consequently, as indicated during stakeholder engagement with Thames Water, Hemel Garden Communities is not likely to cause significant issues on the wastewater network and therefore capacity is expected to be available to support the growth.

"Similar to potable water, because the preferred growth scenario includes significant greenfield urban extension proposed allocations it is likely that these will need new infrastructure in order to connect to the network. However, this is determined on a site by site basis, and therefore it is important that applications for new infrastructure are provided sufficiently in advance for Thames Water to be able to provide necessary upgrades"

11.47 However, when one reads Section 8.1.2 as referred to by the consultants there is nothing in that section that specifically refers to the growth planned for HGC. Saying that new infrastructure is likely to be needed for 'significant greenfield urban extensions' and that the infrastructure will be determined on a site-by-site basis is setting up the Plan for failure. There needs to be an assessment of what the wastewater requirements are for the whole of the HGC and a plan for how it will be met, how much it is who will pay for it, where it will be located and when it will be needed.

Energy (Gas and Electric)

11.48 The IDP states (aragraph 9.2.3) that:

"Currently, there are no reported infrastructure capacity issues within the Hemel Garden Communities, according to information published by UK Power Networks and Cadent. However, Cadent has indicated that a new intermediate pressure regulator will be necessary if there is a surge in residential demand"

11.49 It is concerning that the IDP and IDS has not considered the utilities required at Hemel Garden Communities as this is clearly a very key consideration for the area given the presence of the Buncefield Oil Storage Depot, the BPA Gas Pipeline that runs north and south through the site, and the on-site Overhead Electricity Transmission Lines and the new utility infrastructure (including Wastewater Infrastructure) that is required.

11.50 As one can see from the mapping below, there is significant utility infrastructure located east of Hemel Hempstead and around Redbourn (including west of Redbourn). Nowhere in the Local Plan or in the evidence base does it explain how the existing utility infrastructure is going to

be addressed as part of the proposals despite this being a clear strategic matter that should be considered a potential 'showstopper' to development proposals at Hemel Hempstead and Redbourn. This includes:

- National Grid Sundon-Elstree (400kv) pylons and line running north to southeast of Hemel Hempstead.
- Elstree – Sundon (132kv) pylons running north to south and east to west including to the east of the M1 (west of Redbourn).
- Buncefield Oil Terminal.
- Epping to Buncefield Oil Pipeline located east of Hemel Hempstead looping around the settlement to the north and west.
- Finaline (Killingholme – Buncefield) located north of Redbourn, running along the western edge of Redbourn, continuing south until crossing the M1 to Buncefield Oil Terminal.

Figure 11.8: Electric Transmission Lines east of Hemel Hempstead and at Redbourn Source https://openinframap.org/#12.99/51.76249/-0.39699

Figure 11.9:: Oil and Gas Pipelines at Hemel Hempstead and Redbourn Source: https://openinframap.org/#12.99/51.76249/-0.39699

Viability

11.51 It is currently unclear how the Local Plan Policies, the IDP / IDS and the Local Plan Viability Assessment (September 2024) relate to one another. The information contained in each of these documents is not clearly set out anywhere for each allocation at HGC in terms of the infrastructure requirements, their costs, when it is necessary, and who will be delivering it.

11.52 For example, the Viability report Strategic Sites Testing for East Hemel (North) includes the following assumptions for S106 contributions:

Figure 11.10: Strategic Sites Testing Table 3.2.14.1: Section 106 contributions

11.53 However, when one attempts to reconcile these figures in the IDP / IDS it is not possible to do so.

11.54 It is unclear in the viability evidence how cross-boundary infrastructure is being calculated. When one reviews the Hemel Garden Communities Delivery Statement (September 2024) there are a range of cross boundary schemes that are 'key transformational projects' (see below). How are these being treated in the viability evidence base?

Figure 11.11: Transformational projects Hemel Garden Communities (HGC) Delivery Statement (September 2024)

11.55 The Local Plan states that

"The Spatial Vision for Hemel Garden Communities sets out the scope for transformation across the town, as well as providing a sustainable approach for growth, in accordance with the Town and Country Planning Association (TCPA) Garden City Principles"[11]

11.56 We question how the TCPA Garden City Principles are taken into account in the viability evidence. For example:

- Land value capture for the benefit of the community
- Community ownership of land and long-term stewardship of assets

11.57 Furthermore, we are unclear as to how the viability evidence has taken account of all the requirements of the Local Plan Policies including Policy LG3 (Hemel Garden Communities Growth Area Place Principles). This policy includes a number of requirements for the developers and it is unclear how these have been costed.

11.58 Policy LG6 (Green Belt Compensatory Improvements) requires that the allocations in the Local where Green Belt boundaries are changed that 'proportionate' compensation is required. What assumptions have been made about this in the viability evidence base as this is clearly a costly requirement for Green Belt release allocations particularly that at Hemel.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given that the two proposed Broad Locations at North Hemel Hempstead and East Hemel Hempstead (North) have not been recommended to be taken forward for further consideration SACDC and the Local Plan should not be proposing these areas for Green Belt release. **This should effectively remove these two Broad Locations along with their development assumptions which principally consist of a total of 3,100 dwellings.**

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf
2. APPEND~2.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

12 Policy LG3 (Hemel Garden Communities Growth

Areas Place Principles)

12.1 We are supportive of the need for development to conform to Place Principles for Hemel Garden Communities and consider that these do need to be set out in Policy. However, it is critical that the principles are not simply a 'wish list' of generic statements and that the Principles are place specific and that they are viable and deliverable.

12.2 Whilst we clearly would like to see the quality development that would result from planning and delivering development in line with Garden City Principles we would expect SACDC to carefully consider this in more detail and how deliverable they are.

12.3 The Inspectors of the Uttlesford Local Plan – which proposed multiple new garden settlements and stated that the new settlements would need to be developed in line with 'garden city principles' found that there were no mechanisms in place to ensure that the garden city principles could and would be delivered by the developers. They stated in their letter: *"Without assurances that the necessary mechanisms outside the plan would be put in place, we cannot be content in principle that the new proposed settlements would be true Garden Communities, or that the plan's stated vision for these new settlements would be met. This is a serious concern."*[12]. We have the same concerns for the St Albans Draft Local Plan in respect of the purported application of 'Place Principles' with no concrete mechanisms for actually delivering development in this way and no evidence to justify it.

12.4 We note that one of the principles is to "*Minimise the impact on the surrounding landscape setting and delivery of an average of 40 net dwellings per hectare".* We consider this to be unjustified and applying an 'average housing density' across the whole of the HGC could lead to adverse landscape impacts in areas where a much lower density is required. Using an 'average density' could be misinterpreted by developers and lead to inappropriate densities and over development.

Reference:

[12] Uttlesford Local Plan Inspectors' Letter (10th January 2020)

https://uttlesford.moderngov.co.uk/documents/s17756/Appendix%201%20-%20Inspectors%20Letter.pdf

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst we clearly would like to see the quality development that would result from planning and delivering development in line with Garden City Principles we would expect SACDC to carefully consider this in more detail and how deliverable they are.

We have the same concerns for the St Albans Draft Local Plan in respect of the purported application of 'Place Principles' with no concrete mechanisms for actually delivering development in this way and no evidence to justify it.

We note that one of the principles is to "*Minimise the impact on the surrounding landscape setting and delivery of an average of 40 net dwellings per hectare".* We consider this to be unjustified and applying an 'average housing density' across the whole of the HGC could lead to adverse landscape impacts in areas where a much lower density is required. Using an 'average density' could be misinterpreted by developers and lead to inappropriate densities and over development

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

LG5 - Green Belt

Comment Number: 33

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

18 Policy LG5 (Green Belt)

18.1 The Green Belt is an active contributor of ecosystem services in the region, therefore the wording of the policy text, a) ii) should not "promote" healthy ecosystem services, but should "provide and promote" healthy ecosystem services.

18.2 We question part b) of this policy. It seems to be attempting to open the door for 'New state schools' in the Green Belt and we do not see where this is supported in the NPPF. It also includes "The creation of new transport infrastructure" in the Green Belt yet the wording in the NPPF is in relation to "local transport infrastructure which can demonstrate a requirement for a Green Belt location" and is only 'not inappropriate' in the Green Belt provided that it preserves its openness and does not conflict with the purposes of including land within it.

18.3 **Policy LG5 is not consistent with national planning policy for the reasons explained above, therefore it an unsound policy**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The wording of the policy text, a) ii) should not "promote" healthy ecosystem services, but should "provide and promote" healthy ecosystem services.

We question part b) of this policy. It seems to be attempting to open the door for 'New state schools' in the Green Belt and we do not see where this is supported in the NPPF. It also includes "The creation of new transport infrastructure" in the Green Belt yet the wording in the NPPF is in relation to "local transport infrastructure which can demonstrate a requirement for a Green Belt location" and is only 'not inappropriate' in the Green Belt provided that it preserves its openness and does not conflict with the purposes of including land within it.

Policy LG5 is not consistent with national planning policy for the reasons explained above, therefore it an unsound policy.

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Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

LG6 - Green Belt Compensatory Improvements

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy LG6 (Green Belt Compensatory Improvements) requires that the allocations in the Local where Green Belt boundaries are changed that 'proportionate' compensation is required. What assumptions have been made about this in the viability evidence base as this is clearly a costly requirement for Green Belt release allocations particularly that at Hemel.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

What assumptions have been made about Green Belt Compensation in the viability evidence base as this is clearly a costly requirement for Green Belt release allocations particularly at Hemel.

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* Yes, I wish to participate in hearing session(s)

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Strategic Policy SP4 - Housing

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

14.1 Strategic Policy SP4 should clearly set out the amount of housing to be delivered over the plan period by tenure yet it is a very generic policy that is not effective and unjustified as it is not supported by sufficient evidence as currently worded.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Strategic Policy SP4 should clearly set out the amount of housing to be delivered over the plan period by tenure yet it is a very generic policy that is not effective and unjustified as it is not supported by sufficient evidence as currently worded.

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Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

HOU1 - Housing Mix

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

14.2 We have reviewed the published South West Herts Local Housing Needs Assessment Update (March 2024) and we have concerns with the housing policies that we explain below.

Policy HOU1

14.3 Policy HOU1 states that new residential developments should provide a) a mix of dwelling types and sizes to meet the needs of current and future households. Unfortunately, this wording is not clear or specific enough, and it is only developed into a specific mix requirement in point b) of the policy, but it limits its application to developments of 10 and more dwellings.

14.4 In light of the above, we consider Policy HOU1 not being adequately worded where it refers to housing mix for developments of less than 10 dwellings, as it fails to require a specific mix that would contribute towards providing small and medium size homes. The supporting text of the

policy acknowledges that St Albans District has a high proportion of large dwellings in its housing stock (paragraph 4.4), but regardless of this, policy HOU1 does not require any specific housing mix for small sites (less than 10 dwellings). The Draft Local Plan allocates development in SACDC for at least 190 dwellings which would fall within sites of less than 10 dwellings each, therefore the Council is missing the opportunity to correct the district's housing mix in 190 cases through its allocations only, to which one would have to add all small windfall sites that would be brought forward in the plan period.

14.5 It is worth to mention that the South West Herts Local Housing Needs Assessment Update Report is the only housing need assessment evidence provided by the Council. This report recommends a mix of homes for the whole South West Hertfordshire area, not making district-specific recommendations in terms of housing mix for St Albans.

14.6 The latest mix (Reg. 19 Draft Local Plan) has been amended from the previously proposed mix (Reg.18), and the proposed mix departs now further from the recommended mix in the table below. The Council has not provided any additional St Albans's district specific evidence that would inform this change in the mix and has not justified the change in the supporting text.

Figure 14.1: South West Hertfordshire recommended housing mix. South West Herts Local Housing Needs Assessment Update Report (March 2024).

14.7 In this regard, RPC considers that policy HOU1 is not being effective in addressing the housing mix need, raised by Council in their own evidence and supporting text of the policy, by not providing a housing mix that responds to the actual demand in terms of the size of homes, as it only requires a specific housing mix to developments of 10 dwellings and more. This would lead to a significant amount of development outside of the application of policy HOU1, with no justification or evidence to demonstrate the rationale for missing this. There are precedents elsewhere in the country where housing mix requirements in terms of size of homes applies to all new development proposals, proportionately, regardless of the scale of the development.

14.8 For the above reasons, due to the **lack of effectiveness and the insufficient justification and evidence to support the proposed policy text, RPC considers this policy to be unsound**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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14.8 For the above reasons, due to the **lack of effectiveness and the insufficient justification and evidence to support the proposed policy text, RPC considers this policy to be unsound**.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

HOU2 - Affordable Housing

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy HOU2

14.9 Policy HOU2 relates to affordable housing requirements and similarly to policy HOU1, we consider it to be ineffective due to the lack of a specific affordable housing requirement to development proposals below 10 dwellings.

14.10 There are 31 sites allocated for residential development in the Draft Local Plan for less than 10 dwellings. This means that the Council is purposedly not requiring affordable housing contributions to these 31 future development proposals, which could easily deliver affordable housing proportionately to remain viable. Other development plans in the country require specific

affordable housing contributions to smaller sites, in a proportionate manner and with reduced requirements from the general 40% on-site affordable housing provision. However, SACDC has not explored this option.

14.11 St Albans District has the highest affordable housing need in South West Hertfordshire (see table below) but the SACDC has decided not to require affordable housing contributions from developments under 10 dwellings. This is not just unfortunate as there are 31 allocated sites that could potentially contribute towards affordable housing, (together with windfall sites), but also because these smaller sites are usually infill sites. These are usually located in more sustainable and accessible locations that contribute towards the affordability of residents by having access to services, facilities, employment and public transport nearby, rather than being located on the edge of settlements where there is a higher dependency on car use.

14.12 It is also worth to mention that the affordable housing policy HOU2 does not set out a minimum amount of affordable housing to be provided during the plan period. There is no target informed by affordable housing need, and therefore it is not clear how the Council has arrived at the conclusion that policy HOU2 will be adequate to deliver the necessary affordable housing to meet the need. In this case of lack of evidence and transparency, we are of the view that **policy HOU2 is not based on sufficient evidence and lacks justification as currently worded. Furthermore, this policy is inefficient in delivering the affordable housing to meet the need. For the above reasons we consider policy HOU2 to be unsound.**

Figure 14.2: Table 7.53 of the South West Herts Local Housing Needs Assessment Update Report (March 2024).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy HOU2 relates to affordable housing requirements and similarly to policy HOU1, we consider it to be ineffective due to the lack of a specific affordable housing requirement to development proposals below 10 dwellings.

It is also worth to mention that the affordable housing policy HOU2 does not set out a minimum amount of affordable housing to be provided during the plan period. There is no target informed by affordable housing need, and therefore it is not clear how the Council has arrived at the conclusion that policy HOU2 will be adequate to deliver the necessary affordable housing to meet the need. In this case of lack of evidence and transparency, we are of the view that **policy HOU2 is not based on sufficient evidence and lacks justification as currently worded. Furthermore, this policy is inefficient in delivering the affordable housing to meet the need. For the above reasons we consider policy HOU2 to be unsound.**

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HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy HOU6 (including Gypsy and Travellers)

14.13 The supporting text to Policy HOU6 states: "Evidence shows that there are future accommodation needs of Gypsies and Travellers over the Plan period. The Plan therefore provides additional accommodation opportunities [...]". However, the supporting text and the Policy does not explain what evidence is being referred to and it does not state what the actual need is for Gypsies and Travellers and the need for Travelling Showpeople. The Policy states that the Council to provide for the accommodation needs of Gypsies and Travellers and Travelling Showpeople the Council will:

"a) Consider proposals for new accommodation with regard to the potential and suitability of the following:

1. *New sites as part of Broad Locations for development that should accommodate a maximum of 20 pitches (each pitch being designed to accommodate 1 family / household);*
2. *Reconfiguring or extending existing sites; and*
3. *Sites with temporary permissions."*

14.14 It appears from this Policy that SACDC is not identifying sites and seeks to rely on a criteria-based policy. However, this criteria-based policy is not effective and not justified. Firstly, it does not set out a specific prioritisation of what constitutes the most suitable site: are new sites the priority over existing sites? Are new Broad Locations the Council's priority to deliver new sites? Is the extension of existing sites a priority? And temporary permissions? In the case that the Council's priority is the order of the three points (i, ii, and iii), which is not clear in the policy text, is the priority for Broad Locations first when there may be suitable extensions of existing sites or sites with temporary permission? What is the justification for this?

14.15 The Policy then goes on to state: *"Based on a variety of factors including proximity to the road network most used by Gypsies and Travellers; development site scale; area topography and landscaping opportunities; and the wide range of uses to be provided in the Broad Locations for development; require provision of the following new sites will be required:*

East Hemel Hempstead (South) Broad Location - one 15-20 pitch site
East Hemel Hempstead (Central) Broad Location - one 15-20 pitch site"

14.16 It appears from this section of the Policy that SACDC is attempting to concentrate all of the Gypsy, Traveller and Showpeople provision East of Hemel Hempstead. This would lead to even further concentration of sites already in the area including the existing site at Tullochside Farm, which is between Hemel Hempstead and Redbourn. The suggestion that up to 40 pitches could be delivered at East Hemel Hempstead would be close to the existing Three Cherry Trees travellers' site in Dacorum.

14.17 It is important to note that the Regulation 19 Dacorum Local Plan also proposes 8 additional pitches at North Hemel (see paragraph 3.26 and Strategic Policy H5 - The Travelling Community below) :

"However, more pitches are required to meet the need in full. Therefore, we have identified an additional site within the larger housing allocation at North Hemel for 8 pitches. This will be close to existing and newly emerging services and facilities, and is better placed to meet the needs arising locally from the Three Cherry Trees Lane site". (paragraph 3.26)

Figure 14.3 Dacorum Regulation 19 Local Plan Policy H5 – The Travelling Community

14.18 This will clearly lead to an over concentration of new sites and pitches for Gypsies and Travellers without demonstration that this strategic location is in proximity to future needs.

14.19 As we establish in these representations, the delivery of Hemel Hempstead related development is likely to take much longer than the Draft Local Plan assumes. Therefore, seeking to locate the need at East Hemel Hempstead may not meet the need when it is required. SACDC should consider other locations for meeting the needs of the district.

14.20 For the reasons raised above, RPC considers policy HOU6 to be **unsound as it would not be effective, it is not positively prepared and justified.**

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As we establish in these representations, the delivery of Hemel Hempstead related development is likely to take much longer than the Draft Local Plan assumes. Therefore, seeking to locate the need at East Hemel Hempstead may not meet the need when it is required. SACDC should consider other locations for meeting the needs of the district.

For the reasons raised above, RPC considers policy HOU6 to be **unsound as it would not be effective, it is not positively prepared and justified.**

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1. REDBOU~4.pdf

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Chapter 5 - Economy and Employment

Comment Number: 16

Type:

* Policy

Number:

South West Herts Economic Study (2024)

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

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Refer to Attached submission letter for whole response and figures.

South West Herts Economic Study (2024)

15.1 The South West Herts Economic Study (2024) is the key strategic evidence base for employment in the District and wider sub region.

15.2 Its findings are that the office market may not recover to reach 'a new normal' where demand for office space begins to increase again. It explains that:

"This does not mean there will be no demand for offices. The study shows there is still demand for smaller offices, and particularly high quality offices in the main office markets of Central Watford and St Albans. However this is unlikely to be enough to offset the fall in demand for large floorplates".

15.3 Therefore, there is effectively no strategic demand for new office space / land.

15.4 However, the picture is different for industrial and storage with the following two scenarios:

"In Scenario 1, 53% of Radlett SRFI contributes to South West Herts' needs. This is considered a reasonable assumption on the basis of the evidence available to the study. ***The result is a land requirement of 35.4 Ha over the 2021-41 period****.*

In Scenario 2, Radlett SRFI makes a smaller contribution (24% of site) to meeting South West Herts needs. This is considered to be a more cautious approach which does not fully reflect drivers of demand for such sites and premises in South West Herts. The additional land requirement for industrial uses is estimated at ***59.5 ha to 2041, and a further 58.9 ha between 2041 and 2050."***

15.5 It concludes that:

"For industrial, storage and distribution uses, Scenario 1 indicates that South West Herts has no shortfall of land, with the additional land requirement of 35.4 Ha lower than the available supply of 50.4 Ha identified in the study.

In Scenario 2, the need for 59.5 Ha of land for industrial and storage & distribution development by 2041 overall implies that South West Herts has a shortfall of allocated land which is of sufficient quality to meet the level of need identified in this report. Over the period to 2041, the shortfall is around 9 Ha."

15.6 The key element of this land supply is at East Hemel Hempstead (Central) with a site of **52.7 hectares** which makes up a very sizeable proportion of the overall supply in the sub region for the next 15+ years. The Study highlights the challenge and potential of this concentration of employment to not meet the NPPF's requirements for positive plan-making which encourages economic growth. RPC shares this concern that all the employment opportunities for the next 15 years are very much concentrated. In terms of the East Hemel (Central) site this issue makes the transportation issues even more severe and pressing in terms of the need to deliver the necessary infrastructure for sustainable travel as well as road infrastructure for commuters.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

8. **Strategic Policy SP5 – Employment and the Local Economy**

15.7 The Policy states that these employment locations will provide "*an agreed oversupply for St Albans District's own needs, the excess will assist Dacorum Borough and potentially other South West Herts local authorities in meeting some of their employment requirements*". There is no logic to the Draft Local Plan including more employment land than is required when SACDC has stated that it cannot meet its own housing needs without releasing Green Belt. Surely any 'surplus' employment land should instead be used for housing - particularly where it is previously developed land. It is also worth noting that whilst the Council's intention is to support other authorities with an overprovision of employment land, there is no indication of any agreement with neighbouring authorities on this regard. A Statement of Common Ground (absent) should explain whether other authorities agree that they cannot meet their own need within their boundaries and agreeing for SACDC to provide land to compensate for this. As we explained in these representations, SACDC has failed to discharge their duty to cooperate and therefore we cannot agree that this approach for excess employment land is acceptable.

15.8 The Draft Local Plan does not actually state what its objectively assessed employment needs are nor does it state the amount it considers to be 'surplus' to requirements.

15.9 Strategic Policy SP5 (and the supporting text) fails to explain or include the number of jobs being planned in the District.

15.10 The proposed strategy to deliver all of the new employment in two strategic locations seems short-sighted compared to distributing employment across the District which will create more sustainable working patterns, enable more of the District's residents to work locally due to having a greater balance between housing and jobs across the District's settlements.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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The Draft Local Plan does not actually state what its objectively assessed employment needs are nor does it state the amount it considers to be 'surplus' to requirements.

Strategic Policy SP5 (and the supporting text) fails to explain or include the number of jobs being planned in the District.

The proposed strategy to deliver all of the new employment in two strategic locations seems short-sighted compared to distributing employment across the District which will create more sustainable working patterns, enable more of the District's residents to work locally due to having a greater balance between housing and jobs across the District's settlements.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

Strategic Policy SP8 - Transport Strategy

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

16 Transport

16.1 The Transport evidence and policies do not provide a clear overall multimodal transport strategy for the Plan Area, the individual settlements and HGC. Furthermore, there is no clear strategy for cross boundary transportation infrastructure.

16.2 As we have pointed out in our representations in response to the Infrastructure Delivery Plan (IDP) and Infrastructure Delivery Schedule (IDS) the Draft Local Plan is not backed by sound transport evidence and we provide detailed comment on HGC in relation to the IDP/IDS in response to the HDC Policies.

16.3 SACDC has published a Transport Impact Assessment (TIA) which appears to the SACDC's key evidence base document to justify the Local Plan and its growth. The TIA appears to use two pieces of transport evidence as the foundation to the Local Plan's 'transport strategy'. These are:

- COMET Model; and
- St Albans Modal Shift Study

16.4 The COMET Model develops 4 options with the 3 key options set out below in Page 14 of the Study.

Refer to attachment for figure

16.5 *A summary of the results of the impact on the District are set out below:*

Refer to attachment for figure

16.6 It then concludes that:

"Overall, in Option 2 and 3 the highway network operates satisfactory however there are parts of the highway network which experience increases in delays, on links and junctions, of over 2 minutes in Option 2 and 3 compared to Option 1. However, it is envisaged that these impacts could be mitigated against subject to further investigation".

16.7 How is SACDC further investigating these impacts and their mitigation? It appears that there is a missing piece of evidence that delves much deeper into the impacts and their potential solutions.

16.8 The Report concludes that:

"*There are critical pieces of infrastructure that are needed to support key developments, such as the A414/ Green Lane junction improvement close to the East Hemel site. These are needed to improve congestion and delays and to prevent traffic diverting to less suitable roads in the area. It is also necessary to close some minor roads to through traffic in the East Hemel and north of St Albans area to prevent unsuitable volumes of traffic using narrow minor roads such as Punchbowl Lane, Hogg End Lane, Sandridgebury Lane and Valley Road.*

"There are increases in traffic flow on the Strategic Road Network as a result of the Local Plan proposals. The key percentage increases which occur are on slip roads to access the SRN whereas percentages increases on the main carriage way remain within -/+ 10%. There are increases in delay at some access points onto the SRN further investigation could be considered alongside potential mitigation measures to look to reduce delays."

16.9 These 'critical pieces of infrastructure' that are needed at the East Hemel site include the junction improvement to the A414/Green Lane junction however this is by no means an exhaustive list of all the improvements that will be required at Hemel. There needs to be a much more definitive list of the required mitigation measures that are being proposed, their costs, timing, trigger points etc.

16.10 Appendix D of the Report is the 'Opportunity to Shift Modes Report'. Whilst RPC appreciates that modal shift away from the car to walking cycling and public transport is certainly the aim and should be prioritized, there is a need for some realism to be brought into the picture about existing and future populations and their likelihood to switch their travel modes. The key element to this is the type of sustainable infrastructure that is being proposed as part of the Local Plan Strategy. Just because a site is within a certain distance to public transport or services, it does not mean that the route is safe or comfortable enough for it to be used.

16.11 The main requirements of cycling infrastructure are issued by the Dutch institute of traffic design (CROW), which is the basis for the UK Guidance Cycle Infrastructure Design (LTN 1/20).

Safe: The safety of the trail for traffic is crucial. This involves evaluating how different types of transport users are mixed on the trail and assessing the safety of intersections. The minimum requirement for a safe intersection includes the presence of a median, allowing people to cross a busy road in phases. A grade-separated intersection is a safer and more appealing option, though it comes with a higher cost.

Comfortable: The route must provide comfort for all users. Factors such as potential stops at intersections, the quality of the surface, obstacles along the way, and noise levels are considered to ensure a pleasant experience.

Attractive: The attractiveness of the route plays a key role in its usability. This includes evaluating whether the route runs parallel to major roads or passes through greener, more scenic environments.

Direct: The route should offer a direct connection between points, minimizing both travel distance and travel time. This can be achieved, for example, by avoiding busy intersections. The deviation factor is considered here, which is the ratio of the actual cycling route distance compared to the straight-line distance.

Coherent: The cycling network should be logical and provide good connectivity to various destinations. It is important that the network integrates well with other routes, ensuring a seamless connection for cyclists travelling through different areas.

16.12 As overarching strategy, we suggest that solutions for HGC, Redbourn and the District should focus on delivering on these requirements for the new and existing development of the area.

16.13 It is concerning that the Local Plan appears to be reliant on a minimum of a 10% modal shift with no fallback position should people's behaviour not realise this assumption and / or the sustainable infrastructure is not delivered.

16.14 The Local Plan appears to be heavily reliant on the HGC Transport & Vision Strategy for the growth at Hemel. It states the following in the TIA:

Refer to attachment for figure

16.15 Again, it is concerning that it states that "*further transport work, including a transport implementation plan, will be undertaken before, during and after Local Plan Examination"*

16.16 The HGC Transport & Vision Strategy includes an HGC Programme Area Map which has a very extensive 'Area of Influence' which is not surprising given the impact the new growth that Hemel will have on the sub region (and likely wider). **Given that the Strategy still requires a lot of transport work we question how the St Albans Local Plan can really progress without this further evidence given that it will clearly have influence over a considerable proportion of the District?**

Figure 16.1: HGC Programme Area Map

16.17 Clearly, the 'Major Transport Schemes' set out in Policy TRA2 are subject to any future transport modelling so the list of major schemes could very well change and increase in terms of requirements.

16.18 As we have set out in the IDP section, the transport projects in the IDP are lacking any substantive detail including project details, timing / phasing and do not have cost estimates and do not have secured funding.

16.19 Chapter 8 (Transport) is virtually silent on any improvements to local bus services. As we set out in our representations, Redbourn does not have a railway station so is completely reliant on local bus services for its public transportation and the existing service is not adequate – planning nearly 700 additional dwellings in Redbourn, without proper investment in the bus service, will leave no viable choice other than driving a car.

16.20 Policy TRA2 states that the Council will support the delivery of Improvements to Walking and Cycle Infrastructure as identified in the LCWIP. The LCWIP is limited to St Albans City and Harpenden with a future version covering the other settlements including Redbourn.

...

11 Policy LG2 (Support for Transformation of Hemel Hempstead)

...

Transport Infrastructure

11.33 In relation to 'transport infrastructure the IDP states (paragraph 9.1.6) that:

"One of the core principles of the Garden Community is to deliver transformative mobility improvements to achieve a significant shift towards active and sustainable modes of transport. Whilst a significant amount of baseline information has been collected to support the development of the sections below, there are a number of evolving transport studies and strategies that are not yet completed that will identify and evidence the transport interventions required to support behaviour change in a shift to sustainable modes. These will need to be incorporated into future iterations of this IDP."

11.34 The fact that the delivery of mobility improvements to achieve a significant shift towards active and sustainable modes of transport cannot be evidenced through the IDP due to a number of evolving transport studies and strategies being incomplete raises serious concerns about the deliverability of this infrastructure. To simply state that these will need to be incorporated into future iterations of the IDP provides no confidence that there is a sound transport infrastructure evidence base on which the plan is based.

11.35 The IDP provides an *"inexhaustive list of planned highways infrastructure projects, as included in the St Albans IDP Infrastructure Schedule, of most relevance to the Hemel Garden Communities"*. It then provides two bullet points which are:

- M1 junction 8 enhancement (Phases 1 to 3)
- Access enhancements to support development at Hemel Garden Communities

11.36 This is clearly not sufficient information. We sought clarification on the highways infrastructure in the IDS however the information appears to be incomplete and it is very difficult to ascertain using the IDS spreadsheet which is not at all 'user friendly'.

11.37 Reference 141 of the IDS is for Highways Access to support development at East Hemel which includes transport measures as part of M1 J8 Enhancements:

Figure 11.6: IDS Reference 141

11.38 Yet when looking for the estimated costs there is no estimation despite it being a Critical piece of transport infrastructure. Furthermore, the time period for its delivery is stated as 2025 – 2041. That is a very wide period of time which indicates that SACDC simply does not know the cost or when it is likely to be delivered let alone what development will trigger its necessity for delivery.

Figure 11.7: IDS Reference 141

11.39 There are many other examples of this in the IDS which do not need to be highlighted as there is clearly a fundamental issue with the IDP and IDS in that they lack the required information to demonstrate the allocations are sound and deliverable. Based on the current information available there is nothing to suggest that the infrastructure to support the growth at Hemel is sound or deliverable.

Rail Services

11.40 The IDP states at Page 188 that:

"The proposed expansion of Hemel Hempstead is likely to have an impact on the nearby railway stations (Hemel Hempstead station and Apsley station) and the need to improve and expand station facilities, as necessary, to reflect increased demand for rail services has been raised in the engagement as a concern."

11.41 *"Further details are not yet developed as to exactly what new or improved infrastructure is required to facilitate this increased demand".* Again, a key piece of required infrastructure has no evidence on what is needed or its cost etc.

Bus Services

11.42 The IDP explains at Page 189 that:

"Initial investigations undertaken with developers suggest that new bus routes could be introduced, and existing routes expanded to link the HGC developments with both Hemel Hempstead (including the train station, which will provide further, regional public transport connectivity) and St Albans City".

11.43 "Initial investigations" are not sufficient to justify the proposed allocations and evidence deliverability and soundness.

Walking and Cycling Infrastructure

11.44 Whilst it is important that there is sustainable and safe walking and cycling infrastructure delivered as part of the allocations there is quite a contrast in the level of detail provided in the IDP and IDS for these schemes compared to the strategic transport requirements. It is helpful to have this detailed level of costings and projects for walking and cycling infrastructure however it is currently very much an 'incomplete picture' of the full range of strategic transport measures required and how, when by whom and their cost.

....

The Settlement Hierarchy

6.22 Redbourn Parish Council is also concerned with the implication that such increase in housing numbers would have in terms of sustainability. As set out throughout our representations, Redbourn is not an area that is well located to other uses and nor is it serviced by any choice of transport modes apart from the private automobile and poor bus services. Furthermore, whilst the village is served by the Nickey Line (cycle way), the general infrastructure and public realm in the village is not suitable for inclusive and safe cycling. This means that car usage in Redbourn is high.

6.23 There is a heavy reliance on the Nickey Line throughout SACDC's documentation in terms of its role in delivering a modal shift away from the car to sustainable modes. However, the HGC Transport Vision and Strategy (2024) states the following, indicating that its deliverability is yet to be determined and it should not be assumed that its delivery is certain:

"work remains ongoing to further understand how the route can be improved further to increase the number of people using it for active travel purposes and enhance its strategic importance to HGC; this includes:

- *"The HGC Nickey Line Strategy and Feasibility Study (Hemel Hempstead to Harpenden);*
- *The HCC Nickey Line Cycle Connectivity and Accesses Study; and*

6.24 *Sustrans Nickey Line Feasibility Study (Redbourn to Harpenden)"*The Settlement Hierarchy Study states that Redbourn is located at a 15-minute drive to Luton Airport, but this is not a service, or an infrastructure used by residents on a regular basis nor necessary for daily live. Rail services are not available in Redbourn, but they are in Harpenden, 3 miles to the east, which could be accessed conveniently by private automobile, and less so by an infrequent bus service or by cycle via the Nickey Line that is not accessible nor inclusive for all users. Therefore, the only reasonable option to travel to the nearest railway station is by private automobile.

6.25 The Nickey Line is an excellent cycle route for recreation, also serving for commuting for some cyclists for travelling from Redbourn to Harpenden and Hemel Hempstead. Notwithstanding its benefits, the cycle line is not lit at night and it is not surfaced appropriately. Moreover, the line is isolated and detached from what should be a wider and complete cycle network. In the absence of a cycle network that connects the Nickey Line to different areas of the village (centre, common, school, etc.), there will be difficulties in the Nickey Line being a meaningful commuting route for

all. All the above means that the Nickey Line is not an attractive infrastructure for all potential users, as it is a convenient and convenient use to all users. That is all potential users regardless of age, background, gender, health, etc.

6.26 There is no justification provided by SACDC for the selected Spatial Strategy in relation to Redbourn and to the disproportionate housing figure allocated in such unsustainable location. The proposed Policy SP1 is difficult to follow, considering the existing evidence (Settlement Hierarchy Study and Sustainability Appraisal) and it fails to effectively justify SACDC's decision to look to Redbourn for additional housing. The objectives of the Draft Local Plan regarding climate change and spatial strategy, housing and infrastructure state the following:

"Promote adaptation to and mitigation of the Climate Emergency; seek to achieve net zero by 2030, including through the Council doing everything reasonably within its power; promote the use of renewable resources, reduce greenhouse gas emissions, protect natural resources and reduce waste. [...]

Provide a sufficient amount of good quality housing which meets the needs of all sections of society in sustainable locations. [...]

Prioritise and enable the safe and attractive use of active and sustainable means of transport and reduce the need for people to travel."

6.27 Redbourn is a village that is not sustainable due to having limited services and facilities and residents depend on private automobile for transportation. How is the proposed disproportionate housing figure proposed for Redbourn village aligned with the above-mentioned objectives of the Draft Local Plan? The Council has not provided any meaningful explanation.

6.28 Redbourn has a poor bus service, which poses a barrier to the proposed housing allocations, necessitating a comprehensive review of the Draft Local Plan's proposed site allocations and distribution of development. This revaluation is essential to ensure that future residents have viable and accessible means of public transportation within the Parish of Redbourn and to surrounding settlements.

6.29 The Settlement Hierarchy Study (2023) states that the three highest scoring settlements: St Albans, Harpenden and London Colney, whilst not scoring equally, they all score relatively well against settlement size, sustainable modes of transport, access to key services and facilities and employment. The study also states (paragraph 6.39) that Redbourn does not contain higher order services such as supermarket or leisure centre and has fewer employment sites than London Colney. Furthermore, Redbourn is a self-contained village detached from any other settlement, poorly connected to other settlements by public transport with a deficient bus service. Whilst London Colney benefits from better public transport and shorter distances to other settlements' services by foot and cycle.

6.30 Therefore, RPC considers that there is not enough justification for Redbourn being allocated a high amount of development in the settlement (and parish) where there are other locations that perform higher in the settlement hierarchy and are more sustainable in their location.

6.31 RPC considers the proposed settlement hierarchy to be ineffective not based on robust evidence, as the submitted Settlement Hierarchy Study (2023) is flawed. We explain the reasons below.

6.32 Policy SP1 states that the Settlement Hierarchy (Table 1.3) provides the basis for allocation and location of growth generally within and adjacent to the larger and most sustainable urban centres that are Tier 1 (St Albans and Hemel Hempstead) Tier 2 (Harpenden), and Tier 3 (London Colney). Redbourn and Wheathampstead are identified as Large Villages in Tier 4.

Figure 6.5: Draft Local Plan Settlement Hierarchy (Table 1.3)

6.33 The current policy in the Adopted Local Plan (1994) has Bricket Wood, Chiswell Green, How Wood, London Colney, Park Street / Frogmore, Redbourn and Wheathampstead designated as 'Large Villages'. We note that the Green Belt Review (Stage 1) (2013) which SACDC seeks to retain as part of its Local Plan evidence base, includes Bricket Wood, Chiswell Green, How Wood, London Colney, Park Street/Frogmore, Redbourn and Wheathampstead as part of the 'Interpretation of the Local Settlement Hierarchy' (Table 3.2).

6.34 There is no explanation in the Draft Local Plan for why there is such a fundamental proposed change to the Settlement Hierarchy in terms of Redbourn and Wheathampstead remaining as Large Villages and the other settlements being downgraded.

6.35 We have reviewed the Settlement Hierarchy Study (June 2023) yet its methodology is quite crude and simplistic. The study uses a quantitative approach to assessing settlements in St Albans District, with regards to the following factors:

- Population
- Accessibility
- Services and facilities
- Employment

6.36 Population is an important factor but should not be decisive in the Settlement Hierarchy Study, as this document is designed to inform future growth in sustainable locations. Should a settlement have a relatively low population but score very high in terms of sustainability of its location, the low population factor should not score the settlement down, and vice versa. Appendix 3 of the Settlement Hierarchy Study gives 0.5 points to Redbourn due to its population. We contest that this scoring is necessary, as the assessment of settlements, when focused towards identifying sustainability and adequacy for future growth, should not necessarily be informed by the population (quantitative data), but the qualitative data of accessibility and availability of services, transport, etc.

6.37 The approach to assessing and scoring accessibility, for instance, is too simplistic and does not consider accessibility to transport options, but merely the presence of a service in a particular location. The study should provide points according to the distance of residential and employment areas to services, facilities and transport hubs. For example, the presence of a Nickey Line and other cycle routes in Redbourn means that the settlement scores 3 points in the transport assessment but given the route's location on the edge of the village, the conditions of the route, the limited destinations available and the intrinsic physical nature of cycling, the transportation service of the cycle route is limited. The Nickey Line is only suitable for recreational cycling currently and as highlighted previously the extension of this line is not yet evidenced so it should not be used in assumptions regarding accessibility scores.

6.38 Unfortunately, the study does not refer to these relevant accessibility factors, but merely scores the settlement based on the presence of the cycle route. A qualitative assessment would be required as well as a quantitative check.

6.39 In terms of transport, the Settlement Hierarchy Study scores equivalently different transport options. For example, the presence of five cycle routes within/between settlements is equivalent to the presence of a main line railway station. Clearly, these two cannot be compared and scored equally in principle, as railway services provide transportation services normally to nearby settlements, London and the rest of the country. On the other side, cycle infrastructure is limited as a transport option insofar as medium and large distances cannot be reasonable travelled by bicycle. Cycling is also not a feasible option for many people in the district due to disabilities, age, health, safety, etc. Rail and cycle are two different transport options that whist they are complementary to each other, cannot be compared with similar or equal scores. Similarly, bus lines are given a single point in the assessment, if there is a bus line present in a settlement. However, it is worth to question what the actual service of this bus line (and other transport option)

provides. Clearly an infrequent bus line connecting two small villages should not score equally to a frequent and regular bus service that connects a village to a city or a railway hub. The approach taken in the Settlement Hierarchy Study to assess accessibility and transport is too simplistic and therefore it is flawed.

6.40 We are concerned with the scoring given to Redbourn for cycling as it is not realistic. Appendix 4 (Accessibility Audit Scoring Table and Maps) identify three cycle routes and a confused picture of what cycling infrastructure is in Redbourn:

- Bridleway Flamstead 039 – a public right of way that meanders the countryside with no large settlement destination.
- Gaddesden Lane – a road with no dedicated cycle infrastructure, shared with vehicular traffic and leading to the countryside, not relevant destinations nor larger settlements.
- The Nickey Lane – national cycle route 57 along the south edge of Redbourn, connecting it to Hemel Hempstead and Harpenden.

6.41 The above gives a more realistic picture of the deficient cycle infrastructure in Redbourn, which should not be given 3 points in the scoring as the reality is that the aren't "*three to four strategic cycle routes within or between/connecting settlements*", which is the methodology requirement for scoring 3 points. Redbourn should score 1 point only as there is a single strategic cycle route that connects the village to other settlements.

Figure 6.6: The Nickey Line or National Cycle Route 57 shown in yellow/orange. The only strategic cycle route serving Redbourn.

6.42 RPC is also concerned with the scoring of buses in the Settlement Hierarchy Study. Redbourn scores 3 points in this field, as there are three bus lines offering services in Redbourn. We consider that this is a very simplistic assessment of the bus services in the settlement and that is flawed by not assessing the services qualitatively.

6.43 For instance, Bus 34 does not offer service all days of the week and the last service available during the week to travel to St Albans is at 18:10. The last service to return from St Albans is at 18:25.

*Figure 6.8: Bus 34 timetable from St Albans to Redbourn (*Intalink.org.uk*)*

6.44 Similarly, the 46 bus offers hourly services between Luton and Hemel Hempstead. The service to Luton operates between 06:58 to 20:14, Monday through Saturday. The service to Hemel Hempstead operates between 07:22 and 19:32, Monday through Saturday. There is no service on Sundays.

*Figure 6.10: Bus 46 timetable to Hemel Hempstead (*Intalink.org.uk*)*

6.45 The 357 Red Rose bus offers a 'Sunday only' convoluted and slow service between Redbourn and Borehamwood via Harpenden and St Albans. The service to Borehamwood operates at 10:06, 12:36, 16:06, and 18:36. The service from Borehamwood to Redbourn arrives and terminates at 10:04, 12:34, 16:04 and 18:32.

*Figure 6.11: Bus 357 timetable to Borehamwood (*Redrosetravel.com*)*

*Figure 6.12: Bus 357 timetable of arrivals in Redbourn (*Redrosetravel.com*)*

6.46 In summary, the public transport in Redbourn is insufficient with a shortage of evening buses timetabled throughout the week, especially poor connectivity between Redbourn and Harpenden and a lack of Sunday bus services including no services between Redbourn, Hemel Hempstead or Luton and a slow and convoluted service to St Albans. The lack of available routes and the constrained frequency of services should be better reflected in the Settlement Hierarchy Study, as these services are not adequate nor sufficient to score 3 points. Other settlement hierarchy studies' methodology would normally score points if buses provide frequent services all week.

This would be a more realistic and complete approach to assessing bus services in Redbourn. In the current context of bus services in Redbourn, the Settlement Hierarchy should score buses lower or zero points, instead of 3 points

....

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is concerning that the Local Plan appears to be reliant on a minimum of a 10% modal shift with no fallback position should people's behaviour not realise this assumption and / or the sustainable infrastructure is not delivered.

The HGC Transport & Vision Strategy includes an HGC Programme Area Map which has a very extensive 'Area of Influence' which is not surprising given the impact the new growth that Hemel will have on the sub region (and likely wider). **Given that the Strategy still requires a lot of transport work we question how the St Albans Local Plan can really progress without this further evidence given that it will clearly have influence over a considerable proportion of the District?**

As we have set out in the IDP section, the transport projects in the IDP are lacking any substantive detail including project details, timing / phasing and do not have cost estimates and do not have secured funding.

Chapter 8 (Transport) is virtually silent on any improvements to local bus services. As we set out in our representations, Redbourn does not have a railway station so is completely reliant on local bus services for its public transportation and the existing service is not adequate – planning nearly 700 additional dwellings in Redbourn, without proper investment in the bus service, will leave no viable choice other than driving a car.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

TRA2 - Major Transport Schemes

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

16.17 Clearly, the 'Major Transport Schemes' set out in Policy TRA2 are subject to any future transport modelling so the list of major schemes could very well change and increase in terms of requirements.

16.18 As we have set out in the IDP section, the transport projects in the IDP are lacking any substantive detail including project details, timing / phasing and do not have cost estimates and do not have secured funding.

16.19 Chapter 8 (Transport) is virtually silent on any improvements to local bus services. As we set out in our representations, Redbourn does not have a railway station so is completely reliant on local bus services for its public transportation and the existing service is not adequate – planning nearly 700 additional dwellings in Redbourn, without proper investment in the bus service, will leave no viable choice other than driving a car.

16.20 Policy TRA2 states that the Council will support the delivery of Improvements to Walking and Cycle Infrastructure as identified in the LCWIP. The LCWIP is limited to St Albans City and Harpenden with a future version covering the other settlements including Redbourn.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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NEB8 - Managing Flood Risk

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

17 Policy NEB8 (Managing Flood Risk)

17.1 The NPPF explains that *"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its*

lifetime without increasing flood risk elsewhere"[13]. Inappropriate development includes housing and the NPPF is clear that housing development should be directed away from areas at highest risk.

17.2 The NPPF explains[14] that *"All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:*

1. *applying the sequential test and then, if necessary, the exception test as set out below;*
2. *safeguarding land from development that is required, or likely to be required, for current of future flood management;*
3. *using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and*
4. *where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations*

17.3 Policy NEB8 states that *"Proposals located within flood zones (i.e. Flood Zones 2 or 3, or sites within Flood Zone 1 where there is an identified flood risk) need to meet the requirements of the sequential and exception tests, in accordance with national policy."* However, this has not been undertaken in the Council's selection of housing allocations.

17.4 Simply put, given that the site East of Redbourn has significant land within the highest risk of flooding, why did SACDC select the site without first undertaking a Sequential Test?

[13] NPPF paragraph 165

[14] NPPF paragraph 167

Figure 17.1: PPG Application of the Sequential Test for Local Plan preparation

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

..Given that the site East of Redbourn has significant land within the highest risk of flooding, why did SACDC select the site without first undertaking a Sequential Test?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

NEB9 - Agricultural Land

Comment Number: 27

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

21 Agricultural Land

21.1 The NPPF (paragraph 180) states (our emphasis):

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

1. *b) recognising the intrinsic character and beauty of the countryside, the wider benefits from natural capital and ecosystem services –including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland"*

21.2 A Green Future: Our 25 Year Plan to Improve the Environment [15] ([15] https://www.gov.uk/government/publications/25-year-environment-plan) sets out the government's 25-year plan to improve the health of the environment by using natural resources more sustainably and efficiently. It plans to:

- protect the best agricultural land
- put a value on soils as part of our natural capital
- manage soils in a sustainable way by 2030
- restore and protect peatland

21.3 Paragraphs 001 and 002: Planning Practice Guidance for the Natural Environmentexplain why planning decisions should take account of the value of soils andagricultural land classification (ALC)to enable informed choices on the future use of agricultural land within the planning system.

21.4 The PPG states the following about assessing agricultural land to enable informed choices about its future:

"How can planning take account of the quality of agricultural land?

The Agricultural Land Classification assesses the quality of farmland to enable informed choices to be made about its future use within the planning system.

There are five grades of agricultural land, with Grade 3 subdivided into 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a. Planning policies and decisions should take account of the economic and other benefits of the best and most versatile agricultural land.

In the circumstances set out in Schedule 4 paragraph (y) of the Development Management Procedure Order 2015, Natural England is a statutory consultee: a local planning authority must consult Natural England before granting planning permission for large-scale non-agricultural development on best and most versatile land that is not in accord with the development plan. Natural England has published guidance on development on agricultural land."

21.5 The areas to west, south, east and northeast of Redbourn and east of Hemel Hempstead appear to be comprised of Best and Most Versatile Agricultural Land (high likelihood) as evidenced by the map below. Which means that if developed the borough would lose some of its best agricultural land and this would be lost to future generations at a time when climate change is having immediate impacts.

21.6 One of the SA Framework Objectives under 'Soils and other resources' is to *"Minimise development on best and most versatile agricultural land and minimise the degradation/loss of soils, particularly soils known to be of higher quality."* It also states (Page 82):

*"A clear priority is avoiding the loss of productive **agricultural land**, particularly that which is defined as 'best and most versatile', which is defined as that which is of grade 1, grade 2 or grade 3a quality. However, data availability is a barrier, as the nationally available dataset is very low resolution (and does not differentiate between grades 3a and 3b) whilst the available dataset showing agricultural land quality with a high degree of accuracy (following fieldwork) is very patchy. In this light, site promoters are encouraged to submit evidence on land quality."*

21.7 The Draft Local Plan Policy NEB9 states:

"Other than where development is allocated in this Plan, where major development on agricultural land is proposed, a detailed survey (approved by the Department for Environment, Food and Rural Affairs (DEFRA) or an independent expert), which includes an assessment of grading, should be submitted. Development resulting in the loss of the best and most versatile agricultural land (grades 1, 2 or 3a) will normally be refused. An exception may be made where it can be evidenced that there is an overriding need for the development and there is no alternative land of a lower quality which could reasonably be used."

21.8 We question the justification for this policy which effectively says that SACDC does not require a detailed survey for the development proposed for allocation in the Draft Local Plan but does require surveys for development not in the Local Plan. As the SA states SACDC does not have detailed survey for all of the proposed sites. Either SACDC or the site promoters of proposed allocations should provide this information as soon as possible. In any case, the Defra mapping of Predictive BMV is quite detailed and should inform decisions regarding the locations of proposed growth. Both of the proposed allocations at Redbourn would be removed as would large sections of the Hemel Hempstead related growth.

*See Figure for **Predictive BMV Land Assesment***

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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As the SA states SACDC does not have detailed survey for all of the proposed sites. Either SACDC or the site promoters of proposed allocations should provide this information as soon as possible. In any case, the Defra mapping of Predictive BMV is quite detailed and should inform decisions regarding the locations of proposed growth. Both of the proposed allocations at Redbourn would be removed as would large sections of the Hemel Hempstead related growth.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

NEB10 - Landscape and Design

Comment Number: 28

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy NEB10 – Landscape and Design

19.17 RPC considers that the proposed policy NEB10 wording is not robust and clear enough as to secure the aspirations in terms of landscape and quality of design. We have summarised below a number of concerns with regards to policy NEB10:

- The policy makes a confusing reference to landscape and landscaping, where these are two different terms. The constant reference and focus on the "landscaping" elements of development proposals weakens the policy aspirations for development to follow a Landscape Strategy, which is a wider concept that involves more (design) than just landscaping. Landscaping is not the only element that contributes towards sustainable and attractive places. Therefore, it would be preferred for the policy to refer to good quality design as an essential element to deliver attractive and sustainable places, instead.
- NEB10 adequately requires a Landscape Strategy to inform development, protecting landscape, integrating and enhancing it, thus design. Unfortunately, and without justification, policy NEB10 only requires protecting, enhancing and integrating landscape (including tree planting) to major development. Why is not all development proposal required to comply with this requirement? The Council provides no explanation, and it seems to contradict the SACDC Local Plan's wider landscape aspirations.
- This policy also states that "*where changes to landscape may be required, details be provided of existing landscaping, trees and shrubs trees to be removed; the planting of new trees, shrubs and grass; alongside details of and level changes, enclosure, screening and paving; significant healthy trees and other important landscape features shall normally be retained*." RPC considers that this policy is not correctly worded as it assumes that development proposals should result in changes to landscape. This could lead to developments that irrevocably alter landscape character, not protecting or enhancing it, as required in the same policy. Instead, the wording of the policy should refer to "development proposals" that should demonstrate the protection and enhancement of local landscape character. Some elements that contribute towards character could be listed, as the policy currently does, but this should not be an exhaustive list.
- Landscape and Visual Impact Assessments should be required not only to major development, but also to those development proposals that may be in sensitive locations, e.g.: the setting of the Chilterns National Landscape, adjacent to open access land/PROW, adjacent to Green Belt, etc.

19.18 RPC is concerned that the proposed wording of policy NEB10 is **not effective in protecting and enhancing landscape, neither is sufficiently justified and positively prepared, therefore policy NEB10 is unsound**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Landscaping is not the only element that contributes towards sustainable and attractive places. Therefore, it would be preferred for the policy to refer to good quality design as an essential element to deliver attractive and sustainable places, instead.

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Landscape and Visual Impact Assessments should be required not only to major development, but also to those development proposals that may be in sensitive locations, e.g.: the setting of the Chilterns National Landscape, adjacent to open access land/PROW, adjacent to Green Belt, etc.

RPC is concerned that the proposed wording of policy NEB10 is **not effective in protecting and enhancing landscape, neither is sufficiently justified and positively prepared, therefore policy NEB10 is unsound**.

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NEB11 - Chilterns National Landscape

Comment Number: 29

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Policy NEB11 – Chilterns National Landscape

19.19 Policy NEB11 is insufficient as currently worded as it only refers to demonstrating that development proposals would not have an impact on the statutory purpose of the Chilterns National Landscape. It should specifically state that no harm or negative impact should be caused to the National Landscape, including its statutory purpose and its special qualities. As worded, "not have an impact" is an unclear sentence, as the Local Plan should require proposals to avoid harm, but not impacts in general, which could also be neutral or positive, which would normally be welcomed.

19.20 Importantly, Policy NEB11 has missed in the policy wording the reference to the setting of the Chilterns National Landscape. The NPPF (paragraph 182) states:

"*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas*."

19.21 Therefore, it would be expected for Policy NEB11 to develop, at local level, the NPPF expectation for the adequate protection of the setting of a National Landscape. In the absence of this, we consider that Policy NEB11 is insufficient, as currently worded, and fails to comply with national planning policy, also not being effective in protecting the National Landscape. This policy is **unsound**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Strategic Policy SP11 - Historic Environment

Comment Number: 26

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

20 Heritage

20.1 Whilst RPC is pleased to see that SACDC has undertaken Heritage Impact Assessments (HIAs) for many of the proposed allocations, it is unclear as to how these Assessments have influenced the Local Plan proposals or its policies. It states in its covering report (paragraph 2.5) that:

"The recommendations of the site-specific HIAs have informed the site allocations in Part B of the Local Plan, including the indicative capacities and the Key development requirements".

20.2 Whilst it states that the HIAs informed the site allocations in Part B of the Local Plan including indicative capacities and key development requirements there is no proof of this provided by SACDC.

20.3 In terms of the HIA's informing the allocations and their capacity how have they resulted in any changes to the site capacities and assumed densities for example?

20.4 When one reviews Part B of the Local Plan it simply states the same text repeatedly whenever there is a locally listed building. For example:

H1 North Hemel Hempstead (Requirement 16):

"Through Masterplanning the layout and design of development should minimise any harm to the setting and significance of the Grade II Listed Holtsmere Manor, the Grade II Listed Great Revel End Farmhouse, the Grade II Listed Barn at Great Revel End Farmhouse and the Grade II Listed Wood End Cottages; this may include the incorporation of appropriate set backs of development and creation of open spaces."

H3 East Hemel Hempstead (Requirement 20):

"Through Masterplanning, the layout and design of development should minimise any harm to the setting and significance of Grade II Listed Breakspear, Grade II Gorhambury Registered Park and Garden and Grade II Listed Gorhambury mansion; this may include the incorporation of appropriate set backs of development and creation of open spaces."*

B3 West Redbourn (Requirement 5):

"Through Masterplanning, the layout and design of development should minimise any harm to the setting and significance of the Grade I Listed Parish Church of St Mary and the Redbourn Conservation Area; this may include the incorporation of appropriate set backs of development."

20.5 Ultimately it will be for Historic England to respond as to whether the evidence and the planning process is in line with their guidance on how authorities should approach heritage in the Local Plan and the selection of potential sites including the potential impacts on heritage that might result from the proposals.

20.6 It is still unclear as to how the proposed allocations and their alternatives were assessed using HIAs given that the HIAs were not prepared until after the Regulation 18 Plan was prepared. For example the growth at HGA – how was this informed by the HIAs?

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 32

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

11 Policy LG2 (Support for Transformation of Hemel Hempstead)

...

Infrastructure Delivery

11.31 Policy LG2 states that:

"Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to secure a collaboration agreement which ensures an integrated and seamless approach across site boundaries. Critical infrastructure necessary to support development must be delivered ahead of occupation. Proposals must not prejudice or impede the provision of wider infrastructure required within the HGC Programme Area.."

11.32 These statements do not instill confidence that SACDC has an adequate grasp on what infrastructure is required to deliver the development is proposing at Hemel Hempstead through the Draft Local Plan, who will be responsible for delivering it, its timing and its cost. It is entirely unclear from this statement what infrastructure projects SACDC is seeking contributions.

Transport Infrastructure

11.33 In relation to 'transport infrastructure the IDP states (paragraph 9.1.6) that:

"One of the core principles of the Garden Community is to deliver transformative mobility improvements to achieve a significant shift towards active and sustainable modes of transport. Whilst a significant amount of baseline information has been collected to support the development of the sections below, there are a number of evolving transport studies and strategies that are not yet completed that will identify and evidence the transport interventions required to support behaviour change in a shift to sustainable modes. These will need to be incorporated into future iterations of this IDP."

11.34 The fact that the delivery of mobility improvements to achieve a significant shift towards active and sustainable modes of transport cannot be evidenced through the IDP due to a number of evolving transport studies and strategies being incomplete raises serious concerns about the deliverability of this infrastructure. To simply state that these will need to be incorporated into future iterations of the IDP provides no confidence that there is a sound transport infrastructure evidence base on which the plan is based.

11.35 The IDP provides an *"inexhaustive list of planned highways infrastructure projects, as included in the St Albans IDP Infrastructure Schedule, of most relevance to the Hemel Garden Communities"*. It then provides two bullet points which are:

- M1 junction 8 enhancement (Phases 1 to 3)
- Access enhancements to support development at Hemel Garden Communities

11.36 This is clearly not sufficient information. We sought clarification on the highways infrastructure in the IDS however the information appears to be incomplete and it is very difficult to ascertain using the IDS spreadsheet which is not at all 'user friendly'.

11.37 Reference 141 of the IDS is for Highways Access to support development at East Hemel which includes transport measures as part of M1 J8 Enhancements:

Figure 11.6: IDS Reference 141

11.38 Yet when looking for the estimated costs there is no estimation despite it being a Critical piece of transport infrastructure. Furthermore, the time period for its delivery is stated as 2025 – 2041. That is a very wide period of time which indicates that SACDC simply does not know the cost or when it is likely to be delivered let alone what development will trigger its necessity for delivery.

Figure 11.7: IDS Reference 141

11.39 There are many other examples of this in the IDS which do not need to be highlighted as there is clearly a fundamental issue with the IDP and IDS in that they lack the required information to demonstrate the allocations are sound and deliverable. Based on the current information available there is nothing to suggest that the infrastructure to support the growth at Hemel is sound or deliverable.

Rail Services

11.40 The IDP states at Page 188 that:

"The proposed expansion of Hemel Hempstead is likely to have an impact on the nearby railway stations (Hemel Hempstead station and Apsley station) and the need to improve and expand station facilities, as necessary, to reflect increased demand for rail services has been raised in the engagement as a concern."

11.41 *"Further details are not yet developed as to exactly what new or improved infrastructure is required to facilitate this increased demand".* Again, a key piece of required infrastructure has no evidence on what is needed or its cost etc.

Bus Services

11.42 The IDP explains at Page 189 that:

"Initial investigations undertaken with developers suggest that new bus routes could be introduced, and existing routes expanded to link the HGC developments with both Hemel Hempstead (including the train station, which will provide further, regional public transport connectivity) and St Albans City".

11.43 "Initial investigations" are not sufficient to justify the proposed allocations and evidence deliverability and soundness.

Walking and Cycling Infrastructure

11.44 Whilst it is important that there is sustainable and safe walking and cycling infrastructure delivered as part of the allocations there is quite a contrast in the level of detail provided in the IDP and IDS for these schemes compared to the strategic transport requirements. It is helpful to have this detailed level of costings and projects for walking and cycling infrastructure however it is currently very much an 'incomplete picture' of the full range of strategic transport measures required and how, when by whom and their cost.

Physical Infrastructure
Potable Water

11.45 Paragraph 9.2.1 of the IDP explains that there is no modelling yet for the possibility

that a new water supply network might be required for HGC and that there could be cross boundary issues with the supply of potable water. This does not appear to be covered in the IDS.

"It is possible that new water supply network infrastructure will be required when connecting large allocations like Hemel Garden Communities. However, this will be modelled as sites are brought forward by developers. During stakeholder engagement in May 2023, Affinity Water suggested that the pressure due to development at Hemel Hempstead will be increased by the growth in bordering local authorities. Cross-local authority boundary sites are most likely to encounter issues when connecting to the supply and timing and phasing of how these sites are brought forward should be aligned and considered when applying to Affinity Water for connection to the supply network."

Waste Water

11.46 The IDP explains (paragraph 9.2.2) that:

"The strategic upgrades to wastewater treatment works outlined in Section 8.1.2 will also apply to Hemel Garden Communities. Consequently, as indicated during stakeholder engagement with Thames Water, Hemel Garden Communities is not likely to cause significant issues on the wastewater network and therefore capacity is expected to be available to support the growth.

"Similar to potable water, because the preferred growth scenario includes significant greenfield urban extension proposed allocations it is likely that these will need new infrastructure in order to connect to the network. However, this is determined on a site by site basis, and therefore it is important that applications for new infrastructure are provided sufficiently in advance for Thames Water to be able to provide necessary upgrades"

11.47 However, when one reads Section 8.1.2 as referred to by the consultants there is nothing in that section that specifically refers to the growth planned for HGC. Saying that new infrastructure is likely to be needed for 'significant greenfield urban extensions' and that the infrastructure will be determined on a site-by-site basis is setting up the Plan for failure. There needs to be an assessment of what the wastewater requirements are for the whole of the HGC and a plan for how it will be met, how much it is who will pay for it, where it will be located and when it will be needed.

Energy (Gas and Electric)

11.48 The IDP states (aragraph 9.2.3) that:

"Currently, there are no reported infrastructure capacity issues within the Hemel Garden Communities, according to information published by UK Power Networks and Cadent. However, Cadent has indicated that a new intermediate pressure regulator will be necessary if there is a surge in residential demand"

11.49 It is concerning that the IDP and IDS has not considered the utilities required at Hemel Garden Communities as this is clearly a very key consideration for the area given the presence of the Buncefield Oil Storage Depot, the BPA Gas Pipeline that runs north and south through the site, and the on-site Overhead Electricity Transmission Lines and the new utility infrastructure (including Wastewater Infrastructure) that is required.

11.50 As one can see from the mapping below, there is significant utility infrastructure located east of Hemel Hempstead and around Redbourn (including west of Redbourn). Nowhere in the Local Plan or in the evidence base does it explain how the existing utility infrastructure is going to be addressed as part of the proposals despite this being a clear strategic matter that should be considered a potential 'showstopper' to development proposals at Hemel Hempstead and Redbourn. This includes:

- National Grid Sundon-Elstree (400kv) pylons and line running north to southeast of Hemel Hempstead.
- Elstree – Sundon (132kv) pylons running north to south and east to west including to the east of the M1 (west of Redbourn).
- Buncefield Oil Terminal.
- Epping to Buncefield Oil Pipeline located east of Hemel Hempstead looping around the settlement to the north and west.
- Finaline (Killingholme – Buncefield) located north of Redbourn, running along the western edge of Redbourn, continuing south until crossing the M1 to Buncefield Oil Terminal.

Figure 11.8: Electric Transmission Lines east of Hemel Hempstead and at Redbourn Source https://openinframap.org/#12.99/51.76249/-0.39699

Figure 11.9:: Oil and Gas Pipelines at Hemel Hempstead and Redbourn Source: https://openinframap.org/#12.99/51.76249/-0.39699

Viability

11.51 It is currently unclear how the Local Plan Policies, the IDP / IDS and the Local Plan Viability Assessment (September 2024) relate to one another. The information contained in each of these documents is not clearly set out anywhere for each allocation at HGC in terms of the infrastructure requirements, their costs, when it is necessary, and who will be delivering it.

11.52 For example, the Viability report Strategic Sites Testing for East Hemel (North) includes the following assumptions for S106 contributions:

Figure 11.10: Strategic Sites Testing Table 3.2.14.1: Section 106 contributions

11.53 However, when one attempts to reconcile these figures in the IDP / IDS it is not possible to do so.

11.54 It is unclear in the viability evidence how cross-boundary infrastructure is being calculated. When one reviews the Hemel Garden Communities Delivery Statement (September 2024) there are a range of cross boundary schemes that are 'key transformational projects' (see below). How are these being treated in the viability evidence base?

Figure 11.11: Transformational projects Hemel Garden Communities (HGC) Delivery Statement (September 2024)

11.55 The Local Plan states that

"The Spatial Vision for Hemel Garden Communities sets out the scope for transformation across the town, as well as providing a sustainable approach for growth, in accordance with the Town and Country Planning Association (TCPA) Garden City Principles"[11]

11.56 We question how the TCPA Garden City Principles are taken into account in the viability evidence. For example:

- Land value capture for the benefit of the community
- Community ownership of land and long-term stewardship of assets

11.57 Furthermore, we are unclear as to how the viability evidence has taken account of all the requirements of the Local Plan Policies including Policy LG3 (Hemel Garden Communities Growth Area Place Principles). This policy includes a number of requirements for the developers and it is unclear how these have been costed.

11.58 Policy LG6 (Green Belt Compensatory Improvements) requires that the allocations in the Local where Green Belt boundaries are changed that 'proportionate' compensation is required. What assumptions have been made about this in the viability evidence base as this is clearly a costly requirement for Green Belt release allocations particularly that at Hemel.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* No

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* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Refer to LG2 and LG3 for wider Hemel Garden Communities repsonses.

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11 Policy LG2 (Support for Transformation of Hemel Hempstead)

Green Belt

11.1 The Stage 2 GBR (2023) concludes that Sub-Areas SA-167, SA-168, SA169a, SA-169b, SA-170, SA-171 and SA-172 perform strongly against the NPPF Green Belt purposes. Of these Sub-Areas the GBR recommends that only SA-167, SA-169a and SA-169b should be taken forward for further consideration and there are still concerns raised regarding these Sub Areas in the GBR as set out below. We note that 169a is proposed for release in the Draft Local Plan but 168b is not proposed for release.

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11.8 However, the Draft Local Plan does include a high level housing trajectory (Table 3.2) and we have analysed this due to a lack of more detailed information presented by SACDC.

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11.10 As the Lichfields 'From Start to Finish' evidence (Editions 1 -3) and the Letwin Review (2018) highlight, the delays with the delivery of large development proposals should not be underestimated as there will be many aspects of the housing trajectory that are beyond the immediate control of a local planning authority. We provide an analysis of this below.

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11.16 Clearly the HGC is highly complex with many authorities and parties involved in the planning and delivery process. There is also rightly a commitment to working closely with the local communities as part of this process. All of this suggests that the Lichfields research is very much a 'best case scenario' in relation to the HGC Broad Locations.

11.17 **So, we ask, what is SACDC's assumption about each of the proposed four Broad Locations at Hemel Garden Communities (H1, H2, H3, H4) in terms of the following:**

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- When will reserved matters applications be submitted and approved?
- There is reference in Policy LG3 (Hemel Garden Communities Growth Areas Place Principles) to the potential need to use Compulsory Purchase Orders (CPO) powers to ensure infrastructure is provided in a timely manner. What are the time estimates made for this in the housing trajectory?
- When will the S106 for each parcel is expected to be agreed?
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- What are SACDC's assumptions for the opening up works required for each of the sites and combined?
- What infrastructure is required to be funded and / or delivered prior to commencement for each of the broad locations?
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- When will conditions be discharged?

11.18 SACDC needs to answer these questions so that a realistic housing trajectory can be prepared as the current version will lead to a shortfall in housing in the District over the first five years upon adoption. As a result, the borough will be subject to planning appeals due to a lack of a five-year housing land supply. With the Local Plan still yet to be submitted to the Secretary of State there is still an opportunity for SACDC to allocate additional housing sites to ensure that the shortfall of anticipated delivery is addressed.

Figure 11.6: Timeline for the delivery of strategic housing sites – Start to Finish Lichfields (2024)

11.19 The additional and important benefit of this approach is that the SPDs and planning applications at Hemel are not 'rushed through' in hopes that the development will meet unrealistic commencement dates.

11.20 The report concludes that for schemes of 2,000+ dwellings the mean years from validation of the first planning application to the first dwelling being completed is 6.6 years.

11.21 Therefore, considering this research, RPC is concerned with the proposed housing trajectory, as it would not be realistic to rely on the Hemel Garden Communities development (over 4,300 dwellings) would deliver its first homes in year 6 since the adoption of the Local Plan.

Figure 11.5: Overall lead-in times for sites of 100 dwellings or more, including time taken for outline consent size by size. Source: Lichfields report 'Start to Finish' (2024).

11.22 Hemel Garden Communities is clearly a cross-boundary joint working project between SACDC, Dacorum, Herts County Council and others. The South West Hertfordshire Joint Strategic Plan is being prepared with Dacorum, Hertsmere, Three River and Watford Councils and there is no agreed timetable for taking this forward (as set out earlier in our representations). This complexity and cross-boundary working is likely to slow the process down even further so the assumptions above should be considered a 'best case' scenario.

....

North Hemel Hempstead Landscape Assessment (September 2024)

19.7 RPC is concerned with the landscape assessment provided in support of the North Hemel Hempstead allocation and particularly with the assessment section that covers the parcels of land within St Albans District.

Figure 19.1: Topography shown on the North Hemel Hempstead Landscape Assessment (2024).

19.8 Parcels F and G (Upper Ver Valley) are located within the gap between Hemel Hempstead and Redbourn, providing an important physical and perceptual gap between the two settlements. RPC agrees with the Landscape Assessment in terms of their perceptual qualities, such as presence of human influence, traffic noise, disperse development, etc. that contribute to a low tranquillity value, but we are of the view that the Landscape Assessment has a simplified view of the sensitivity of parcels F and G.

19.9 Parcel G is given a moderate sensitivity from a landscape perspective, but the assessment does not give sufficient weight to the presence of the Aubreys Scheduled Monument within the area of study and it does not mention the close location of Redbourn Conservation Area, only over 200 metres distant from Parcel G. None of the views identified in the assessment explore the potential visual impact to and from the Redbourn Conservation Area, which includes Grade I, II* and II Listed Buildings. RPC is concerned that this could affect the sensitivity of Parcel F and that therefore, the landscape assessment should be reviewed. Views in the area are probable given the sloping topography of Parcel G and the existing public rights of way through the area and in the vicinity.

19.10 The North Hemel Hempstead Landscape Assessment (2024) does not follow a careful order in the assessment of landscape and visual impacts. It moves directly from identifying landscape sensitivities to design development considerations and recommendations. However, it does not explain the actual impacts caused by the proposed development proposal. How is that mitigation measures are being proposed in the absence of an evidence-based and robust assessment of impact before mitigation?

19.11 The report concludes with potential impacts or effects on landscape and views (in the absence of any mitigation), but these are identified only after a design approach, developable areas and mitigation measures have been incorporated into the design. We are concerned that this approach does not provide a clear picture of the impact of development in principle, as to understand its effects on landscape, and the recommend mitigation measures. If there is no identified harm first, how is that mitigation is being suggested?

19.12 It is important to raise that the assessment acknowledges that the gap between the settlements of Hemel Hempstead and Redbourn are important in landscape and Green Belt terms, however, it yet supports the development of most of Parcel F. The North Hemel Hempstead Landscape Assessment (2024) fails to consider the development's cumulative effects on the gap between the two settlements in light of the existing developments in Parcel G, existing infrastructure and the Draft Local Plan allocations at West of Redbourn for 545 dwellings (Site B3) and East Hemel Hempstead (North) for 1,600 dwellings (Site H2).

19.13 Furthermore, the proposed mitigation shown in the Potential Landscape Structure and Developable Extents relies significantly on landscaping screening to reduce the visual impact of the proposed development. This is proposed with new structure planting (bright green below) in the form of tree groups, woodland groups, parkland style tree planting in fields. This is not an adequate approach as it does not explore first the avoidance of harm, which is the necessary first step in addressing landscape impact. Then, the proposed mitigation of tree planting is not also temporary and not a long term or necessarily of all-seasons durability, but it is also contrary to local landscape character. Proposals for new screening include parkland style tree planting, but this is not a parkland, which is a formalised and designed landscape. This area of the district is a deeply rural and agricultural working environment, with strong links with the rural character of the landscape to the north (Chilterns National Landscape). The proposed mitigation has the potential impact of detracting from the established and contextual landscape character only due to the need for significant screening of a development that would, in other circumstances, not be acceptable as it leads to significant impacts in the landscape.

Figure 19.2: Potential Landscape Structure and Developable Extents.

19.14 Additionally, there is no pre-development scenario assessment of the areas of visual sensitivity and there is also a lack of identification key/locally important views, with prominence in the list of viewpoints assessed. Surely the views from any public right of way should not be assessed equally as the views from a gateway into the settlement, the top of a ridge or from a Schedule Monument or Listed Building. There is also no assessment of views out of the site considered for development.

19.15 It is also unclear if the proposed mitigation in the North Hemel Hempstead Landscape Assessment (2024) is incorporated into the allocation policy and concept plan. The plan (see below) does not offer a clear correlation of the mitigation shown on the Landscape Assessment. The mitigation proposed on the Broad Locations – Landscape + Visual Appraisal (September 2024), whilst consistent in some, is not completely coordinated with the mitigation proposed in the North Hemel Hempstead Landscape Assessment (2024). Why is this? The Council provides no justification for having several assessments that overlap each other and a number of mitigation measures, that do not always coincide from one document to another. For instance, the Landscape Assessment recommends the development to "*maintain the physical and visual separation between Hemel Hempstead and Redbourn by keeping development behind the local ridgeline associated with Great Revel End Farm and maintaining a sense of separation along Hemel Hempstead Road*". Notwithstanding this, the landscape and visual appraisal sheets on the Broad Locations – Landscape + Visual Appraisal (September 2024) does not include this recommendation and continue failing to consider the cumulative impact of the development with the West of Redbourn B3 allocation for 545 dwellings.

19.16 In conclusion, RPC considers that the North Hemel Hempstead Landscape Assessment (2024) is flawed and it is incomplete for the reasons already explained. In this case, we cannot support this document and the allocation of the proposed sites, which is **unsound** due to the flawed landscape assessment in which it is based on.

Figure 19.3: Indicative Concept Plan for the HGC Growth Areas (Draft Local Plan)

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 23

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* No

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* No

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H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 24

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* No

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H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Refer to LG2 and LG3 for wider Hemel Garden Communities repsonses.

...

Hemel Garden Communities Trajectory

11.5 Policy LG2 states that "*the Hemel Garden Communities programme will deliver at least 4,300 new homes by 2041 and 5,500 homes in total by 2050, delivering this through a network of new garden communities to the north east and east of the town within St Albans District".*

11.6 Paragraph 75 of the NPPF states that: *"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites".*

11.7 The Draft Local Plan fails to include a housing trajectory for specific sites (including those in the Hemel Garden Communities) so that consultees can comment on the potential timing of housing delivery and the need for supporting infrastructure that needs to be delivered in close coordination for each site. This makes it rather difficult to comment on any delivery assumptions for particular sites when the Council has not considered this even though it has selected the sites as allocations.

11.8 However, the Draft Local Plan does include a high level housing trajectory (Table 3.2) and we have analysed this due to a lack of more detailed information presented by SACDC.

11.9 Furthermore, we seriously question what the Housing Trajectory is not only for the HGC sites in St Albans District but for those in Dacorum – this is not set out in the Local Plan and is clearly a critical missing piece of information for the overall Local Plan.

11.10 As the Lichfields 'From Start to Finish' evidence (Editions 1 -3) and the Letwin Review (2018) highlight, the delays with the delivery of large development proposals should not be underestimated as there will be many aspects of the housing trajectory that are beyond the immediate control of a local planning authority. We provide an analysis of this below.

Development Lead in Times

11.11 The trajectory is particularly unrealistic in terms of when it assumes that housing delivery will commence at the Hemel Garden Communities. The first delivery year assumed is 2029/30 with 100 dwellings. This is in four years from now.

11.12 In the recently published *'Start to Finish – How quickly do large-scale housing sites deliver"* 3rd Edition, September 2024 (Lichfields) (see Appendix B of these representations) provides an update on important research on the delivery of strategic sites across England. Its findings are that for sites of 2,000 dwellings or more (like Hemel Garden Communities) that it takes between 4 and 7.9 years from the validation of the first planning application to the first dwelling being delivered (see Table below).

Figure 11.3: 'Start to Finish – How quickly do large-scale housing sites deliver" 3rd Edition, September 2024 (Lichfields)

11.13 The Report updates the previous report on the average time taken from gaining outline permission to the completion of the first dwelling on site (see below). This indicates that it takes on average around 3 to 4.6 years from the grant of outline planning permission to deliver the first dwelling. It concludes that at the time of its granting, an outline permission will deliver limited housing in a five-year period.

Figure 11.4: 'Start to Finish – How quickly do large-scale housing sites deliver" 3rd Edition, September 2024 (Lichfields)

11.14 As Policy LG2 (Support to Transformation of Hemel Hempstead) states all development in the HGC Programme Area must follow a planned and coordinated approach to growth and infrastructure and is expected to be in accordance with:

- *Local Plan Infrastructure Delivery Plans (IDPs)*
- *Hemel Garden Communities Spatial Vision*
- *HGC Framework Plan evidence base*
- *HGC Concept Plan*
- *HGC Local Plan Policies,*
- *Supporting SPDs and Design Codes.*

11.15 It requires that "Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to secure a collaboration agreement which ensures an integrated and seamless approach across site boundaries. Critical infrastructure necessary to support development must be delivered ahead of occupation. Proposals must not prejudice or impede the provision of wider infrastructure required within the HGC Programme Area. Infrastructure, contributions and wider funding will be required to deliver on and offsite infrastructure, in accordance with the above documents."

11.16 Clearly the HGC is highly complex with many authorities and parties involved in the planning and delivery process. There is also rightly a commitment to working closely with the local communities as part of this process. All of this suggests that the Lichfields research is very much a 'best case scenario' in relation to the HGC Broad Locations.

11.17 **So, we ask, what is SACDC's assumption about each of the proposed four Broad Locations at Hemel Garden Communities (H1, H2, H3, H4) in terms of the following:**

- When will the Design Codes and SPDs will be prepared and approved?

- When will the pre-application process take place including consultation and engagement with relevant consultees and stakeholders?
- When will the preparatory site works, to be informed by site-specific survey recommendations and monitoring before commencement take place?
- When will an outline application be submitted and approved for each Broad Location?
- When will a full application will be submitted and approved?
- When will reserved matters applications be submitted and approved?
- There is reference in Policy LG3 (Hemel Garden Communities Growth Areas Place Principles) to the potential need to use Compulsory Purchase Orders (CPO) powers to ensure infrastructure is provided in a timely manner. What are the time estimates made for this in the housing trajectory?
- When will the S106 for each parcel is expected to be agreed?
- When will the pre-commencement conditions for each parcel be agreed by SACDC?
- What are SACDC's assumptions for the opening up works required for each of the sites and combined?
- What infrastructure is required to be funded and / or delivered prior to commencement for each of the broad locations?
- What is the planning approval process and timing for each piece of infrastructure?
- When will conditions be discharged?

11.18 SACDC needs to answer these questions so that a realistic housing trajectory can be prepared as the current version will lead to a shortfall in housing in the District over the first five years upon adoption. As a result, the borough will be subject to planning appeals due to a lack of a five-year housing land supply. With the Local Plan still yet to be submitted to the Secretary of State there is still an opportunity for SACDC to allocate additional housing sites to ensure that the shortfall of anticipated delivery is addressed.

Figure 11.6: Timeline for the delivery of strategic housing sites – Start to Finish Lichfields (2024)

11.19 The additional and important benefit of this approach is that the SPDs and planning applications at Hemel are not 'rushed through' in hopes that the development will meet unrealistic commencement dates.

11.20 The report concludes that for schemes of 2,000+ dwellings the mean years from validation of the first planning application to the first dwelling being completed is 6.6 years.

11.21 Therefore, considering this research, RPC is concerned with the proposed housing trajectory, as it would not be realistic to rely on the Hemel Garden Communities development (over 4,300 dwellings) would deliver its first homes in year 6 since the adoption of the Local Plan.

Figure 11.5: Overall lead-in times for sites of 100 dwellings or more, including time taken for outline consent size by size. Source: Lichfields report 'Start to Finish' (2024).

11.22 Hemel Garden Communities is clearly a cross-boundary joint working project between SACDC, Dacorum, Herts County Council and others. The South West Hertfordshire Joint Strategic Plan is being prepared with Dacorum, Hertsmere, Three River and Watford Councils and there is no agreed timetable for taking this forward (as set out earlier in our representations). This complexity and cross-boundary working is likely to slow the process down even further so the assumptions above should be considered a 'best case' scenario.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The trajectory is particularly unrealistic in terms of when it assumes that housing delivery will commence at the Hemel Garden Communities. The first delivery year assumed is 2029/30 with 100 dwellings.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Allocation B3 – West Redbourn

10.2 The proposed Broad Location B3 West of Redbourn for approximately 545 dwellings is of such a scale that will alter the character of the village forever. This strategic development in the Green Belt to the west of Redbourn is inappropriate and unjustified by evidence. It is noted that the previous Local Plan that was submitted for Examination included no proposed allocations on the edge of Redbourn and / or in the Green Belt surrounding the settlement. There is no explanation from SACDC as to why this extreme change in policy has taken place.

10.3 As SACDC is aware only a small sub area of Parcel GB18B (Green Belt Land to West of Redbourn) at the southwest edge of Redbourn was recommended for further assessment as a small scale sub-area (SA-SS2) in the Stage 1 GBR. This area is described in the Review as Land at southwest edge of Redbourn' the sub-area enclosed by the M1 to the west in the vicinity of Gaddesden Lane which the Review concluded makes limited or no contribution to Green Belt purposes. This parcel appears to be the same or similar to Parcel SA-1 in the GBR Stage 2.

10.4 It is entirely unclear from the GBR Stage 2 how the recommendations from the Stage 1 GBR for a small scale sub-area southwest of Redbourn has now morphed into what is effectively a strategic urban extension bolted onto the historic village. Apparently SACDC has disregarded the GBR Stage 1 recommendations and the proposed allocation is more than double the size (27 ha) of the small scale-sub area (SA-SS2), which was only of an area of 13 ha.

10.5 The GBR states that sub-areas SA-1, SA-3a, SA-3b scored 0 points in table 5.5 of the GBR (2023), stating that these sub-areas do not meet purpose 4: “to preserve the setting and special character of historic towns”. This decision is justified on these sub-areas not making contribution to preserving the setting of historic features. This is not accurate and it is also a simplified assessment and conclusion of the contribution of these sub-areas to the special character of the historic town and its setting. As already mentioned, the Redbourn NDP (paragraph 6.19) states that “The character of Redbourn derives from its scale and relationship with surrounding Green Belt, which comprises countryside, green and open spaces.”

10.6 The Stage 2 GBR states that the sub-area does not abut an identified historic place or provide views to a historic place claiming that it makes no contribution to purpose 4 of the Green Belt; however, as identified in the Stage 1 GBR and is a fact, the parcel adjoins the Redbourn Conservation Area and Grade I and Grade II listings at the Parish Church of St Mary's to the east and the Aubreys Camp Scheduled Monument to the west of the M1.

10.7 The Stage 2 GBR states, in relation to SA-1 that "In combination with SA-2 and SA-3a, the removal of the sub-areas is unlikely to impact on the performance of the wider Green Belt due to the already diminished sense of openness caused by the urbanising influences from Redbourn's settlement edge. The removal of these sub-areas in combination would round off the settlement edge, and further unchecked sprawl would also be restricted by the presence of the M1 to the west." It would appear that the more that Green Belt parcels that are removed from the Green Belt in a certain location the more 'logical' or 'rounded' a settlement may become as a result and that is what Arup use to determine impact on the wider Green Belt. It appears that this is simply being viewed from a parcel boundary point of view where in reality, any development that may take place will need to respond to the site constraints such as noise from the motorway so that the 'rounding off of the settlement edge' is perhaps not as neat and tidy as the consultants would like to think in this high-level study.

10.8 Despite this statement, the Stage 2 GBR then states that due to the site being located on the district boundary, the sub-area may be impacted by potential Green Belt released in the neighbouring authority of Dacorum stating that while the M1 is likely to provide a barrier to sprawl, perceptual merging could still occur. This statement is repeated for SA3a which points to a lack of cross-boundary working on Green Belt matters with Dacorum District and a risk that development could occur on the western side of the M1 (there is a bridge that crossed the M1 in this location). It should be noted that there are multiple road crossings between Redbourn and the western side of the M1 so it is a permeable barrier and we question any reliance on it as a defensible boundary.

Site selection

10.9 The Local Plan **Site Selection Proforma Sheet C-096 (West of Redbourn)** published by the Council in 2024, is not accurate and does not respond to the unbiased and clear evidence. RPC is concerned with the following matters regarding the proforma assessment:

- The pro-forma states that the site is located within "Green Belt Study less important area", but according the GBR and the methodology accompanying the site selection, the site, as per the red line shown in the pro-forma is 'partly within less important area' and partly within an important area. This should be corrected, and justification should be provided to understand the rationale for the changes from the HELAA boundary site to the allocation boundary site. Furthermore, whilst the resulting allocation remains outside of the 'important area', no qualitative assessment has been carried out of the implications of the allocation being brought forward up to the boundary of the 'important area'. How is any future development going to affect the Green Belt in this important location?

Figure 10.2. Extract of Figure 5.15 Categorisation North (Green Belt Review, 2023)

- The accessibility scoring is clearly inflated, and it is not a realistic to Redbourn. We have already raised in the spatial strategy section of this representation the concerns with regards to access to sustainable transport options and the frequency of bus services in particular. The sub-areas studied are located on the edge of the settlement, adjacent to 20th century suburban areas with no or very limited access to public transport, where walking distances are exacerbated by a convoluted suburban layout of cul-de-sacs and long residential roads, of difficult access to the town centre, facilities, employment and public transport. Therefore, RPC considers that the 'Strong' scoring in the accessibility section is unjustified.
- The pro-forma makes a simplistic assessment of landscape by only considering whether the site is within or 100m from a landscape conservation area. The site is within the setting of the nationally designated Chilterns Area of Outstanding Natural Beauty (AONB, now National Landscape) but no consideration is given to this important landscape designation and the role of the site in its setting. The 'Strong' scoring of the site with regards to landscape is not informed by evidence and only based on a reduced and simplistic assessment approach.
- The air quality assessment (scoring 'Strong') is only looking at whether there are any air quality management areas in the area, but it does not assess beyond the presence of the air quality designation. The assessment should include a better understanding of the air quality situation, which is likely poor due to the adjacent M1.
- Noise is not considered in the assessment, but these sites are clearly exposed to significant noise pollution due to their close relationship with the M1.
- The called 'qualitative assessment' is not an assessment of any kind. It is simply an outline of the constraints of the site and other factual data, but there is no consideration of the pros and cons, opportunities and constraints and the rationale for some decisions. For instance, whilst the area of study (site ref. C-096) expands beyond the 250m settlement buffer, there is no explanation of why the site selected was reduced in size to stay within the boundary of the buffer.

10.10 The **Site Selection Proforma Sheet C-098 (Gaddesden Lane)** published by the Council in 2024, is also full of inaccuracies and RPC raises the following concerns:

- 110 metres away from Ancient Woodland
- No consideration is given to the Chilterns AONB (now National Landscape) designation and the role of the site in its setting. The 'Strong' scoring of the site with regards to landscape is not informed by evidence and only based on a reduced and simplistic assessment approach.

- The air quality assessment (scoring ‘Strong’) is only looking at whether there are any air quality management areas in the area, but it does not assess beyond the presence of the air quality designation. The assessment should include a better understanding of the air quality situation, which is likely poor due to the adjacent M1.
- Noise is missing in the assessment.
- The qualitative assessment section is also deficient for site ref. C-098, as it recommends the site to progress, but it does not justify the decision on any demonstrable consideration of evidence and its analysis. The section merely repeats facts of the site, but doesnot analyse them in the context of the site selection process.
- The qualitative assessment states that the site scores ‘Medium’ due to, according to the proforma methodology, the site is adjacent or within 100m of any known or likely Archaeological Assets. However, the proforma does not seem to acknowledge the evidence provided by the B3 West of Redbourn Heritage Impact Assessment (May 2024), which states (paragraph 5.8):

“Evidence from the Historic Environment Record indicates that there is a potential for occupation of the Site in the later prehistoric (probably Bronze Age through to the Late Iron Age) and Roman occupation within the Site. There is also the possibility of medieval remains to be present within the Site. Any development within the Site has the potential to disturb or destroy previously unrecorded archaeological deposits. The deposits are likely to be largely intact with any damage only resulting from agricultural activity.”

10.11 The Draft Local Plan - Part B (Local Plan Sites) sets out 12 Key Development Requirements. We make the following comments in response to this which does not in any way mean that the Parish Council is supportive of this proposed Broad Location. It objects to its inclusion in the Draft Local Plan. Its comments on the details of Part B are so that the key issues of the sites are further understood and evidenced by SACDC and the developer. We would have expected most of these matters to be assessed and addressed by this stage of the Local Plan where SACDC has already put these forward for inclusion however that is clearly not the case.

- It states that a new primary school is required to serve the new community. We refer SACDC to Policy Red 8 (Community Facilities) of the Redbourn Neighbourhood Development Plan that should be used to inform this.
- The proposed wording should strongly refer to a direct link to the Nickey Lane as a requirement prior the development takes place and to design this access so it is accessible to all users.
- Whilst RPC supports the policy requirement no. 3, it is not written strongly enough and may not be effective as it is. The policy should require a network of pedestrian and cycle routes that permeate and integrate with the rest of the town, facilitating and prioritising pedestrian mobility for all users. These routes should connect key destinations within the site and between the site and nodes and key employment areas, bus stops and facilities in the town.
- The wording of the masterplan requirement is not effective. Requirement 5 should aim for development (and the masterplan) to conserve and enhance the significance of heritage assets and their setting, not to minimise harm. The reference to setbacks is too prescriptive and unnecessary.
- The requirement for a noise assessment regarding the M1 along with mitigation measures - one would have expected for this to already have been undertaken before proposing the area in a Draft Local Plan. This is a 'showstopper' for the area and this technical work needs to be undertaken immediately.
- Requirement no. 6 regarding noise should be integrated in the masterplan design, which should be informed by a noise assessment. Layout, landscape and building design should take into account noise. The development should not rely on fencing, but noise attenuation should be designed in the layout first. Furthermore, the aspiration of the policy should be to achieve the healthiest environment as possible, rather than complying with minimum requirements.

- The reference at no. 8 to the pipeline is insufficient and requirements should be established in the policy, rather than weak sentences such as "development proposals must appropriately take this into account". This is an ambiguous requirement with no clear outcome, therefore it should be amended. There is no mention of the electricity transmission lines that are located west of Redbourn or the need for the mitigation of these constraints.
- There is no specific key development requirement covering the need for archaeological investigation and potential mitigation and enhancement.

10.12 RPC objects to the proposed Broad Location Site B3 West of Redbourn, as the allocation has not been informed by unbiased and sufficient evidence, the assessment of evidence carried out by the Council is clearly insufficient. **This policy is unsound due to it being ineffective, it is not justified and based on proportionate evidence and it is inconsistent with national policy.**

...

17 Policy NEB8 (Managing Flood Risk)

17.1 The NPPF explains that *"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere"*[13]. Inappropriate development includes housing and the NPPF is clear that housing development should be directed away from areas at highest risk.

17.2 The NPPF explains[14] that *"All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:*

1. *applying the sequential test and then, if necessary, the exception test as set out below;*
2. *safeguarding land from development that is required, or likely to be required, for current of future flood management;*
3. *using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and*
4. *where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations*

17.3 Policy NEB8 states that *"Proposals located within flood zones (i.e. Flood Zones 2 or 3, or sites within Flood Zone 1 where there is an identified flood risk) need to meet the requirements of the sequential and exception tests, in accordance with national policy."* However, this has not been undertaken in the Council's selection of housing allocations.

17.4 Simply put, given that the site East of Redbourn has significant land within the highest risk of flooding, why did SACDC select the site without first undertaking a Sequential Test?

[13] NPPF paragraph 165

[14] NPPF paragraph 167

Figure 17.1: PPG Application of the Sequential Test for Local Plan preparation

...

19 Landscape

West of Redbourn (Broad Location B3) Landscape and Visual Assessment

19.1 RPC is concerned that the allocation policy (Broad Location West of Redbourn B3) is not sufficiently informed by the Landscape and Visual Assessment Sheet (September 2024) and does not set out adequate key development requirements that would address some of the landscape and visual impact concerns. Some issues raised below:

19.2 The Landscape and Visual Assessment Sheet requires "the careful consideration to conserve the rural character of Lybury Lane and setting of the existing settlement, avoid incremental encroachment along Lybury Lane and create a legible settlement gateway" but no key development requirement includes this specific landscape specification and the required masterplan does not refer to the landscape evidence, only requiring setbacks from the Conservation Area.

19.3 The sheet also requires to "understand and respond to the locally distinct character of Redbourn's valued landscapes such as Redbourn Common and the River Ver. Consider the positive relationship between open space and built form." Unfortunately, this hasn't also translated into a design requirement in the allocation policy.

19.4 No reference is made in the allocation policy to the specific landscape and visual impact mitigation proposed in the sheet: *"From the wider area to the south, there are oblique views across the proposed development as it cascades across the elevated and sloping topography. Across the slopes consider layering bands of structural tree planting along the contours to help soften the roofscape in views towards the development."*

19.5 No reference is made to the opportunities to connect Green Infrastructure raised in the sheet: *"Consider opportunity for links with wider network of green infrastructure routes and assets such as Redbourn Common, Flamsteadbury Play Area, Tassell Hall Allotments to north. Opportunity to create green route through centre of site (north to south) connecting to Nickey Line in the south."*

19.6 Given the disregard of the allocation policy to the landscape evidence, RPC considers that the Local Plan is not sufficiently and robustly based on evidence, in this case landscape assessments, as to be an efficient and positively prepared policy, therefore the allocation policy of West Redbourn being **unsound**.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

RPC objects to the proposed Broad Location Site B3 West of Redbourn, as the allocation has not been informed by unbiased and sufficient evidence, the assessment of evidence carried out by the Council is clearly insufficient. **This policy is unsound due to it being ineffective, it is not justified and based on proportionate evidence and it is inconsistent with national policy.**

..

.. Given that the site East of Redbourn has significant land within the highest risk of flooding, why did SACDC select the site without first undertaking a Sequential Test?

...

Given the disregard of the allocation policy to the landscape evidence, RPC considers that the Local Plan is not sufficiently and robustly based on evidence, in this case landscape assessments, as to be an efficient and positively prepared policy, therefore the allocation policy of West Redbourn being **unsound**.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Refer to Attached submission letter for whole response and figures.

Site M6 South of Harpenden Lane, Redbourn

13.1 Policy LG4 includes site M6 - South of Harpenden Lane, Redbourn as a Medium Site in Part B of the Draft Local Plan. It indicates 68 dwellings. RPC has several concerns regarding this site which we set out below.

Figure 13.1: Extract of allocation policy M6, Part B Draft Local Plan.

13.2 A key concern is the fact that half of the site is located within Flood Zone 3 and 2. RPC has reviewed the published Level 2 Strategic Flood Risk Assessment and the Site Selection Proforma Sheet, and we are concerned to confirm that approximately half of the site is within flood

zones 2 and 3a and 3b, which is a considerable amount of allocated land at risk of flooding. Furthermore, over 40% of the site is at risk of surface water flooding and there are areas of the site that suffer from groundwater flooding too.

13.3 Importantly, flood risk zones 2 and 3 run through the site, from its north boundary to the south boundary, cutting the site into two narrow parcels of land at each side, which would be within flood risk zone 1. RPC is concerned that the Council has not given enough consideration to floor risk and its spatial distribution within the site in the consideration of the size of the proposed allocation nor in the quantum of development allocated for.

13.4 We are of the view that a 68 dwellings development in this location would have serious viability and deliverability issues. This is due the reduced space for development and the split of the site into two narrow sites for development, which would jeopardise the number of homes delivered as well as layout and building design. Has the Council considered the potential capacity of this site considering other development plan policies? Is there sufficient and adequate space for a development to comply with other Draft Local Plan and made Redbourn NDP policies?

13.5 Shallow groundwater means that Sustainable Drainage Systems (SuDS) based on water infiltration and attenuation are unlikely feasible where groundwater is close to surface. This would have implications in the design of layout, open space and drainage solutions for the site, which take a significant amount of land and considering the very limited area safe from flooding, there would be even less space available for actual development (homes).

Figure 13.3: EA Flood Map for Planning (Surface Water)

13.6 We have reviewed the Council's Site Selection Proforma (M-016) and have concerns with the lack of an evidence-based and unbiased qualitative assessment of the site.

- Much of the site is affected by flood risk, reducing developable areas and reducing the opportunities for effective and efficient layout and building design, including the feasibility of SuDS.
- This site is heavily constrained by the large proportion of land at risk of flooding that bisects the site, but also by the A5183 Road along the eastern boundary, which impedes developing the site with homes immediately up to the eastern boundary. Some distance and noise mitigation feature may be required in order to provide a safe and healthy environment to future residents.
- Additionally, the Site Selection Proforma Sheet confirms that the site contains deciduous woodland (priority habitat) in the south, east and north, along with a woodland TPO and an area TPO in the south. Clearly, these woodland and trees would have implications in the development management stage of the development, as any development would have to comply with statutory biodiversity net gain (BNG), and these areas, being priority habitat, would score high in any BNG assessment.
- The site scores strongly on Green Infrastructure Corridors. This may be as the site is not part of any specific Green Infrastructure Corridor designation, but the site forms part of the Green Infrastructure network. A simple assessment of the habitats within the site (deciduous woodland and grass), the River Ver and its riparian habitats would be enough as to understand that the site forms part of a wider Green Infrastructure network along the river, expanding to the north and south of the site, following the river. We consider that the site should score weakly on Green Infrastructure for the reasons above.
- The proforma also states that part of the site is contaminated, and given current national and local policies, assessment of the contamination and any necessary decontamination would be required prior to developing the site for residential use.
- Noise is missing in the assessment.

13.7 These environmental constraints are not given sufficient weight in the proforma assessment, as they are merely outlined, but the Council is failing to explain how a 68 dwellings development could take place within the site with the heavy constraints that is subject to. Therefore, RPC considers that the site should not be recommended to progress any further unless and until the above issues are addressed.

13.8 The Draft Local Plan - Part B (Local Plan Sites) sets out 10 Key Development Requirements. We make the following comments in response to this which does not in any way mean that the Parish Council is supportive of this proposed allocation as currently proposed:

- Safe access for all modes of transport should be required in the allocation policy, and this should include that it should be provided as well in the context of an exceptional flooding scenario.
- The wording of the policy and the requirement about the existing trees is not strong enough and it should be strengthened to ensure that existing trees are retained and are part of the design process.
- The proposed wording should strongly refer to a direct link to the Nickey Lane as a requirement prior the development takes place and to design this access so it is accessible for all users.
- The wording of the conservation area requirement is not effective. This requirement should aim for development, thought layout, building and public realm design, to conserve and enhance the significance of heritage assets and their setting, not to minimise harm. IT should not only refer to layout design, but to public realm and building design too.
- The reference to the River Ver is insufficient, and this policy should require integration of the River Ver into the design of the scheme, making the river publicly accessible and part of the landscape strategy for the site and its public realm.

13.9 RPC objects to the proposed allocation site M6 (Land South of Harpenden Lane), as the allocation has not been informed by unbiased and sufficient evidence, the assessment of evidence carried out by the Council is clearly insufficient. This policy is unsound due to it being ineffective and its wording is ambiguous, it is not justified and based on proportionate evidence and it is inconsistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

RPC objects to the proposed allocation site M6 (Land South of Harpenden Lane), as the allocation has not been informed by unbiased and sufficient evidence, the assessment of evidence carried out by the Council is clearly insufficient. This policy is unsound due to it being ineffective and its wording is ambiguous, it is not justified and based on proportionate evidence and it is inconsistent with national policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

Sustainability Appraisal Note

Comment Number: 4

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Refer to Attached submission letter for whole response and figures.

4. **Sustainability Appraisal (SA)**

4.1 We bring into question the validity of the methodology and the results of the SACDC Sustainability Appraisal (September 2024). We summarise our points in relation to the Sustainability Appraisal below. Please note, we make a number of points in this section in relation to proposed broad locations and sites. We request that SACDC please ensures that those representations are captured in response to the Sustainability Appraisal as well as in response to the broad locations and sites.

4.2 As an overall statement about the SA, it is extremely difficult to see how the assumptions and output of the SA can be relied upon given the lack of up to date and detailed information across the evidence in relation to HGC. Without a clear understanding about what infrastructure will be delivered, its cost and how it will be funded for the largest growth area of the Local Plan how can the SA prepare reasonable alternatives and draw meaningful conclusions to inform decisions in the Local Plan.

4.3 Perhaps this lack of critical evidence base regarding the HGC is what has led the SA to include that HGC is a 'constant' across all eight 'reasonable alternatives'. This is clearly an unsound approach and undermines the validity of the SA.

4.4 The SA states at paragraph 5.5.2 that:

*"The starting point is an understanding that: A) support for **HGC** in full can reasonably be held constant"*

4.5 In order to understand the reason for this conclusion one must read paragraphs 5.4.22 – 5.4.28. This makes a number of statements which are not based on technical assessments but are more political and 'practical' in nature which should raise very serious concerns as to the legitimacy of the SA as sound evidence to be relied upon for the Local Plan.

4.6 It states at paragraph 5.4.23 that:

*"On balance, the decision reached is that HGC warrants being treated as a **constant**, in light of the latest evidence and understanding, including via the consultation in 2023. An overriding consideration is that the St Albans Local Plan simply could not progress to the Regulation 19 stage without HGC i.e. there would be a need for further consultation under Regulation 18, leading to major issues in terms of a risk/likelihood of Government intervention and a further prolonged period of struggling to defend against planning applications due to the presumption in favour of sustainable development. Also, it seems highly likely that the Dacorum Local Plan would struggle to progress, and there is the wider context of unmet housing and employment land needs in SW Herts (and, more generally, growth strategy, including HERT)."*

4.7 As we have set out through our representations the 'latest evidence' for HGC does not justify how the allocations are going to be delivered, and it is entirely unclear what the infrastructure required is or how it will be delivered.

4.8 The SA is also effectively saying that without all of HGC that it could not progress to the Regulation 19 and that another Regulation 18 consultation stage would lead to Government intervention and struggle to defend itself against planning applications. This is not an objective or technical assessment which is what an SA should be. There is another obvious flaw in this approach by the SA - by pretending that the HGC is going to be delivered under all reasonable alternatives, the Plan is placing the entirety of its strategy and plan on the delivery of the HGC. If the Local Plan is found unsound and / or the HGC does not deliver as SACDC predicts (which is very likely) then SACDC and its communities will find itself in the very position it is seeking to avoid – that of unable to defend itself against planning applications due to a lack of housing supply.

4.9 The SA does conclude at paragraph 5.4.25 that:

"There is feasibly the possibility of reducing the scale/extent of growth somewhat at the southern extent of the area and possibly also at the northeast extent (less clear/significant), but there is no clear case for doing so, and even fairly modest adjustments could lead to a risk of delay to the plan-making timetable"

4.10 Therefore, technically there is a case for reducing the scale and growth at HGC yet the risk of delay to the plan-making timetable has meant that the SA and SACDC have are unwilling to assess this properly.

4.11 The SA explains (paragraph 5.4.28) that there is a separate question regarding delivery timescales which it claims is covered in section 5.5 of the SA however we cannot see how this is covered in this section.

4.12 As our representations clearly set out, the timely delivery of infrastructure, the development lead in times and delivery rates of HGC are unrealistic which should be assessed as part of the SA to arrive at a number of reasonable alternatives for the quantum of development that is actually possible at HGC.

Figure 4.1: SA Table 5.2 RA Growth Scenarios showing HGC as the same in all scenarios

4.13 The SA (2023) provides an overview of Redbourn (see Pages 128 -129) we have the following comments:

- It states there is an *"hourly bus service to Dunstable and St Albans (19 mins)"*. **See our detailed overview of the bus service in Redbourn in the Spatial Strategy section – it should not be characterised as an hourly bus service to Dunstable and St Albans.**
- It states "*With regards to Green Belt options, the first point to make is that there is a strategic argument for Green Belt release at Redbourn, particularly given the need to consider the possibility of not delivering HGC in full; the need to consider the possibility of supporting lower growth at the three higher order settlement discussed above; and the need to minimise pressure for growth at lower tier settlements".* **Firstly, the SA should not be recommending a supposed 'backup plan' for the possibility that that HGC might not deliver in full; this is inappropriate. Nor should the SA be suggesting that a Tier 4 settlement (Redbourn) should be taking more growth instead of higher order settlements which are set out in the Settlement Hierarchy of the Local Plan. Furthermore, it appears to be stating that Redbourn should also be taking the pressure off lower Tier settlements. The SA does not actually justify these statements which are basically that Redbourn should be a 'back up' for HGC non delivery, take the pressure off higher order settlements and take the pressure off lower tier settlements. We suggest and request this statement is removed from the SA.**
- The SA then provides a 'broad sequential order of preference in relation to 'Green Belt options'. **The 'sequential order' approach taken appears to be made up by the Consultants as this is not set out in the Green Belt Review.**
- The first sequential options it lists is 'West of Redbourn' quoting its strong performance in Green Belt terms, new infrastructure in the form a primary school or expansion of the existing primary school. It rightly points out inherent access / connectivity challenges and clear constraints including the M1 being adjacent and several public rights of way and the need to liaise very closely with Dacorum Borough. T**he GBR Sub Areas that comprise West of Redbourn actually score 'Strongly' against the NPPF purposes for the Green Belt. The GBR also raises potential issues regarding potential perceptual merging across the M1. The SA should not downplay the impact of the M1 impacting on potential development in this location.**
- The second sequential option in the SA is East of Redbourn. **It rightly states that this is a complex site and that the River Ver corridor is on site. However it fails to mention the large extent of Flood Zones 3 and 2 present which should be highlighted in more detail.**
- Table E (Summary of Redbourn growth scenarios to progress to Section 5.5) sets out 2 potential scenarios. **We consider that these scenarios should be developed further rather than stating that it is either 'Non-Green Belt Release' or 'Both West of Redbourn' and 'East of Redbourn'. There should be additional scenarios that test just West of Redbourn and just East of Redbourn. Ideally there would be further granulation of West of Redbourn which does not include the whole site.**

Figure 4.2: Interim SA Table E: Summary of Redbourn growth scenarios to progress to Section 5.5

4.14 SA Table 5.2 sets out the four growth scenarios by settlement. For Redbourn 661 dwellings is included for three out of the four scenarios with only one scenario showing no Green Belt Release in Redbourn. For the higher Tier settlements (St Albans, Harpenden, London Colney) there is more granulation in terms of the options across the scenarios.

Noise and Air Quality

4.15 The matter of noise and air quality have not been properly assessed as part of the plan making process including in the SA. There are serious concerns regarding the existing air and noise pollution in the area at Redbourn and Hemel East. The Sustainability Appraisal is very dismissive of this serious threat to human health and what the potential impact is of proposing development closer to the main source of the air and noise pollution – the M1. The SA states the following about this topic which demonstrates that the SA and the Local Plan has not really taken this key matter into consideration writing it off saying that air quality concerns are decreasing over time and focusing on the modal shift assumptions in the transport evidence.

"Hemel Garden Communities – there are two AQMAs at Hemel Hempstead, but these are relatively distant from HGC (associated with north-south road corridors close to the western edge of the town). HGC is considered to be associated with a considerable opportunity in respect of masterplanning in support of trip internalisation and modal shift away from the private car (albeit this remains a focus of ongoing work), plus the A414 strategy / HERT represents a considerable opportunity to address air quality hotspots across the sub-region (for example, Hertford is constrained). However, benefits would be felt in the long term, and air quality concerns are decreasing nationally over time (albeit concerns will remain, particularly in respect of particulates from roads, brakes and tiers given the weight of EVs)."(Paragraph 9.3.2)

"In conclusion, a broadly neutral effect is predicted on the baseline, as per the conclusion in 2023. There is little reason to suggest that the proposed growth strategy will conflict with air quality objectives, particularly noting the location of AQMAs within the District and in surrounding areas. HGC is supported, but there is inherently an element of uncertainty and risk around achieving the high levels of modal shift (away from use of the private car) that are being assumed for the purposes of traffic modelling." (Paragraph 9.3.4)

4.16 We have reviewed Defra's 2019 Road Traffic Noise Levels mapping to see what this means for the Local Plan Area given the heavy traffic and congestion in the area including the presence of the M1.

Figure 4.3: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods Accessed: http://www.extrium.co.uk/noiseviewer.html

Figure 4.4: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods. Source: http://www.extrium.co.uk/noiseviewer.html

4.17 As one can clearly see from the above mapping the noise levels east of Hemel and West of Redbourn do not appear to be safe and high density housing and employment in the area is going to further exacerbate this issue. It is very difficult to see how mitigation measures could greatly impact the noise and air pollution from the M1. In any case this area appears to be an unsafe and unsuitable location to allocate strategic housing that is meant to be 'sustainable' when its future residents will be exposed to unhealthy levels of pollution.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As an overall statement about the SA, it is extremely difficult to see how the assumptions and output of the SA can be relied upon given the lack of up to date and detailed information across the evidence in relation to HGC. Without a clear understanding about what infrastructure will be delivered, its cost and how it will be funded for the largest growth area of the Local Plan how can the SA prepare reasonable alternatives and draw meaningful conclusions to inform decisions in the Local Plan.

Perhaps this lack of critical evidence base regarding the HGC is what has led the SA to include that HGC is a 'constant' across all eight 'reasonable alternatives'. This is clearly an unsound approach and undermines the validity of the SA.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. REDBOU~4.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redbourn Parish Council (RPC) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Redbourn and Hemel Hempstead RPC considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

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284 - Stephen Greenwood

Submission Number: 284 Submission Date: 07/11/24 09:00

Respondent: Stephen Greenwood

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This is our objection to the proposal to build 60 houses in Amwell Top Field Wheathampstead in the St.Albans City & District Council Draft Local Plan 2041.

There is actually a MAINS GAS PIPE that runs through the middle of this field - a fact that appears to have been concealed by the field's owner.

Apart from that, the road infrastructure is totally inadequate for a housing development at this site!

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Greenwood_S_[R].pdf

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285 - Ian Holt

Submission Number: 285 Submission Date: 01/11/24 09:00

Respondent: Ian Holt

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I strongly object to any plan which is against the word and spirit
of the 'Green Belt' legislation.

And more so if any plan relies on burning carbon which we all know to be playing havoc with 'climate change', backed by established scientific knowledge.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Holt_I_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I strongly object to any plan which is against the word and spirit
of the 'Green Belt' legislation.

And more so if any plan relies on burning carbon which we all know to be playing havoc with ‘climate change’, backed by established scientific knowledge.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Holt_I_[R].pdf

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286 - Bloor Homes

Submission Number: 286 Submission Date: 07/11/24 09:00

Respondent: Quod Alex Hamlet

On Behalf Of : Bloor Homes

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 6

Type:

* Paragraph

Number:

1.5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Review Policy

3.17 Bloor notes that there is no proposed review policy in the Regulation 19 Draft Local Plan. Given SADC has brought its Local Plan timetable forward, agreeing a timeframe for a review of the Plan is recommended to ensure policies do not become “out of date” given the imminent updates being made to the NPPF.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given SADC has brought its Local Plan timetable forward, agreeing a timeframe for a review of the Plan is recommended to ensure policies do not become “out of date” given the imminent updates being made to the NPPF.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Bloor Homes_[R].pdf
3. SADC Reg 19 Representation_Form Bloor_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bloor Homes is the freeholder owner of the northern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **Draft Policy LG1 – Broad Locations**

  3.1 Bloor supports the principle of draft Policy LG1 (Broad Locations) which identifies 12 areas for large urban extensions of 250 or more homes or strategic scale employments and recognises the contributions these locations make to meeting the growth requirements for the District.

  3.2 Bloor has a number of recommendations regarding the detail set out within some of the sub sections of the policy which would facilitate timely delivery.

  ▪ **Part (h) and draft Policy HOU2 – Affordable Housing** - requires 40% of homes as on-site affordable housing. This has been informed by the "BNPPRE Local Plan Viability Report – St Albans DC – September 2024" which sets out in paragraph 6.8 the results of the affordable appraisals for greenfield sites in SADC. Bloor support this policy and its evidence base.

  ▪ **Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Bloor suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed. As a part of the master planning process, and through the use of design codes, various housing densities and typologies will be delivered across HGC. Self-build homes should be delivered through smaller-scale sites which are more likely to be situated in locations that follow the conventional approach to the delivery of self build homes.

  ▪ **Part (j) and draft Policy DES3 – Efficient Use of Land** expects development proposals to achieve 40 net dwellings per hectare. However, this policy must also recognise the open space and private amenity space requirements that need to be delivered on the Site to support the population. The Site is expected to deliver sports provision, SANG, open space, managed woodland and a range of community growing spaces. There are many competing uses on the Site that need to be managed to achieve the Four Pillars that underpin the HGC. It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.

  ▪ **Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features** requests that at least 1 semi-mature tree is planted for each dwelling; for C2 accommodation applicants are expected to plant 1 semi-mature tree for every 2.5 dwelling equivalent bed spaces. Bloor welcome this approach in principle and is committed to delivering one tree for each dwelling, however, in certain circumstances it may be more appropriate to plant young trees / saplings. For example, younger trees have resilient root systems that can overcome the stress of being planted faster than larger trees can. It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to "semi-mature" is removed.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to our representation letter which is submitted alongside this form which details proposed modifications to policies and recommended revised wording ...

Proposed modifications to Draft Policies in the Draft Regulation 19 Local Plan (Part A) are set out in Section 3 of the representation....

- **LG1 Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Bloor suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed
- **LG1 Part (j) and draft Policy DES3 – Efficient Use of Land** It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.
- **LG1 Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features -** It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to “semi-mature” is removed.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Bloor Homes_[R].pdf
3. SADC Reg 19 Representation_Form Bloor_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bloor Homes is the freeholder owner of the northern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1.2 Bloor is the freehold owner of the northern area of draft Site Allocation H1 – North Hemel that also forms part of the emerging Hemel Garden Communities ("HGC"). Bloor is fully committed to the sustainable delivery of this Site and of the new garden community which is intended to be delivered as a part of the UK Government's Garden Communities Programme.

....

Draft Policy LG2 – Support for Transformation of Hemel Hempstead

3.3 Bloor notes the evidence base documents that have been published for the Regulation 19 Local Plan and HGC Framework Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for LG2 – Support for Transformation of Hemel Hempstead

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Bloor Homes_[R].pdf
3. SADC Reg 19 Representation_Form Bloor_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bloor Homes is the freeholder owner of the northern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG3 – Hemel Garden Communities Growth Areas Place Principles

3.4 Bloor supports and welcomes the approach that SADC has taken, recognising the overarching vision and significant role HGC will have in transforming Hemel Hempstead. Draft Allocation H1 is critical to the delivery of the HGC proposal, which has an ambition to deliver 11,000 homes and 10,000 jobs on land to the north and east of Hemel Hempstead.

3.5 Bloor is working closely with SADC, DBC and other landowners of HGC in continuing to develop the HGC proposals to deliver HGC and draft Site Allocation H1 – North Hemel Hempstead. The place shaping principles identified in Policy LG3 will be adopted within the design and master planning of HGC (and draft Site Allocation H1 – North Hemel Hempstead) to ensure a robust green network, integrated neighbourhoods, self-sustaining and engaged communities.

...

HGC Strategic Design Code

3.7 Part B requires the retention of existing hedgerows and trees and other areas of biodiversity value. Bloor agree that protecting trees and hedgerows is an important element of conserving biodiversity. However, to successfully deliver the scale of development proposed on the Site and across HGC, there may be scenarios where some existing trees and hedgerows may need to be removed and may not be of high ecological value. Policy SP13 – Health and Wellbeing, part f), Policy SP2 – Responding to the Climate Emergency, part j) and Policy SP3 – Land and the Green Belt secure increased tree planting and support for biodiversity on sites where trees are removed. Bloor, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):

"b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;"

3.8 The HGC Strategic Design Code already provides this flexibility as it states that "the design of the site must take reasonable steps to ensure the retention of existing site features such as hedgerows, trees, woodland and watercourses". However, for consistency it is requested that the wording within the Design Code mirrors the proposed wording change noted at paragraph 3.7.

...

HGC Design Code

4.1 Page 21 of the draft HGC Design Code document (September 2024) divides the HGC area into six 'Neighbourhoods', which the document states have been identified during the Strategic Design Code process and will contribute to deliver the vision of Hemel as 'One Place'.

4.2 Draft Site Allocation H1 – North Hemel Hempstead falls within Neighbourhood 2 and 3. Neighbourhood 2 also extends further north west into DBC, as shown in Figure 4.

Figure 4: Extract from Page 21 of the draft HGC Design Code

See supporting document: North Hemel Hempstead Regulation 19 Representation Bloor for Figure

4.3 Page 69 sets out neighbourhood level requirements and divides these into “should” and “must” requirements. Paragraph 3.6.31 states “Neighbourhood 2 should be subject to a masterplanning process that includes the whole neighbourhood extent.” Whilst is it noted that this is not a “must” requirement, it is requested that paragraph 3.6.31 is removed because it is not practical or necessary.

4.4 Draft Site Allocation H1 – North Hemel Hempstead forms an important component of the wider HGC development, provides the eastern access on to Redbourn Road for the strategic sustainable movement corridor on which HGC relies, and therefore, the timely delivery of the wider HGC. This also means that the Site needs to be developed as one of the first sites to deliver within HGC. Pigeon and Bloor are having collaborative discussions with SADC regarding the potential to bring forward a planning application for the Site.

4.5 The northern part of Neighbourhood 2 is on a different trajectory in terms of the planning application process. Therefore, requiring a masterplan to cover the entirety of Neighbourhood 2 is likely to significantly delay the delivery of Draft Site Allocation H1 – North Hemel Hempstead, which at present, is aiming to be one of the sites to deliver homes, infrastructure and community facilities early in the Plan period. It is therefore requested that paragraph 3.6.31 is removed as the HGC Framework Plan and HGC Strategic Design Code documents will ensure that Neighbourhood 2 is delivered in a co-ordinated way.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for LG3

HGC Strategic Design Code

- For consistency it is requested that the wording within the Design Code mirrors the proposed wording change for policy LG6 - Green Belt Compenstory measures noted at paragraph 3.7.
- Bloor, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):
- “b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;”

HGC Strategic Design Code

Page 69 sets out neighbourhood level requirements and divides these into “should” and “must” requirements. Paragraph 3.6.31 states “Neighbourhood 2 should be subject to a masterplanning process that includes the whole neighbourhood extent.” Whilst is it noted that this is not a “must” requirement, it is requested that **paragraph 3.6.31 is removed because it is not practical or necessary**

It is therefore requested that **paragraph 3.6.31 is removed as the HGC Framework Plan and HGC Strategic Design Code documents will ensure that Neighbourhood 2 is delivered in a co-ordinated way.**

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG6 - Green Belt Compensatory Improvements

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG6 – Green Belt Compensatory Improvements

3.6 Bloor welcome the additional text clarifying that where a development is required to submit both a Green Belt compensation strategy and provide Suitable Alternative Natural Greenspace ("SANG"), the Green Belt compensation strategy can incorporate features that are proposed within the SANG. Paragraph 5 of draft Site Allocation H1 – North Hemel Hempstead now aligns with LG1, LG3 and part A of Policy LG6.

3.7 Part B requires the retention of existing hedgerows and trees and other areas of biodiversity value. Bloor agree that protecting trees and hedgerows is an important element of conserving biodiversity. However, to successfully deliver the scale of development proposed on the Site and across HGC, there may be scenarios where some existing trees and hedgerows may need to be removed and may not be of high ecological value. Policy SP13 – Health and Wellbeing, part f), Policy SP2 – Responding to the Climate Emergency, part j) and Policy SP3 – Land and the Green Belt secure increased tree planting and support for biodiversity on sites where trees are removed. Bloor, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):

"b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;"

3.8 The HGC Strategic Design Code already provides this flexibility as it states that "the design of the site must take reasonable steps to ensure the retention of existing site features such as hedgerows, trees, woodland and watercourses". However, for consistency it is requested that the wording within the Design Code mirrors the proposed wording change noted at paragraph 3.7.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Bloor, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):

"b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;"

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HOU1 – Housing Mix

3.9 Draft Policy HOU1 stipulates that:

New residential development proposals (Use Class C3) should provide:

a) A mix of dwelling types and sizes to meet the needs of current and future households; and

b) In the case of proposals of 10 or more homes to provide a housing mix as follows –

See supporting document: North Hemel Hempstead Regulation 19 Representation Bloor for table

3.10 Diversity in housing is crucial to delivering mixed and balanced communities that cater to the different needs of the population. The demand for housing types may change over time to the end of the Plan period in 2041, or there may be a scenario where a neighbourhood may currently have an over-concentration of a particular size of dwelling type and a new development could help redress this balance. SADC should introduce more flexibility to draft Policy HOU1 to enable an alternative mix of housing where this is supported by local housing needs evidence and is appropriate. SADC should therefore add the following to draft Policy HOU1:

"c) The Council may permit an alternative housing mix providing the applicant is able to provide up to date local market evidence, or up to date evidence from the Council's Housing Register, to justify the mix and ensure that the proposal will contribute towards the creation of mixed and balanced communities."

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

SADC should therefore add the following to draft Policy HOU1:

"c) The Council may permit an alternative housing mix providing the applicant is able to provide up to date local market evidence, or up to date evidence from the Council's Housing Register, to justify the mix and ensure that the proposal will contribute towards the creation of mixed and balanced communities."

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (h) and draft Policy HOU2 – Affordable Housing** - requires 40% of homes as on-site affordable housing. This has been informed by the "BNPPRE Local Plan Viability Report – St Albans DC – September 2024" which sets out in paragraph 6.8 the results of the affordable appraisals for greenfield sites in SADC. Bloor support this policy and its evidence base.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for HOU2

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I would like to be notified about the adoption of the Local Plan:

* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Bloor suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed. As a part of the master planning process, and through the use of design codes, various housing densities and typologies will be delivered across HGC. Self-build homes should be delivered through smaller-scale sites which are more likely to be situated in locations that follow the conventional approach to the delivery of self build homes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- **LG1 Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Bloor suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed.

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* Yes

Strategic Policy SP8 - Transport Strategy

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Chapter 8 - Transport

SP8 - Transport Strategy

3.11 Policy SP8 provides the overarching transport strategy. Part (h) refers to supporting inter-settlement connectivity for active modes (such at the Nickey line). While it is commendable to have ambitions for the wider sustainable use of the Nickey Line, it remains unclear as to whether the Nickey line will ever be such a utility route, as opposed to just a leisure route.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It remains unclear as to whether the Nickey line will ever be such a utility route, as opposed to just a leisure route.

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TRA1 - Transport Considerations for New Development

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA1 - Transport Considerations for New Development

3.12 Policy TRA1 sets out the transport considerations for new development. At part (ii) it states "*That development would not lead to highway safety problems or cause unacceptable impacts upon the transport network*". However, this is likely to be superseded by the current draft NPPF (July 2024) wording. It should reference to a vision for the development, and that the development may have an impact in some tested scenarios, but not in the desired vision. At part (b) it states that "Major proposals must demonstrate as appropriate how: i. Measures to reduce the need to travel by private car are identified and implemented…". The test should also reference an overall reduction in the need to travel overall, rather than just by car. This would correspond with Policy LG3, paragraph 109 of the NPPF and paragraph 107 of the draft NPPF (July 2024).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- 3.12 Policy TRA1 sets out the transport considerations for new development. At part (ii) it states "*That development would not lead to highway safety problems or cause unacceptable impacts upon the transport network*". However, this is likely to be superseded by the current draft NPPF (July 2024) wording. It should reference to a vision for the development, and that the development may have an impact in some tested scenarios, but not in the desired vision. At part (b) it states that "Major proposals must demonstrate as appropriate how: i. Measures to reduce the need to travel by private car are identified and implemented…". The test should also reference an overall reduction in the need to travel overall, rather than just by car. This would correspond with Policy LG3, paragraph 109 of the NPPF and paragraph 107 of the draft NPPF (July 2024).

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TRA2 - Major Transport Schemes

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA2 – Major Transport Schemes

3.13 The Parking policy across the District is set out in TRA4 Parking. Part (e) states that "*New development at Broad Locations should: i. Prioritise sustainable and active modes of transport*". This is a repetition of the same point in Policy LG1 on Broad Locations and does not need repeating in this policy.

3.14 Part (f) also provides guidance on car clubs, stating that SADC will seek financial contributions from all major developments to car club facilities. However, such specific requirements reduces the opportunity for applicants and promotors to engage directly with and appoint a car club provider, which may allow more flexibility of delivery and innovation of approach over time. It is proposed that the policy is re-worded as follows:

(f) "The Council supports provision for car clubs to help reduce the need for private car parking. Provision of suitable onsite car club facilities is required for development of 100 or more dwellings or 10,000m² of non-residential floorspace. The Council will **either** seek appropriate financial contributions from all major developments to car club facilities and schemes, **or the Council will secure a car club to be delivered by the Developer by a planning condition**."

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Part (e) states that "*New development at Broad Locations should: i. Prioritise sustainable and active modes of transport*". This is a repetition of the same point in Policy LG1 on Broad Locations and does not need repeating in this policy.

It is proposed that the policy is re-worded as follows:

(f) "The Council supports provision for car clubs to help reduce the need for private car parking. Provision of suitable onsite car club facilities is required for development of 100 or more dwellings or 10,000m² of non-residential floorspace. The Council will **either** seek appropriate financial contributions from all major developments to car club facilities and schemes, **or the Council will secure a car club to be delivered by the Developer by a planning condition**."

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I would like to be notified about the adoption of the Local Plan:

* Yes

NEB1 - Woodlands, Trees and Landscape Features

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features** requests that at least 1 semi-mature tree is planted for each dwelling; for C2 accommodation applicants are expected to plant 1 semi-mature tree for every 2.5 dwelling equivalent bed spaces. Bloor welcome this approach in principle and is committed to delivering one tree for each dwelling, however, in certain circumstances it may be more appropriate to plant young trees / saplings. For example, younger trees have resilient root systems that can overcome the stress of being planted faster than larger trees can. It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to “semi-mature” is removed.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- **LG1 Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features -** It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to "semi-mature" is removed.

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I would like to be notified about the adoption of the Local Plan:

* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

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* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Chapter 10 – Natural Environment, Biodiversity and Green Infrastructure

NEB12 – Green Space Standards and New Green Space Provision

3.15 The "Appendix A.1 SADC Infrastructure Schedule (September 2024)" states that draft Site Allocation H1 – North Hemel Hempstead will be contributing to the delivery of sports provision, in line with Sports England requirements, delivered on East Hemel Hempstead North. The draft Site Allocation H1 – North Hemel Hempstead also includes the delivery of 'local public open space, including sports facilities' under part (1).

Bloor request clarity on whether part (c) of draft Policy NEB12 on new development providing new multi-functional green spaces as set out in the Table 10.2 of the Policy applies to draft Site Allocation H1 – North Hemel Hempstead or whether this draft Allocation is subject to part (d) which allows, 'in some exceptional cases' for this requirement to be in the form of a financial payment to support maintenance and improvement of an existing green space. In any event, Pigeon and Bloor can deliver the requirements of NEB12 as they relate to Site Allocation H1 – North Hemel Hempstead.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Bloor request clarity on whether part (c) of draft Policy NEB12 on new development providing new multi-functional green spaces as set out in the Table 10.2 of the Policy applies to draft Site Allocation H1 – North Hemel Hempstead or whether this draft Allocation is subject to part (d) which allows, 'in some exceptional cases' for this requirement to be in the form of a financial payment to support maintenance and improvement of an existing green space.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Bloor Homes_[R].pdf
3. SADC Reg 19 Representation_Form Bloor_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bloor Homes is the freeholder owner of the northern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES3 - Efficient Use of Land

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (j) and draft Policy DES3 – Efficient Use of Land** expects development proposals to achieve 40 net dwellings per hectare. However, this policy must also recognise the open space and private amenity space requirements that need to be delivered on the Site to support the population. The Site is expected to deliver sports provision, SANG, open space, managed woodland and a range of community growing spaces. There are many competing uses on the Site that need to be managed to achieve the Four Pillars that underpin the HGC. It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- **LG1 Part (j) and draft Policy DES3 – Efficient Use of Land** It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Bloor Homes_[R].pdf
3. SADC Reg 19 Representation_Form Bloor_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bloor Homes is the freeholder owner of the northern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES5 - Residential Amenity Standards

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.16 Draft Policy DES5 sets out proposed residential amenity standards. Bloor welcome that the wording of the policy has been drafted to provide flexibility to allow variation to the standards at the detailed design stage subject to the nature of the development and location. It is noted that any variation must still deliver a high standard of amenity for existing and future occupants of both the new development and neighbouring buildings.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for DES5

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Bloor Homes_[R].pdf
3. SADC Reg 19 Representation_Form Bloor_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bloor Homes is the freeholder owner of the northern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to our representation letter which is submitted alongside this form and details why the Local Plan is legally compliant and sound but requires some modifications.

Site Allocation H1 – North Hemel Hempstead, AL3 7AU

1.1 Quod, on behalf of Bloor Homes ("Bloor"), welcomes the opportunity to submit representations in response to the St Albans District Council ("SADC") Draft Local Plan Regulation 19 consultation in relation to draft Site Allocation H1 – North Hemel Hempstead, AL3 7AU ("the Site").

Introduction

1.2 Bloor is the freehold owner of the northern area of draft Site Allocation H1 – North Hemel that also forms part of the emerging Hemel Garden Communities ("HGC"). Blooris fully committed to the sustainable delivery of this Site and of the new garden community which is intended to be delivered as a part of the UK Government's Garden Communities Programme.

1.3 The land subject to these representations was previously assessed through the Call for Sites process in 2021 and the Regulation 18 consultation in 2023. Bloor is pleased to see that North Hemel Hempstead remains allocated in the Draft Local Plan Site Allocations for the provision of 1,500 homes in total (at least 1,125 in Plan period).

1.4 Draft Site Allocation H1 measures 152.96 ha. A plan of draft Site Allocation H1 – North Hemel Hempstead is provided below, identifying the land ownership of the Site.

Figure 1: The Site (Draft Allocation H1 shown in red, Pigeon's land shown in dark blue and Bloor Homes land shown in light green)

See supporting document: North Hemel Hempstead Regulation 19 Representation Bloor for figure

1.5 As show in Figure 1, Pigeon (Hemel Hempstead) Ltd ("Pigeon") and Bloor Homes ("Bloor") control the majority of the land within draft Site Allocation H1 – North Hemel Hempstead.

1.6 As demonstrated within the Vision and Delivery Document submitted at the Regulation 18 consultation in 2023, Pigeon and Bloor are able to deliver the essential policy requirements for draft Site Allocation H1 – North Hemel Hempstead within the land it controls. This Vision and Delivery Document has also been submitted alongside these Regulation 19 representations.

See supporting document: Hemel Hempstead Vision and Delivery Statement

1.7 The Site represents a deliverable, technically unconstrained and a sustainable location for new development. The Site's location adjoining to Hemel Hempstead is well connected and benefits from direct linkages via the B487 to the A5183 Dunstable Road and M1. The Site is well connected to the existing built-up area both in terms of its relationship with adjoining land uses and with regards to accessibility to services, employment, facilities, and public transport links.

1.8 The Sustainability Appraisal (September 2024) that supports the draft Local Plan demonstrates that there are a range of economic, environmental and sustainable benefits that justify the release of the Site from the Green Belt in order to meet SADC's housing needs. Pigeon and Bloor developed a draft masterplan for the Site that was submitted within the Vision and Delivery Statement that supported the Regulation 18 consultation response in 2023. The draft masterplan demonstrates that the Site can be delivered in accordance with the requirements of draft Site Allocation H1 and demonstrates that Pigeon and Bloor are committed to delivering a sustainable, mixed community that truly reflects garden community principles and where people aspire to live. Any future development of the Site can be well integrated into the townscape and landscape. As identified in the Vision and Delivery Statement, there are no environmental factors that would render the North Hemel Hempstead Broad Location unsuitable for the proposed scheme.

1.9 This letter sets out Bloor Homes's representation on the policies within the Draft Local Plan and provides responses on key issues pertinent to the draft Site Allocation H1 – North Hemel Hempstead. Whilst these representations have been prepared on behalf of Bloor, Bloor is committed

to continue working collaboratively with the other landowners as needed. This includes joint working with Pigeon, who control the majority of the remainder of the land within the draft Site Allocation H1 – North Hemel Hempstead.

1.10 These representations are structured as follows:

- Section 1 – responds to the draft Site Allocations document
- Section 2 – responds to the policies contained within the Regulation 19 draft Local Plan
- Section 3 – responds to the draft evidence base and supporting documents

Section 1

Response to Draft Site Allocations (Part B of SADC Local Plan) – H1 North Hemel Hempstead

Draft Site Allocation H1

Figure 2: Extract from Draft Local Plan Part B – Site Allocations (H1 – North Hemel Hempstead)

See supporting document: North Hemel Hempstead Regulation 19 Representation Bloor

2.1 The allocation not only represents a sustainable location for development in support of SADC's Local Plan and meeting it's own housing requirements but the Site is also critical to the development of the emerging HGC proposal and has an important role in supporting the delivery of 11,000 homes and 10,000 new jobs by 2050 across SADC and DBC.

2.2 Draft Site Allocation H1 – North Hemel Hempstead forms an important component of the wider HGC development, provides the eastern access on to Redbourn Road for the strategic sustainable movement corridor on which HGC relies, and therefore, the timely delivery of the wider HGC.

2.3 SADC is aware that the (now former) Secretary of State for Housing, Communities and Local Government wrote to SADC emphasising the importance of having an up-to-date Local Plan in March 2018 and again in December 2023. The Deputy Prime Minister most recently (30 July 2024) highlighted the Government's "goal has to be for universal coverage of ambitious local plans as quickly as possible" and stated that "there is not only a professional responsibility but a moral obligation to see more homes built". The Deputy Prime Minister also wrote to all local authority leaders on the same day and stated "the government's work is urgent, and in few areas is that urgency starker than in housing". SADC's aim of submitting the Local Plan for Examination by December 2024 is supported and reflects the urgent need to deliver more homes within SADC.

2.4 Approximately 30% of new residential growth in SADC is proposed to be located within HGC. The location of draft Site Allocation H1 – North Hemel Hempstead on the eastern edge of Hemel Hempstead represents a highly sustainable location for a high quality landscape and design-led neighbourhood to help meet the housing requirements of the local area and help meet the transformational objectives for Hemel Hempstead as part of the wider HGC proposals.

2.5 Bloor fully supports the proposed allocation, but requests that amendments are made to the specific policy wording of draft Site Allocation H1 – North Hemel Hempstead to support the timely delivery of the development. These are as follows, with reference to the numbered paragraphs in the draft allocation:

- **Draft allocation boundary**– As noted in Section 1 of this letter, there is a parcel of land within the centre of draft Site Allocation H1 – North Hemel Hempstead that is excluded from the allocation and is owned by Mr and Mrs Sill. This land is retained as part of the Green Belt and would not seem to be required to deliver draft Site Allocation H1. Immediately to the west of this land is a narrow parcel of land that is not controlled by Pigeon or Bloor, as shown in Figure 1 and 3. It is requested that this land is excluded from draft Site Allocation H1. The exclusion of this land will not impact Pigeon and Bloor's ability to deliver all policy requirements for draft Site Allocation H1 – North Hemel Hempstead within the land it controls.

Figure 3 - Extract of draft Site Allocation H1 – North Hemel Hempstead boundary –showing Parcel of land requested to be removed from draft allocation boundary

See supporting document: North Hemel Hempstead Regulation 19 Representation Bloor

▪ **Proposed Use**– Bloor fully supports the proposed allocation for 1,500 homes. However, the allocation states that approximately 375 homes will be delivered post-2041. Paragraph 60 of the National Planning Policy Framework ("NPPF") (December 2023) states that housing should be significantly boosted, and SADC has a substantial backlog of unmet housing need. During the monitoring years 2021/22 and 2022/23 a total of 314 and 401 dwellings were completed respectively. This figure is substantially lower than the figure calculated using the Government's standard methodology of 885 dwellings per annum.

Under the proposed changes to the NPPF, SADC's annual housing need would rise to 1,544 dwellings per annum. It would be inconsistent with the scale and urgency of housing need if the Plan was to artificially defer development of allocated sites. It is requested that the policy wording is clarified so that it states that there is no restriction on the delivery of all 1,500 homes within the Plan period providing that any future application can demonstrate, through technical assessment work, that the number of homes proposed within the development is acceptable.

▪ **Para 1 - Sport provision**– the allocation makes reference to including sports facilities under paragraph 1 and also includes contributions to health and sport provision within the wider HGC Growth Areas under paragraph 23. Bloor support the delivery of sports facilities but it is important to recognise the financial commitment being asked in both delivery and contributions to sports facilities. The "Appendix A.1 SADC Infrastructure Schedule (September 2024)" expects draft Site Allocation H1 – North Hemel Hempstead to contribute £2,313,945 for sports provision in HGC. It would be expected that any sports facilities delivered as part of the allocation would reduce the financial contributions for sports provision in the wider HGC.

▪ **Para 5 - Significant Publicly Accessible Green Area and updated site boundary**–the updated wording from the Regulation 18 draft Plan is welcomed with the reference to Country Park having been removed. The expansion of the allocation boundary to include additional land to the east is also welcomed as this area will be able to be utilised for Suitable Alternative Natural Greenspace ("SANG") for the Chilterns Beechwoods Special Area of Conservation ("SAC") and to deliver Biodiversity Net Gain ("BNG") and sports provision required to be delivered under paragraph 1.

▪ **Para 11 - Extra-care facilities** states that the allocation should deliver two extra care facilities comprising of 70-80 self-contained units in each facility, one 70-80 bed nursing home and 6 supported living units for people with disabilities. As reflected in the representations submitted at the Regulation 18 stage (September 2023), there are a number of ways in which the needs of older people can be met, as set out within the sub text of draft Policy HOU3 and Planning Practice Guidance ("PPG") Paragraph: 010 Reference ID: 63-010-20190626. Therefore, we would suggest that the allocation wording is revised to remove specific reference to "extra-care" and instead state "specialist housing for older people". This includes housing with support (retirement living and / or sheltered housing) and housing with care (extra care housing and / or housing with care), residential care homes, and other appropriate forms of accommodation. This provides the flexibility to deliver accommodation that provides variety and meets demand, while meeting SADC's requirement for specialist accommodation.

▪ **Para 12 – Integrated Mobility Hub**– we recommend that paragraph 12 be split into two parts, to differentiate between education needs and the mobility hub.

▪ **Para 13 – Transport** - should refer to a new gateway along the B487 Hemel Hempstead Road, not Redbourn Road (the same applies to H2 East Hemel). The road name changes to the east of Holtsmere End Lane.

▪ **Infrastructure provision**– The "Appendix A.1 SADC Infrastructure Schedule (September 2024)" highlights the contributions draft Site Allocation H1 – North Hemel Hempstead will be expected to make.

Bloor would highlight that any planning obligations be in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010, whereby a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

....

Conclusion

5.1 Overall, Bloor strongly supports the draft Site Allocation H1 – North Hemel Hempstead, AL3 7AU. The Site represents a deliverable, technically unconstrained and a sustainable location for new development. The Site's location adjoining to Hemel Hempstead is well connected and benefits from direct linkages via the B487 to the A5183 Dunstable Road and M1. The Site is well connected to the existing built-up area both in terms of its relationship with adjoining land uses and with regards to accessibility to services, employment, facilities, and public transport links.

5.2 Draft Site Allocation H1 – North Hemel Hempstead is important in the early delivery of the St Albans Local Plan housing provision. Draft Site Allocation H1 – North Hemel Hempstead forms an important component of the wider HGC development, provides the eastern access on to Redbourn Road for the strategic sustainable movement corridor on which HGC relies, and therefore, the timely delivery of the wider HGC.

5.3 Bloor is committed to delivering this Site and to working collaboratively with SADC, DBC and other landowners with interests in the draft Site Allocation H1 – North Hemel Hempstead and the wider HGC area to develop the strategy for coordinated, sustainable development. However, as set out within these representations, some changes to the draft policies are required to help facilitate the delivery of Site Allocation H1 – North Hemel Hempstead, HGC and the wider objectives set out in the Draft Local Plan.

5.4 Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

5.5 We trust that these representations are helpful and look forward to participating in the forthcoming Examination including attendance at relevant Hearing Sessions. Should you have any questions about these representations, or require any additional information, please do not hesitate to contact me or my colleague John Rhodes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to our representation letter which is submitted alongside this form which details proposed modifications to policies and recommended revised wording ...

Proposed modifications to Draft Site Allocations (Part B of SADC Local Plan) – H1 North Hemel Hempstead are set out in Section 2 of the representation ...

- **Draft allocation boundary**– As noted in Section 1 of this letter, there is a parcel of land within the centre of draft Site Allocation H1 – North Hemel Hempstead that is excluded from the allocation and is owned by Mr and Mrs Sill. This land is retained as part of the Green Belt and would not seem to be required to deliver draft Site Allocation H1. Immediately to the west of this land is a narrow parcel of land that is not controlled by Pigeon or Bloor, as shown in Figure 1 and 3 (***See supporting document: North Hemel Hempstead Regulation 19 Representation Bloor)*** It is requested that this land is excluded from draft Site Allocation H1. The exclusion of this land will not impact Pigeon and Bloor's ability to deliver all policy requirements for draft Site Allocation H1 – North Hemel Hempstead within the land it controls.

  Proposed use: It is requested that the policy wording is clarified so that it states that **there is no restriction on the delivery of all 1,500 homes within the Plan period** providing that any future application can demonstrate, through technical assessment work, that the number of homes proposed within the development is acceptable.
- **Para 1 - Sport provision** – the allocation makes reference to including sports facilities under paragraph 1 and also includes contributions to health and sport provision within the wider HGC Growth Areas under paragraph 23. Pigeon support the delivery of sports facilities but it is important to recognise the financial commitment being asked in both delivery and contributions to sports facilities.
- **Para 11 - Extra-care facilities** - Therefore, we would suggest that the allocation wording is revised to remove specific reference to "extra-care" and instead state "**specialist housing for older people"**
- **Para 12 – Integrated Mobility Hub**– we recommend that paragraph 12 be split into two parts, to differentiate between education needs and the mobility hub.
- **Para 13 – Transport** - should refer to a new gateway along the B487 **Hemel Hempstead Road**, not Redbourn Road (the same applies to H2 East Hemel). The road name changes to the east of Holtsmere End Lane.
- **Infrastructure Provision -** Bloor would highlight that any planning obligations be in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010, whereby a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Bloor Homes_[R].pdf
3. SADC Reg 19 Representation_Form Bloor_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bloor Homes is the freeholder owner of the northern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Bloor Homes respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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287 - Hertfordshire County Council Minerals and Waste Planning Policy Team

Submission Number: 287 Submission Date: 06/11/24 09:00

Respondent: Hertfordshire County Council Hertfordshire County Council Minerals and Waste Planning Policy Team

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

1.14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

General Comments

The Minerals and Waste Planning Authority welcomes the text at Paragraph 1.14 of the Draft Plan, which identifies St Albans City & District Council's (the District Council) statutory responsibility for waste management and the safeguarding of mineral resources and that the Draft Plan must be read in conjunction with the adopted Minerals and Waste Local Plan documents.

Soundness

The Minerals and Waste Planning Authority finds the Draft Plan to be **generally sound**, however please note our comments in relation to proposed allocation UC47 which we deem to be **unsound** in its current form. Wording has been suggested in order to address the soundness concerns identified.

Legal Compliance

The Minerals and Waste Planning Authority engages with the District Council on an ongoing and constructive basis throughout the year, with regular meetings (biannually) addressing progress with our respective Local Plans and covering matters relating to upcoming development proposals, any changes to national policy and guidance, and general matters of a shared strategic nature.

The Minerals and Waste Planning Authority also attends meetings a minimum of three times per year with Policy Officers from the District Council, along with Policy Officers from all of the other Local Planning Authorities (LPAs) within Hertfordshire. Similar meetings are held a minimum of three times per year with the Development Managers of all of the LPAs within the county, including the Minerals and Waste Planning Authority.

The Minerals and Waste Planning Authority therefore deems the Draft Plan to be legally compliant.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See Policy UC47 - The Minerals and Waste Planning Authority finds the Draft Plan to be **generally sound**, however please note our comments in relation to proposed allocation UC47 which we deem to be **unsound** in its current form. Wording has been suggested in order to address the soundness concerns identified.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 23

Type:

* Policies Map

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Policies Map

The Minerals and Waste Planning Authority is pleased to see that the current adopted Sand and Gravel Belt is being displayed on the Local Plan Policies Map, along with Waste Site Allocations, Safeguarded Waste Management Sites, the Safeguarded Rail Aggregates Depot and Sand and Gravel Preferred Areas.

As the Waste Planning Authority, we will publish yearly updates to the list of safeguarded waste management sites through the annual Authority Monitoring Report, which should be read in conjunction with the adopted Policies Map for the area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As the Waste Planning Authority, we will publish yearly updates to the list of safeguarded waste management sites through the annual Authority Monitoring Report, which should be read in conjunction with the adopted Policies Map for the area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

Part B - Local Plan Sites

Comment Number: 9

Type:

* Site

Number:

Mixed

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Site Allocations (Hemel Garden Communities - Broad Locations)

Hemel Garden Communities (H1, H2, H3 & H4)

We have no further comments for the information in the key development requirements for the above sites.

Site Allocations (Broad Locations – 250+ homes)
Broad Locations (B1, B2, B3, B7)

We have no further comments for the information in the key development requirements for the above sites.

M5-Sewage Treatment Works, Piggottshill Lane, Harpenden, AL5 5UN

As the Minerals and Waste Planning Authority, we are glad to see the exclusion of site M5-Sewage Treatment Works, Piggottshill Lane, Harpenden, AL5 5UN due to the previously raised safeguarding concerns regarding these Sewage Treatment Works.

Medium and Small Sites (M2, M6, M9, M17)

We have no further comments for the information in the key development requirements for the above sites.

Site Allocations (Medium and Small Sites – 5-99 homes)

The reminder of the medium and small sites (as included within Part B, from pages 31- 50) are 10 dwellings or under and/or have no other safeguarding concerns. Therefore, as the Minerals and Waste Planning Authority, we have no comments to add to these proposed allocations' key development requirements.

Site Allocations (Sites within Urban Settlements (HELAA))

The reminder of the Sites within Urban Settlements (HELAA) (as included within Part B, from pages 54- 56) are 10 dwellings or under (U3, U4) and have no other safeguarding concerns. Therefore, as the Minerals and Waste Planning Authority, we have no comments to add to these proposed allocations key development requirements.

Site Allocations (Sites within Settlements (Urban Capacity Study))

The proposed site allocations UC1 to UC7, UC10, UC12, UC16, UC18, UC19 and UC35 fall entirely outside the Sand and Gravel Belt. BGS data however identifies potential superficial sand/gravel deposits beneath these sites.

These proposed site allocations have existing built development adjacent to them. Due to their existing constraints, the council would only encourage opportunistic extraction at these sites.

Whilst **not a soundness matter**, the District Council may wish to add objectives to the 'key development requirements' for these proposed allocations, like that suggested above for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

The reminder of the sites within Settlements (Urban Capacity Study) (as included within Part B, from pages 57- 110) are either 10 dwellings or under and/or have no other safeguarding concerns. Therefore, as the Minerals and Waste Planning Authority, we have no comments to add to these proposed allocations key development requirements.

Site Allocations (Other Sites)

The remaining sites within the Other Sites (as included within Part B, from pages 111- 114) do not meet the criteria for major development and/or have no other safeguarding concerns. Therefore, as the Minerals and Waste Planning Authority, we have no comments to add to these proposed allocations key development requirements.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

B4 - East St Albans, AL4 9JJ

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B4 - East St Albans, AL4 9JJ

The Minerals and Waste Planning Authority welcomes the text of requirement 13 of the key development requirements for proposed allocation B4 that states that opportunist extraction should be undertaken wherever possible.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - support for policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

The Minerals and Waste Planning Authority welcomes the text of requirement 9 of the key development requirements for proposed allocation B5 that states that a Mineral Resource Assessment must be undertaken, along with the consideration of adopted Waste Local Plan Policy 5: Safeguarding of Sites in requirement 8. The District Council should be mindful of the proximity of Hatfield Aerodrome, a site currently allocated for mineral extraction in the adopted Minerals Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The District Council should be mindful of the proximity of Hatfield Aerodrome, a site currently allocated for mineral extraction in the adopted Minerals Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

B6 - West of London Colney, AL2 1LN

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B6 - West of London Colney, AL2 1LN

The Minerals and Waste Planning Authority welcomes the text of requirement 8 of the key development requirements for proposed allocation B6 that states that a Mineral Resource Assessment must be undertaken.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - support for key development requirements

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B8 - Harper Lane, north of Radlett, WD7 7HU

The Minerals and Waste Planning Authority welcomes the text of requirement 6 of the key development requirements for proposed allocation B8 that highlights the consideration of the adopted Minerals Local Plan Policy 10: Railheads and Wharves. However, the District Council must carefully consider the suitability of this allocation for residential use due to its proximity to Harper Lane Rail Depot and ensure that no unreasonable restrictions are placed upon the Depot's current or potential future use.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

However, the District Council must carefully consider the suitability of this allocation for residential use due to its proximity to Harper Lane Rail Depot and ensure that no unreasonable restrictions are placed upon the Depot's current or potential future use.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Large Sites (L1, L2 & L3)

The Minerals and Waste Planning Authority welcomes the requirement that states that opportunist extraction must be undertaken wherever possible.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - support for requirements

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Large Sites (L1, L2 & L3)

The Minerals and Waste Planning Authority welcomes the requirement that states that opportunist extraction must be undertaken wherever possible.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - support for requirements

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Large Sites (L1, L2 & L3)

The Minerals and Waste Planning Authority welcomes the requirement that states that opportunist extraction must be undertaken wherever possible.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - support for requirements

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Medium and Small Sites (M3, M18)

The Minerals and Waste Planning Authority welcomes the text of requirement 9 for proposed allocation M3 and requirement 6 for proposed allocation M18 within the key development requirements that states that opportunist extraction must be undertaken wherever possible.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - support for requirements

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

M4 - North of Oakwood Road, Bricket Wood, AL2 3PT

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M4 - North of Oakwood Road, Bricket Wood, AL2 3PT

Following discussions with the District Council regarding this site, and site OS1, including further clarification, the Minerals and Waste Planning Authority withdraws its previous objection.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst **not a soundness matter**, the District Council may however wish to add an objective to the 'key development requirements' for this allocation, like that suggested below for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M7 - Townsend Lane, Harpenden, AL5 2RH

The proposed allocation falls entirely outside of the Sand and Gravel Belt and BGS data does not identify any potential deposits beneath the site. The council therefore has no mineral safeguarding concerns for this allocation.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The proposed allocation falls entirely outside of the Sand and Gravel Belt and BGS data does not identify any potential deposits beneath the site. The council therefore has no mineral safeguarding concerns for this allocation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

M8 - Verulam Golf Club, St Albans, AL1 1JG

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The proposed site allocation falls only partially within the Sand and Gravel Belt. BGS data also identifies potential superficial sand/gravel deposits beneath the south of the site.

This proposed site allocation has existing built development to the north-east and northwest. Due to the existing constraints, the council would therefore only encourage opportunistic extraction at this site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst **not a soundness matter**, the District Council may wish to add an objective to the 'key development requirements' for this allocation to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

M13 - North of Boissy Close, Colney Heath, AL4 0UE

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M13 – North of Boissy Close, Colney Heath, AL4 0UE

In the Minerals and Waste Planning Authority's response to the St Albans City & District Council Regulation 18 Local Plan consultation, comments for site M13 include that the District Council should refer to the Minerals and Waste Planning Authority's comment on planning application reference 5/2022/2557.

The comments made on this application request that opportunistic extraction be undertaken, however, this has not been included within the key development requirements for the proposed allocation.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst **not a soundness matter**, the District Council may however wish to add an objective to the 'key development requirements' for this allocation, like that suggested below for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

M18 - North East of Austen Way, St Albans, AL4 0XH

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Medium and Small Sites (M3, M18)

The Minerals and Waste Planning Authority welcomes the text of requirement 9 for proposed allocation M3 and requirement 6 for proposed allocation M18 within the key development requirements that states that opportunist extraction must be undertaken wherever possible.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - support for requirements

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M19 - Piggottshill Lane, Harpenden, AL5 5UN

The Minerals and Waste Planning Authority welcomes the text of requirement 5 of the key development requirements for proposed allocation M19 that includes the consideration of adopted Waste Local Plan Policy 5: Safeguarding of Sites. However, the District Council must carefully consider the suitability of this allocation for residential use due to its proximity to safeguarded Sewage Treatment Works.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The District Council must carefully consider the suitability of this allocation for residential use due to its proximity to safeguarded Sewage Treatment Works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

P1 - Smallford Works, Smallford Lane, AL4 0SA

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

P1 - Smallford Works, Smallford Lane, AL4 0SA

The proposed site allocation falls entirely within the Sand and Gravel Belt. BGS data also identifies potential superficial sand/gravel deposits beneath the site.

This site allocation has existing built development to the east. Due to the existing constraints, the council would only encourage opportunistic extraction at this site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst **not a soundness matter**, the District Council may however wish to add an objective to the 'key development requirements' for this allocation, like that suggested below for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

P2 - Land at North Orbital Road, AL2 1DL

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

P2 – Land at North Orbital Road, AL2 1DL

The proposed site allocation falls entirely within the Sand and Gravel Belt. BGS data also identifies potential superficial sand/gravel deposits beneath the site.

This site allocation has existing built development on all sides. Due to the existing constraints, the council would only encourage opportunistic extraction at this site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst **not a soundness matter**, the District Council may however wish to add an objective to the 'key development requirements' for this allocation, like that suggested below for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB

The proposed allocation falls entirely outside of the Sand and Gravel Belt and BGS data does not identify any potential deposits beneath the site. The council therefore has no mineral safeguarding concerns for this allocation.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst **not a soundness matter**, the District Council may however wish to add an objective to the 'key development requirements' for this allocation, like that suggested below for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

U2 - Land South West of London Colney Allotments, AL2 1RG

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site Allocations (Sites within Settlements (Urban Capacity Study))

The proposed site allocations UC1 to UC7, UC10, UC12, UC16, UC18, UC19 and UC35 fall entirely outside the Sand and Gravel Belt. BGS data however identifies potential superficial sand/gravel deposits beneath these sites.

These proposed site allocations have existing built development adjacent to them. Due to their existing constraints, the council would only encourage opportunistic extraction at these sites.

U2 - Land South West of London Colney Allotments, AL2 1RG

The proposed site allocation falls entirely within the Sand and Gravel Belt. BGS data also identifies potential superficial sand/gravel deposits beneath the site.

This proposed site allocation has existing built development to the west. Due to the existing constraints, the council would only encourage opportunistic extraction at this site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst **not a soundness matter**, the District Council may however wish to add an objective to the 'key development requirements' for this allocation, like that suggested below for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU

Comment Number: 24

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site Allocations (Sites within Settlements (Urban Capacity Study))

The proposed site allocations UC1 to UC7, UC10, UC12, UC16, UC18, UC19 and UC35 fall entirely outside the Sand and Gravel Belt. BGS data however identifies potential superficial sand/gravel deposits beneath these sites.

These proposed site allocations have existing built development adjacent to them. Due to their existing constraints, the council would only encourage opportunistic extraction at these sites.

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Whilst **not a soundness matter**, the District Council may however wish to add an objective to the 'key development requirements' for this allocation, like that suggested below for M8 – Verulam Golf Club, St Albans, AL1 1JG, to include the following wording or similar:

Undertake opportunistic extraction of any suitable sand and gravel deposits for use on-site wherever possible, where such deposits are uncovered during construction / excavation works.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC3 - London Road Car Park, London Road, St Albans, AL1 1NG

Comment Number: 30

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC4 - Car Park to rear of 32-34 Upper Marlborough Road, St Albans, AL1 3UU

Comment Number: 32

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC5 - 18-20 Catherine Street, St Albans, AL3 5BY

Comment Number: 33

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC6 - 13-19 Sutton Road & 5-11a Pickford Road, St Albans, AL1 5JH

Comment Number: 34

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC7 - 5 Spencer Street, St Albans, AL3 5EH

Comment Number: 35

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC10 - Garage Block rear of 109-179 Hughenden Road, St Albans, AL4 9QW

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC12 - Garage Block Between Hughenden Road and The Ridgeway, St Albans, AL4 9RH

Comment Number: 26

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC16 - Garage Block west of Thirlestane, St Albans, AL1 3PE

Comment Number: 27

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* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC18 - Garage block to front of 94-142 Riverside Road, St Albans, AL1 1SE

Comment Number: 28

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

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* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC19 - 50-54 Lemsford Road St Albans, AL1 3PR

Comment Number: 29

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC35 - Market Depot, Drovers Way, St Albans, AL3 5FA

Comment Number: 31

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

UC47 - Crabtree Fields / Land at Waldegrave Park, Harpenden, AL5 5SA

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC47 - Crabtree Fields / Land at Waldegrave Park, Harpenden, AL5 5SA

The proposed site allocation falls entirely within the Sand and Gravel Belt, but BGS data does not identify any potential deposits beneath the site. The council therefore has no mineral safeguarding concerns for this allocation.

The site is however also located just south of the safeguarded Sewage Treatment Works. The council has significant safeguarding concerns regarding this proposed allocation and urges the District Council to reconsider the suitability of this land for allocation within the Local Plan.

The council is concerned that the proposed allocation could threaten the Sewage Treatment Works' longer-term viability because it could represent an incompatible nearby use resulting in amenity issues for future residents.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As it currently stands therefore, the Minerals and Waste Planning Authority finds this proposed allocation **unsound**, as it is not consistent with National Policy, namely the National Planning Policy Framework (December 2023) paragraph 193 and the National Planning Policy for Waste (October 2014) paragraph 8.

If the District Council were to continue with this allocation, and in order to address the soundness concerns, the following modification (or similar) should be included within the 'key development requirements' in part B:

'In accordance with adopted Waste Local Plan Policy 5: Safeguarding of Sites, the nearby safeguarded Sewage Treatment Works must be considered in the design to ensure no unreasonable restrictions are placed upon the facility and the proposal does not prejudice its current or future operation. The Waste Planning Authority must be involved in scheme Design and will be directly consulted on any planning application at the site.'

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HCC M&W SADC Reg19 FINAL_[R].pdf

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET.

Following discussions with the District Council regarding this site, and site M4, including further clarification, the Minerals and Waste Planning Authority withdraws its previous objection.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. HCC M&W SADC Reg19 FINAL_[R].pdf

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288 - Chris Berry

Submission Number: 288 Submission Date: 06/11/24 09:00

Respondent: CPRE Hertfordshire Chris Berry

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

1.5, 1.7 to 1.8, 1.28

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Inadequate and incomplete consideration of Reg 18 Draft Local Plan consultation responses

The Council's consideration of the responses to the public consultation at the Regulation 18 stage appears to have been inadequate and incomplete. Specific major concerns were raised by CPRE Hertfordshire in its Reg 18 consultation submission which required a comprehensive response. The tabulation of consultation results presented to the Council's Planning Policy and Climate Committee on 12th December 2023 listed a total of six minimal responses to specific issues raised, amounting to fifteen lines of text in a 190 page document.

We raised significant concerns including the formulation of housing targets, the role and significance of the countryside and the ineffectiveness of the Draft Local Plan in protecting the Green Belt from inappropriate development. The Draft Local Plan continues to incorporate policy and proposals based on an unjustified housing need calculation which is assumed to form the minimum housing requirement and this major concern has not been satisfactorily addressed, leading to non-compliance with national planning policy.

The lack of an appropriate response to the previous CPRE Hertfordshire submission may suggest that comprehensive responses from other institutions and individuals have been similarly dismissed which would indicate that legitimate concerns have not been considered adequately, thereby jeopardising the soundness of the Plan. Our further representations in this Reg 19 consultation identify specific inadequacies which lead to non-compliance of the Local Plan with national policy.

Inadequate opportunity for involvement and scrutiny by elected Council Members through the preparation stages of the Draft Local Plan

CPRE Hertfordshire is aware that there has been a significant lack of involvement by elected Members in the consultation stages of the preparation of the Draft Local Plan which we believe amounts to a lack of compliance with best local government practice.

For a Local Plan preparation process which has been subject to failure historically, specifically at the most recent Examination in Public in 2019, the extensive and transparent involvement of democratically elected Members should be a priority for the Council. The accelerated programme of the Draft Local Plan to the Regulation 19 submission and consultation is a concern with regard to the scrutiny by Members, most of whom are new to the planning process (40 out 56 Members elected in 2022 were new councillors) and did not have the opportunity to scrutinise the Regulation 19 Local Plan adequately prior to its publication for this consultation.

The implications of this inadequate opportunity for involvement and scrutiny by Members include the late provision of extensive technical data for the Regulation 18 consultation, and an inappropriate site scoring system to inform site allocations, together with undue pressure on elected Members to make decisions without sufficient participation. We believe this has prejudiced the site selection and allocation process for the Draft Local Plan leading to unsound and unjustified decisions regarding site allocations.

Significant inconsistencies between the District Council Plan 2024-2029 and the Draft Local Plan, particularly with respect to the role of the countryside

Significant inconsistencies exist between the key priorities for the St Albans and City District Council Plan 2024-2029 (Combat the Climate Emergency; Deliver more social housing; Support our local economy; Enhance the District's cultural offer; Promote equality, inclusion and fairness) and the elaboration of the planning objectives for the Draft Local Plan. In recognising that the Local Plan is the means of facilitating and controlling the physical development implications of the District Council Plan, the lack of consideration of the Green Belt – which is the most significant land use designation in the SACD area - for uses other than development is a major omission in both the Council Plan and the Local Plan.

The Council Plan's identification of the Climate Emergency as a key priority is elaborated initially in objectives in Table 1.2 and subsequently in Chapter 2 Climate Emergency. There is no spatial treatment of the implications of the climate emergency nor any indication of the role of the countryside in the amelioration of climate change effects.

Similarly, Chapter 3 Sustainable Use of Land and Green Belt comprises an incomplete and partial treatment of development policy relating to the Green Belt in terms of environmental and other constraints. The Sustainability Appraisal seeks to identify the factors influencing policy options for the Draft Local Plan and choices regarding future development allocations.

The justifications provided in the Sustainability Appraisal for the selection of policy options relate solely to the provision of housing allocations which bear no relation to achievement of the "social housing" key priority of the Council Plan. Further, there is no substantive assessment of countryside protection nor enhancement, nor of the opportunities offered for appropriate economic development outside the built-up areas as the countryside appears to be regarded simply as a resource for development with no cost nor implication assigned to it in the planning balance.

This leads to an imbalanced treatment of development and planning policy and a lack of policy consistency between the Council Plan and Draft Local Plan in key areas. As another example, the Draft Local Plan fails to consider in policy terms the health and wellbeing benefits of access to the countryside.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Significant amendments are required in Draft Local Plan policies to reflect national policy as indicated in previous consultation responses. Further details are provided in specific representations to policies and paragraphs.

Further consultation will be necessary to correct the lack of Councillor involvement in the Draft Local Plan preparation.

Addition of policies and proposals to ensure consistency between the Council Plan and the Draft Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF1_[R].pdf
2. St Albans LP Reg 19 RF2_[R].pdf
3. St Albans LP Reg 19 RF3_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the inadequacy of appropriate consultation and the implications for the Draft Local Plan, and its inconsistency with national planning policy.

To explain our concerns about the lack of appropriate Councillor involvement and the implications for the soundness of the draft Local Plan.

To address the omission of appropriate treatment of the countryside in the Draft Local Plan and inconsistences with the Council Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Draft Local Plan is neither legally compliant nor sound, due to its inadequate treatment of the Green Belt

The treatment of the Green Belt in the Draft Local Plan is inadequate to the extent that it jeopardises the soundness of the Local Plan. For a Local Planning Authority where over 80% of the total land area is covered by a statutory designation affecting future development, the omission of appropriate policy and proposals renders the Local Plan ineffective.

We note the justification provided by the Sustainability Appraisal for the policy options relating to the classification and allocations of sites and locations for development. However, policies relating to the Green Belt are limited to guidance relating to development outcomes in all cases; omitting any positive treatment of the countryside and associated rural activities which may constrain and influence development form and function.

In failing to address the implications of the five purposes of the Green Belt as they relate to the SACD area, the Council fails to plan adequately for its protection and the contribution that it can make to future development options. Paragraph 180 of the National Planning Policy Framework (NPPF) specifies the need to contribute and enhance the local environment by indicating a range of policy options.

Draft Local Plan policies relate only to development within the Green Belt and not its protection and enhancement as required by the NPPF and noted in the Local Plan Objectives. The Draft Local Plan states that the Spatial Strategy is effectively required to deliver housing figures provided by the Standard Method which in turn requires the use of Green Belt.

This is a fundamental misinterpretation of national Green Belt policy and challenge to the soundness of the Draft Local Plan. The Draft Local Plan refers to legal requirements for housing and employment growth (paragraph 3.11) which ignores the Council's discretion to determine housing targets based on up to date information and national policy guidance, as provided in Paragraph 11b) and footnote 7 of the NPPF.

Paragraph 3.16 of the Draft Local Plan also implies, without evidence, that Green Belt protection inhibits development in sustainable locations. This assertion fails to recognise that development is likely to be more sustainable in urban areas than peripheral locations distant from town centres as proposed for Hemel Hempstead and elsewhere.

The Draft Local Plan is neither legally compliant nor sound due to the omission of critical national policy guidance on constraints re housing targets.

The application of policy constraints to the formulation of housing targets, included at para 3.16 in the 2023 Regulation 18 Draft Local Plan, has been removed from the Reg 19 version, specifically the reference to paragraph 11 (which includes footnote 7) of the National Planning Policy Framework (NPPF) which identifies designated land including Green Belt and National Landscapes (formerly Areas of Outstanding Natural Beauty (AONB)) as comprising policy constraints relating to the formulation of housing targets for Local Plans.

This jeopardises the soundness of the Draft Local Plan, together with further inconsistences in the treatment of housing figures and their implications. Notwithstanding the present consideration of amendments to the NPPF and associated proposed planning reforms by the Government, the critical requirements of the NPPF are increasingly over-ridden by Local Planning Authorities, in both local plan-making and decision-making on planning applications, and by Planning Inspectors in planning inquiries and appeals decisions.

Inadequate treatment of brownfield / previously developed land

There is entirely inadequate treatment of "brownfield" and previously developed land as a potential contribution to housing provision as a significant topic for consideration in the Draft Local Plan. Notwithstanding the welcome identification of circa 60 sites for development within the built-up area, and the brief mention of "Brownfield…." in Policy SP1, there is no further consideration of this crucial element of development potential for a Local Planning Authority whose principal land designation is protected Green Belt.

The lack of housing capacity assessments and out of date information on brownfield land as presented in the Brownfield Register comprises a significant omission in the Local Plan affecting its soundness. Specifically, para 3.19 states that the Council must "make as much use as possible of suitable PDL sites and underutilised land" but this is self-evidently not what is proposed in the Local Plan, as the redevelopment of employment sites and tall buildings are to be resisted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound.

The total local housing need figure in policies SP1 and SP3 should be treated as a starting point and then be subject to reduction to reflect the application of Green Belt constraints as required by para 11(b) footnote 7 of the NPPF.

The Plan should include reference to policy constraints relating to the formulation of housing targets as set out in paragraph 11 (which includes footnote 7) of the National Planning Policy Framework (NPPF), as previously referenced in the Reg 18 Draft Local Plan para 3.16.

The total local housing need figure in policies SP1 and SP3 should be treated as a starting point and then be subject to reduction to reflect the application of Green Belt constraints as required by para 11(b) footnote 7 of the NPPF.

An updated and more comprehensive Brownfield Register would provide further information for the identification of opportunities for development sites throughout the SACD area. This issue was raised at Regulation 18 stage and has not been adequately considered.

Area capacity studies would provide relevant information for the assessment of development potential throughout the SACD area. Their omission jeopardises the soundness of the Draft Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF4_[R].pdf
2. St Albans LP Reg 19 RF6_[R].pdf
3. St Albans LP Reg 19 RF8_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the lack of appropriate treatment of the Green Belt and the implications for the Draft Local Plan and its inconsistency with national planning policy.

To challenge the omission of critical national policy guidance in the formulation of housing targets for the Draft Local Plan.

To challenge the inadequate treatment of previously developed land and “brownfield land” in the Draft Local Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 2 - Climate Emergency

Comment Number: 2

Type:

* Paragraph

Number:

2.1-2.10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Significant inconsistencies between the District Council Plan 2024-2029 and the Draft Local Plan, particularly with respect to the role of the countryside

Significant inconsistencies exist between the key priorities for the St Albans and City District Council Plan 2024-2029 (Combat the Climate Emergency; Deliver more social housing; Support our local economy; Enhance the District's cultural offer; Promote equality, inclusion and fairness) and the elaboration of the planning objectives for the Draft Local Plan. In recognising that the Local Plan is the means of facilitating and controlling the physical development implications of the District Council Plan, the lack of consideration of the Green Belt – which is the most significant land use designation in the SACD area - for uses other than development is a major omission in both the Council Plan and the Local Plan.

The Council Plan's identification of the Climate Emergency as a key priority is elaborated initially in objectives in Table 1.2 and subsequently in Chapter 2 Climate Emergency. There is no spatial treatment of the implications of the climate emergency nor any indication of the role of the countryside in the amelioration of climate change effects.

Similarly, Chapter 3 Sustainable Use of Land and Green Belt comprises an incomplete and partial treatment of development policy relating to the Green Belt in terms of environmental and other constraints. The Sustainability Appraisal seeks to identify the factors influencing policy options for the Draft Local Plan and choices regarding future development allocations.

The justifications provided in the Sustainability Appraisal for the selection of policy options relate solely to the provision of housing allocations which bear no relation to achievement of the "social housing" key priority of the Council Plan. Further, there is no substantive assessment of countryside protection nor enhancement, nor of the opportunities offered for appropriate economic development outside the built-up areas as the countryside appears to be regarded simply as a resource for development with no cost nor implication assigned to it in the planning balance.

This leads to an imbalanced treatment of development and planning policy and a lack of policy consistency between the Council Plan and Draft Local Plan in key areas. As another example, the Draft Local Plan fails to consider in policy terms the health and wellbeing benefits of access to the countryside.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Addition of policies and proposals to ensure consistency between the Council Plan and the Draft Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF3_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To address the omission of appropriate treatment of the countryside in the Draft Local Plan and inconsistences with the Council Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 3

Type:

* Paragraph

Number:

3.1-3.63

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Significant inconsistencies between the District Council Plan 2024-2029 and the Draft Local Plan, particularly with respect to the role of the countryside

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The Council Plan's identification of the Climate Emergency as a key priority is elaborated initially in objectives in Table 1.2 and subsequently in Chapter 2 Climate Emergency. There is no spatial treatment of the implications of the climate emergency nor any indication of the role of the countryside in the amelioration of climate change effects.

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The justifications provided in the Sustainability Appraisal for the selection of policy options relate solely to the provision of housing allocations which bear no relation to achievement of the "social housing" key priority of the Council Plan. Further, there is no substantive assessment of countryside protection nor enhancement, nor of the opportunities offered for appropriate economic development outside the built-up areas as the countryside appears to be regarded simply as a resource for development with no cost nor implication assigned to it in the planning balance.

This leads to an imbalanced treatment of development and planning policy and a lack of policy consistency between the Council Plan and Draft Local Plan in key areas. As another example, the Draft Local Plan fails to consider in policy terms the health and wellbeing benefits of access to the countryside.

The Draft Local Plan is neither legally compliant nor sound, due to its inadequate treatment of the Green Belt

The treatment of the Green Belt in the Draft Local Plan is inadequate to the extent that it jeopardises the soundness of the Local Plan. For a Local Planning Authority where over 80% of the total land area is covered by a statutory designation affecting future development, the omission of appropriate policy and proposals renders the Local Plan ineffective.

We note the justification provided by the Sustainability Appraisal for the policy options relating to the classification and allocations of sites and locations for development. However, policies relating to the Green Belt are limited to guidance relating to development outcomes in all cases; omitting any positive treatment of the countryside and associated rural activities which may constrain and influence development form and function.

In failing to address the implications of the five purposes of the Green Belt as they relate to the SACD area, the Council fails to plan adequately for its protection and the contribution that it can make to future development options. Paragraph 180 of the National Planning Policy Framework (NPPF) specifies the need to contribute and enhance the local environment by indicating a range of policy options.

Draft Local Plan policies relate only to development within the Green Belt and not its protection and enhancement as required by the NPPF and noted in the Local Plan Objectives. The Draft Local Plan states that the Spatial Strategy is effectively required to deliver housing figures provided by the Standard Method which in turn requires the use of Green Belt.

This is a fundamental misinterpretation of national Green Belt policy and challenge to the soundness of the Draft Local Plan. The Draft Local Plan refers to legal requirements for housing and employment growth (paragraph 3.11) which ignores the Council's discretion to determine housing targets based on up to date information and national policy guidance, as provided in Paragraph 11b) and footnote 7 of the NPPF.

Paragraph 3.16 of the Draft Local Plan also implies, without evidence, that Green Belt protection inhibits development in sustainable locations. This assertion fails to recognise that development is likely to be more sustainable in urban areas than peripheral locations distant from town centres as proposed for Hemel Hempstead and elsewhere.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Addition of policies and proposals to ensure consistency between the Council Plan and the Draft Local Plan.

The Draft Local Plan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound.

The total local housing need figure in policies SP1 and SP3 should be treated as a starting point and then be subject to reduction to reflect the application of Green Belt constraints as required by para 11(b) footnote 7 of the NPPF.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF3_[R].pdf
2. St Albans LP Reg 19 RF4_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To address the omission of appropriate treatment of the countryside in the Draft Local Plan and inconsistences with the Council Plan.

To explain our concerns about the lack of appropriate treatment of the Green Belt and the implications for the Draft Local Plan and its inconsistency with national planning policy.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Draft Local Plan is neither legally compliant nor sound, due to its inadequate treatment of the Green Belt

The treatment of the Green Belt in the Draft Local Plan is inadequate to the extent that it jeopardises the soundness of the Local Plan. For a Local Planning Authority where over 80% of the total land area is covered by a statutory designation affecting future development, the omission of appropriate policy and proposals renders the Local Plan ineffective.

We note the justification provided by the Sustainability Appraisal for the policy options relating to the classification and allocations of sites and locations for development. However, policies relating to the Green Belt are limited to guidance relating to development outcomes in all cases; omitting any positive treatment of the countryside and associated rural activities which may constrain and influence development form and function.

In failing to address the implications of the five purposes of the Green Belt as they relate to the SACD area, the Council fails to plan adequately for its protection and the contribution that it can make to future development options. Paragraph 180 of the National Planning Policy Framework (NPPF) specifies the need to contribute and enhance the local environment by indicating a range of policy options.

Draft Local Plan policies relate only to development within the Green Belt and not its protection and enhancement as required by the NPPF and noted in the Local Plan Objectives. The Draft Local Plan states that the Spatial Strategy is effectively required to deliver housing figures provided by the Standard Method which in turn requires the use of Green Belt.

This is a fundamental misinterpretation of national Green Belt policy and challenge to the soundness of the Draft Local Plan. The Draft Local Plan refers to legal requirements for housing and employment growth (paragraph 3.11) which ignores the Council's discretion to determine housing targets based on up to date information and national policy guidance, as provided in Paragraph 11b) and footnote 7 of the NPPF.

Paragraph 3.16 of the Draft Local Plan also implies, without evidence, that Green Belt protection inhibits development in sustainable locations. This assertion fails to recognise that development is likely to be more sustainable in urban areas than peripheral locations distant from town centres as proposed for Hemel Hempstead and elsewhere.

Policies are ineffective and inconsistent with national policy, with regard to the Green Belt

The Draft Local Plan is ineffective in meeting the aim of Policy SP3 "to protect the Green Belt from inappropriate development". The Plan proposes "select Green Belt boundary adjustments in the right areas to provide wider protection of 'the rest of the Green Belt", but without having established the scale of change that is necessary, or justifying the specific boundary changes.

For example, in the case of the SRFI site, the Draft Local Plan does not define a new Green Belt boundary. This is not consistent with national policy and would not be effective in meeting the Council's stated Green Belt objective. Similarly, policy relating to the Hemel Garden Communities appears only to be justified as a cross-boundary proposal without further evidence regarding specific St Albans requirements, and proposed by national Government.

In every case where "Broad Locations" and other smaller sites are proposed for removal from the Green Belt, these proposals are not justified collectively or individually, and are contrary to national policy in the absence of the demonstration of exceptional circumstances as required by the NPPF. Policy LG1 Broad Locations requires 22 criteria to be met for their development, but omits the requirement for the definition and creation of a new defensible permanent boundary for the Green Belt.

Similarly, criteria in Policy LG4 fail to require the creation of a permanent defensible Green Belt boundary for sites removed from the Green Belt, and this is ineffective and contrary to national policy. Subsequent Policies LG5 to LG9 fail to provide supporting evidence, implying very special or exceptional circumstances which are unjustified.

The Draft Local Plan is neither legally compliant nor sound due to the omission of critical national policy guidance on constraints re housing targets.

The application of policy constraints to the formulation of housing targets, included at para 3.16 in the 2023 Regulation 18 Draft Local Plan, has been removed from the Reg 19 version, specifically the reference to paragraph 11 (which includes footnote 7) of the National Planning Policy Framework (NPPF) which identifies designated land including Green Belt and National Landscapes (formerly Areas of Outstanding Natural Beauty (AONB)) as comprising policy constraints relating to the formulation of housing targets for Local Plans.

This jeopardises the soundness of the Draft Local Plan, together with further inconsistences in the treatment of housing figures and their implications. Notwithstanding the present consideration of amendments to the NPPF and associated proposed planning reforms by the Government, the critical requirements of the NPPF are increasingly over-ridden by Local Planning Authorities, in both local plan-making and decision-making on planning applications, and by Planning Inspectors in planning inquiries and appeals decisions.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound.

The Local Pan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound in limiting the opportunities and constraints afforded by the land designation.

The total local housing need figure in policies SP1 and SP3 should be treated as a starting point and then be subject to reduction to reflect the application of Green Belt constraints as required by para 11(b) footnote 7 of the NPPF.

The Plan should include reference to policy constraints relating to the formulation of housing targets as set out in paragraph 11 (which includes footnote 7) of the National Planning Policy Framework (NPPF), as previously referenced in the Reg 18 Draft Local Plan para 3.16.

The total local housing need figure in policies SP1 and SP3 should be treated as a starting point and then be subject to reduction to reflect the application of Green Belt constraints as required by para 11(b) footnote 7 of the NPPF.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF4_[R].pdf
2. St Albans LP Reg 19 RF6_[R].pdf
3. St Albans LP Reg 19 RF5_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the lack of appropriate treatment of the Green Belt and the implications for the Draft Local Plan and its inconsistency with national planning policy.

To challenge the omission of critical national policy guidance in the formulation of housing targets for the Draft Local Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Draft Local Plan is neither legally compliant nor sound, due to its inadequate treatment of the Green Belt

The treatment of the Green Belt in the Draft Local Plan is inadequate to the extent that it jeopardises the soundness of the Local Plan. For a Local Planning Authority where over 80% of the total land area is covered by a statutory designation affecting future development, the omission of appropriate policy and proposals renders the Local Plan ineffective.

We note the justification provided by the Sustainability Appraisal for the policy options relating to the classification and allocations of sites and locations for development. However, policies relating to the Green Belt are limited to guidance relating to development outcomes in all cases; omitting any positive treatment of the countryside and associated rural activities which may constrain and influence development form and function.

In failing to address the implications of the five purposes of the Green Belt as they relate to the SACD area, the Council fails to plan adequately for its protection and the contribution that it can make to future development options. Paragraph 180 of the National Planning Policy Framework (NPPF) specifies the need to contribute and enhance the local environment by indicating a range of policy options.

Draft Local Plan policies relate only to development within the Green Belt and not its protection and enhancement as required by the NPPF and noted in the Local Plan Objectives. The Draft Local Plan states that the Spatial Strategy is effectively required to deliver housing figures provided by the Standard Method which in turn requires the use of Green Belt.

This is a fundamental misinterpretation of national Green Belt policy and challenge to the soundness of the Draft Local Plan. The Draft Local Plan refers to legal requirements for housing and employment growth (paragraph 3.11) which ignores the Council's discretion to determine housing targets based on up to date information and national policy guidance, as provided in Paragraph 11b) and footnote 7 of the NPPF.

Paragraph 3.16 of the Draft Local Plan also implies, without evidence, that Green Belt protection inhibits development in sustainable locations. This assertion fails to recognise that development is likely to be more sustainable in urban areas than peripheral locations distant from town centres as proposed for Hemel Hempstead and elsewhere.

Policies are ineffective and inconsistent with national policy, with regard to the Green Belt

The Draft Local Plan is ineffective in meeting the aim of Policy SP3 "to protect the Green Belt from inappropriate development". The Plan proposes "select Green Belt boundary adjustments in the right areas to provide wider protection of 'the rest of the Green Belt", but without having established the scale of change that is necessary, or justifying the specific boundary changes.

For example, in the case of the SRFI site, the Draft Local Plan does not define a new Green Belt boundary. This is not consistent with national policy and would not be effective in meeting the Council's stated Green Belt objective. Similarly, policy relating to the Hemel Garden Communities appears only to be justified as a cross-boundary proposal without further evidence regarding specific St Albans requirements, and proposed by national Government.

In every case where "Broad Locations" and other smaller sites are proposed for removal from the Green Belt, these proposals are not justified collectively or individually, and are contrary to national policy in the absence of the demonstration of exceptional circumstances as required by the NPPF. Policy LG1 Broad Locations requires 22 criteria to be met for their development, but omits the requirement for the definition and creation of a new defensible permanent boundary for the Green Belt.

Similarly, criteria in Policy LG4 fail to require the creation of a permanent defensible Green Belt boundary for sites removed from the Green Belt, and this is ineffective and contrary to national policy. Subsequent Policies LG5 to LG9 fail to provide supporting evidence, implying very special or exceptional circumstances which are unjustified.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound.

The total local housing need figure in policies SP1 and SP3 should be treated as a starting point and then be subject to reduction to reflect the application of Green Belt constraints as required by para 11(b) footnote 7 of the NPPF.

The Local Pan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound in limiting the opportunities and constraints afforded by the land designation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF4_[R].pdf
2. St Albans LP Reg 19 RF5_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the lack of appropriate treatment of the Green Belt and the implications for the Draft Local Plan and its inconsistency with national planning policy.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policies are ineffective and inconsistent with national policy, with regard to the Green Belt

The Draft Local Plan is ineffective in meeting the aim of Policy SP3 “to protect the Green Belt from inappropriate development”. The Plan proposes “select Green Belt boundary adjustments in the right areas to provide wider protection of ‘the rest of the Green Belt”, but without having established the scale of change that is necessary, or justifying the specific boundary changes.

For example, in the case of the SRFI site, the Draft Local Plan does not define a new Green Belt boundary. This is not consistent with national policy and would not be effective in meeting the Council’s stated Green Belt objective. Similarly, policy relating to the Hemel Garden Communities appears only to be justified as a cross-boundary proposal without further evidence regarding specific St Albans requirements, and proposed by national Government.

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1. St Albans LP Reg 19 RF5_[R].pdf

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG4 - Large, Medium and Small Sites

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policies are ineffective and inconsistent with national policy, with regard to the Green Belt

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* Yes

LG5 - Green Belt

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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LG6 - Green Belt Compensatory Improvements

Comment Number: 7

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* No

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* No

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LG7 - Affordable housing in the Green Belt (rural exception sites)

Comment Number: 8

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* No

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* No

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LG8 - Small Scale Development in Green Belt Settlements

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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LG9 - Extension or Replacement of Buildings in the Green Belt

Comment Number: 10

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* No

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In every case where "Broad Locations" and other smaller sites are proposed for removal from the Green Belt, these proposals are not justified collectively or individually, and are contrary to national policy in the absence of the demonstration of exceptional circumstances as required by the NPPF. Policy LG1 Broad Locations requires 22 criteria to be met for their development, but omits the requirement for the definition and creation of a new defensible permanent boundary for the Green Belt.

Similarly, criteria in Policy LG4 fail to require the creation of a permanent defensible Green Belt boundary for sites removed from the Green Belt, and this is ineffective and contrary to national policy. Subsequent Policies LG5 to LG9 fail to provide supporting evidence, implying very special or exceptional circumstances which are unjustified.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Plan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound.

The total local housing need figure in policies SP1 and SP3 should be treated as a starting point and then be subject to reduction to reflect the application of Green Belt constraints as required by para 11(b) footnote 7 of the NPPF.

The Local Pan should be re-structured to consider the role and function of the largest land use designation in the SACD i.e. the London Metropolitan Green Belt in appropriate detail. The lack of adequate consideration of the implications of this designation for physical development in the future renders the Local Plan unsound in limiting the opportunities and constraints afforded by the land designation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF4_[R].pdf
2. St Albans LP Reg 19 RF5_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the lack of appropriate treatment of the Green Belt and the implications for the Draft Local Plan and its inconsistency with national planning policy.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Inadequate treatment of affordable housing including social housing

The promotion of "social housing" as a key priority in the St Albans City and District Council Plan 2024-2029 is inappropriately addressed by the Draft Local Plan, in a local planning authority with the highest land values in the country. According to L and C Mortgages research, St Albans is ranked second to the City of Westminster in terms of average house price and the Draft Local Plan fails entirely to address how "social housing" can be provided in such a context.

The suggestion that full satisfaction of Local Housing Need (LHN) will provide affordable housing at any level in St Albans is flawed. The Draft Local Plan allocates designated protected land (Green Belt) for private market housing which does not provide "social housing" and never can.

The justification for housing numbers in the Draft Local Plan is based on providing affordable housing which is unachievable in present conditions.

Recent analysis of average house prices and average household incomes in the County indicates the present inability of market housing to address in any meaningful way the demand for housing by average earning households in both St Albans and indeed Hertfordshire as a whole.

Given that the definition of affordable housing has become effectively irrelevant with regard to house purchase or rent by an average earning household in Hertfordshire, it is inappropriate to promote affordable housing as providing justification for use of the Green Belt for this purpose.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Revisions of text and recalculation of housing requirement to reflect accurately the operation of the housing market in the SACD area, and its implications for Green Belt release, affordable housing and for "Social housing" as identified in the Council Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF7_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the inadequate treatment of affordable housing and "social housing" in the Draft Local Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Draft Local Plan is not deliverable due to inadequate infrastructure including roads, water supply, and sewerage capacity

The Draft Local Plan is not capable of implementation due to the existing and projected pressures on infrastructure, including traffic increase, water supply, sewerage capacity and related matters. The very minimal treatment of implementation issues in Chapter 14 gives no indication of the deliverability of the Infrastructure Development Plan and undermines the soundness of the Local Plan.

Existing pressures on physical and social infrastructure are not identified and further analysis is necessary on present levels of provision. The local road network cannot handle further traffic increases and the continuation of car dependent development proposals is just one example of the inadequacy of planned provision.

Deliverability of the Draft Local Plan and its inappropriate proposed levels of housing and other development is likely to be constrained by infrastructure such as sewerage capacity, water supply, flooding, air quality concerns. Water related issues will lead to potential environmental damage to unique environmental assets including chalk streams, and the implications for health and well-being of residents and visitors are inadequately considered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Pan should provide significantly greater indication of the feasibility regarding implementation of policies and proposals. The lack of adequate consideration of the implementation of the physical development proposed renders the Local Plan unsound.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans LP Reg 19 RF9_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the lack of adequate consideration of the implementation of the Draft Local Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

IMP1 - Additional Infrastructure Requirements for Strategic Scale Development

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Draft Local Plan is not deliverable due to inadequate infrastructure including roads, water supply, and sewerage capacity

The Draft Local Plan is not capable of implementation due to the existing and projected pressures on infrastructure, including traffic increase, water supply, sewerage capacity and related matters. The very minimal treatment of implementation issues in Chapter 14 gives no indication of the deliverability of the Infrastructure Development Plan and undermines the soundness of the Local Plan.

Existing pressures on physical and social infrastructure are not identified and further analysis is necessary on present levels of provision. The local road network cannot handle further traffic increases and the continuation of car dependent development proposals is just one example of the inadequacy of planned provision.

Deliverability of the Draft Local Plan and its inappropriate proposed levels of housing and other development is likely to be constrained by infrastructure such as sewerage capacity, water supply, flooding, air quality concerns. Water related issues will lead to potential environmental damage to unique environmental assets including chalk streams, and the implications for health and well-being of residents and visitors are inadequately considered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Draft Local Pan should provide significantly greater indication of the feasibility regarding implementation of policies and proposals. The lack of adequate consideration of the implementation of the physical development proposed renders the Local Plan unsound.

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1. St Albans LP Reg 19 RF9_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain our concerns about the lack of adequate consideration of the implementation of the Draft Local Plan.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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289 - Pigeon (Hemel Hempstead) Ltd

Submission Number: 289 Submission Date: 07/11/24 09:00

Respondent: Quod Alex MacGregor

On Behalf Of C/O Quod : Pigeon (Hemel Hempstead) Ltd

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 7

Type:

* Paragraph

Number:

1.5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Review Policy

3.17 Pigeon notes that there is no proposed review policy in the Regulation 19 Draft Local Plan. Given SADC has brought its Local Plan timetable forward, agreeing a timeframe for a review of the Plan is recommended to ensure policies do not become “out of date” given the imminent updates being made to the NPPF.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given SADC has brought its Local Plan timetable forward, agreeing a timeframe for a review of the Plan is recommended to ensure policies do not become “out of date” given the imminent updates being made to the NPPF.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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2. North Hemel Hempstead Regulation 19 Representation Pigeon_[R].pdf
3. SADC Reg 19 Representation_Form Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Pigeon (Hemel Hempstead) Ltd is the freeholder owner of the southern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Pigeon (Hemel Hempstead) Ltd respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG1 – Broad Locations

3.1 Pigeon supports the principle of draft Policy LG1 (Broad Locations) which identifies 12 areas for large urban extensions of 250 or more homes or strategic scale employments and recognises the contributions these locations make to meeting the growth requirements for the District.

3.2 Pigeon has a number of recommendations regarding the detail set out within some of the sub sections of the policy which would facilitate timely delivery.

▪ **Part (h) and draft Policy HOU2 – Affordable Housing** - requires 40% of homes as on-site affordable housing. This has been informed by the "BNPPRE Local Plan Viability Report – St Albans DC – September 2024" which sets out in paragraph 6.8 the results of the affordable appraisals for greenfield sites in SADC. Pigeon support this policy and its evidence base.

▪ **Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Pigeon suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed. As a part of the master planning process, and through the use of design codes, various housing densities and typologies will be delivered across HGC. Self-build homes should be delivered through smaller-scale sites which are more likely to be situated in locations that follow the conventional approach to the delivery of self build homes.

▪ **Part (j) and draft Policy DES3 – Efficient Use of Land** expects development proposals to achieve 40 net dwellings per hectare. However, this policy must also recognise the open space and private amenity space requirements that need to be delivered on the Site to support the population. The Site is expected to deliver sports provision, SANG, open space, managed woodland and a range of community growing spaces. There are many competing uses on the Site that need to be managed to achieve the Four Pillars that underpin the HGC. It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.

▪ **Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features** requests that at least 1 semi-mature tree is planted for each dwelling; for C2 accommodation applicants are expected to plant 1 semi-mature tree for every 2.5 dwelling equivalent bed spaces. Pigeon welcome this approach in principle and is committed to delivering one tree for each dwelling, however, in certain circumstances it may be more appropriate to plant young trees / saplings. For example, younger trees have resilient root systems that can overcome the stress of being planted faster than larger trees can. It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to "semi-mature" is removed.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to our representation letter which is submitted alongside this form which details proposed modifications to policies and recommended revised wording ...

Proposed modifications to Draft Policies in the Draft Regulation 19 Local Plan (Part A) are set out in Section 3 of the representation....

- **LG1 Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Pigeon suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed
- **LG1 Part (j) and draft Policy DES3 – Efficient Use of Land** It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.
- **LG1 Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features -** It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to “semi-mature” is removed.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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2. North Hemel Hempstead Regulation 19 Representation Pigeon_[R].pdf
3. SADC Reg 19 Representation_Form Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Pigeon (Hemel Hempstead) Ltd is the freeholder owner of the southern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.
Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Pigeon (Hemel Hempstead) Ltd respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1.2 Pigeon is the freehold owner of the northern area of draft Site Allocation H1 – North Hemel that also forms part of the emerging Hemel Garden Communities ("HGC"). Pigeon is fully committed to the sustainable delivery of this Site and of the new garden community which is intended to be delivered as a part of the UK Government's Garden Communities Programme.

....

Draft Policy LG2 – Support for Transformation of Hemel Hempstead

3.3 Pigeon notes the evidence base documents that have been published for the Regulation 19 Local Plan and HGC Framework Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for LG2 – Support for Transformation of Hemel Hempstead

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2. North Hemel Hempstead Regulation 19 Representation Pigeon_[R].pdf
3. SADC Reg 19 Representation_Form Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Pigeon (Hemel Hempstead) Ltd is the freeholder owner of the southern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.
Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Pigeon (Hemel Hempstead) Ltd respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG3 – Hemel Garden Communities Growth Areas Place Principles

3.4 Pigeon supports and welcomes the approach that SADC has taken, recognising the overarching vision and significant role HGC will have in transforming Hemel Hempstead. Draft Allocation H1 is critical to the delivery of the HGC proposal, which has an ambition to deliver 11,000 homes and 10,000 jobs on land to the north and east of Hemel Hempstead.

3.5 Pigeon is working closely with SADC, DBC and other landowners of HGC in continuing to develop the HGC proposals to deliver HGC and draft Site Allocation H1 – North Hemel Hempstead. The place shaping principles identified in Policy LG3 will be adopted within the design and master planning of HGC (and draft Site Allocation H1 – North Hemel Hempstead) to ensure a robust green network, integrated neighbourhoods, self-sustaining and engaged communities.

...

HGC Strategic Design Code

3.7 Part B requires the retention of existing hedgerows and trees and other areas of biodiversity value. Pigeon agree that protecting trees and hedgerows is an important element of conserving biodiversity. However, to successfully deliver the scale of development proposed on the Site and across HGC, there may be scenarios where some existing trees and hedgerows may need to be removed and may not be of high ecological value. Policy SP13 – Health and Wellbeing, part f), Policy SP2 – Responding to the Climate Emergency, part j) and Policy SP3 – Land and the Green Belt secure increased tree planting and support for biodiversity on sites where trees are removed. Pigeon, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):

"b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;"

3.8 The HGC Strategic Design Code already provides this flexibility as it states that "the design of the site must take reasonable steps to ensure the retention of existing site features such as hedgerows, trees, woodland and watercourses". However, for consistency it is requested that the wording within the Design Code mirrors the proposed wording change noted at paragraph 3.7.

...

HGC Design Code

4.1 Page 21 of the draft HGC Design Code document (September 2024) divides the HGC area into six 'Neighbourhoods', which the document states have been identified during the Strategic Design Code process and will contribute to deliver the vision of Hemel as 'One Place'.

4.2 Draft Site Allocation H1 – North Hemel Hempstead falls within Neighbourhood 2 and 3. Neighbourhood 2 also extends further north west into DBC, as shown in Figure 4.

Figure 4: Extract from Page 21 of the draft HGC Design Code

See supporting document: North Hemel Hempstead Regulation 19 Representation Pigeon for Figure

4.3 Page 69 sets out neighbourhood level requirements and divides these into "should" and "must" requirements. Paragraph 3.6.31 states "Neighbourhood 2 should be subject to a masterplanning process that includes the whole neighbourhood extent." Whilst is it noted that this is not a "must" requirement, it is requested that paragraph 3.6.31 is removed because it is not practical or necessary.

4.4 Draft Site Allocation H1 – North Hemel Hempstead forms an important component of the wider HGC development, provides the eastern access on to Redbourn Road for the strategic sustainable movement corridor on which HGC relies, and therefore, the timely delivery of the wider HGC. This

also means that the Site needs to be developed as one of the first sites to deliver within HGC. Pigeon and Bloor are having collaborative discussions with SADC regarding the potential to bring forward a planning application for the Site.

4.5 The northern part of Neighbourhood 2 is on a different trajectory in terms of the planning application process. Therefore, requiring a masterplan to cover the entirety of Neighbourhood 2 is likely to significantly delay the delivery of Draft Site Allocation H1 – North Hemel Hempstead, which at present, is aiming to be one of the sites to deliver homes, infrastructure and community facilities early in the Plan period. It is therefore requested that paragraph 3.6.31 is removed as the HGC Framework Plan and HGC Strategic Design Code documents will ensure that Neighbourhood 2 is delivered in a co-ordinated way.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for LG3

HGC Strategic Design Code

- For consistency it is requested that the wording within the Design Code mirrors the proposed wording change for policy LG6 - Green Belt Compenstory measures noted at paragraph 3.7.
- Pigeon, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):
- “b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;”

HGC Strategic Design Code

Page 69 sets out neighbourhood level requirements and divides these into “should” and “must” requirements. Paragraph 3.6.31 states “Neighbourhood 2 should be subject to a masterplanning process that includes the whole neighbourhood extent.” Whilst is it noted that this is not a “must” requirement, it is requested that **paragraph 3.6.31 is removed because it is not practical or necessary**

It is therefore requested that **paragraph 3.6.31 is removed as the HGC Framework Plan and HGC Strategic Design Code documents will ensure that Neighbourhood 2 is delivered in a co-ordinated way.**

Please upload any supporting documents here. Do not include any signatures or other personal data.

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2. North Hemel Hempstead Regulation 19 Representation Pigeon_[R].pdf
3. SADC Reg 19 Representation_Form Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG6 - Green Belt Compensatory Improvements

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG6 – Green Belt Compensatory Improvements

3.6 Pigeon welcome the additional text clarifying that where a development is required to submit both a Green Belt compensation strategy and provide Suitable Alternative Natural Greenspace ("SANG"), the Green Belt compensation strategy can incorporate features that are proposed within the SANG. Paragraph 5 of draft Site Allocation H1 – North Hemel Hempstead now aligns with LG1, LG3 and part A of Policy LG6.

3.7 Part B requires the retention of existing hedgerows and trees and other areas of biodiversity value. Pigeon agree that protecting trees and hedgerows is an important element of conserving biodiversity. However, to successfully deliver the scale of development proposed on the Site and across HGC, there may be scenarios where some existing trees and hedgerows may need to be removed and may not be of high ecological value. Policy SP13 – Health and Wellbeing, part f), Policy SP2 – Responding to the Climate Emergency, part j) and Policy SP3 – Land and the Green Belt secure increased tree planting and support for biodiversity on sites where trees are removed. Pigeon, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):

"b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;"

3.8 The HGC Strategic Design Code already provides this flexibility as it states that "the design of the site must take reasonable steps to ensure the retention of existing site features such as hedgerows, trees, woodland and watercourses". However, for consistency it is requested that the wording within the Design Code mirrors the proposed wording change noted at paragraph 3.7.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Pigeon, therefore, proposes that the wording is amended as follows, so that it is more flexible (proposed text in **bold**):

"b) Retain existing hedgerows and trees **with the most ecological value (where possible),** as well as other areas of biodiversity value such as ponds;"

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HOU1 – Housing Mix

3.9 Draft Policy HOU1 stipulates that:

New residential development proposals (Use Class C3) should provide:

a) A mix of dwelling types and sizes to meet the needs of current and future households; and

b) In the case of proposals of 10 or more homes to provide a housing mix as follows –

See supporting document: North Hemel Hempstead Regulation 19 Representation Pigeon for table

3.10 Diversity in housing is crucial to delivering mixed and balanced communities that cater to the different needs of the population. The demand for housing types may change over time to the end of the Plan period in 2041, or there may be a scenario where a neighbourhood may currently have an over-concentration of a particular size of dwelling type and a new development could help redress this balance. SADC should introduce more flexibility to draft Policy HOU1 to enable an alternative mix of housing where this is supported by local housing needs evidence and is appropriate. SADC should therefore add the following to draft Policy HOU1:

"c) The Council may permit an alternative housing mix providing the applicant is able to provide up to date local market evidence, or up to date evidence from the Council's Housing Register, to justify the mix and ensure that the proposal will contribute towards the creation of mixed and balanced communities."

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

SADC should therefore add the following to draft Policy HOU1:

"c) The Council may permit an alternative housing mix providing the applicant is able to provide up to date local market evidence, or up to date evidence from the Council's Housing Register, to justify the mix and ensure that the proposal will contribute towards the creation of mixed and balanced communities."

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (h) and draft Policy HOU2 – Affordable Housing** - requires 40% of homes as on-site affordable housing. This has been informed by the "BNPPRE Local Plan Viability Report – St Albans DC – September 2024" which sets out in paragraph 6.8 the results of the affordable appraisals for greenfield sites in SADC. Pigeon support this policy and its evidence base.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for HOU2

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* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Pigeon suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed. As a part of the master planning process, and through the use of design codes, various housing densities and typologies will be delivered across HGC. Self-build homes should be delivered through smaller-scale sites which are more likely to be situated in locations that follow the conventional approach to the delivery of self build homes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- **LG1 Part (i) and draft Policy HOU5 – Self-Build and Custom Housebuilding** require 3% of the total number of homes as Self-build or Custom Housebuilding. Pigeon suggest that the requirement for self-build homes is removed for large urban extensions such as HGC where higher density living is proposed.

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I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP8 - Transport Strategy

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Chapter 8 - Transport

SP8 - Transport Strategy

3.11 Policy SP8 provides the overarching transport strategy. Part (h) refers to supporting inter-settlement connectivity for active modes (such at the Nickey line). While it is commendable to have ambitions for the wider sustainable use of the Nickey Line, it remains unclear as to whether the Nickey line will ever be such a utility route, as opposed to just a leisure route.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It remains unclear as to whether the Nickey line will ever be such a utility route, as opposed to just a leisure route.

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TRA1 - Transport Considerations for New Development

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA1 - Transport Considerations for New Development

3.12 Policy TRA1 sets out the transport considerations for new development. At part (ii) it states "*That development would not lead to highway safety problems or cause unacceptable impacts upon the transport network*". However, this is likely to be superseded by the current draft NPPF (July 2024) wording. It should reference to a vision for the development, and that the development may have an impact in some tested scenarios, but not in the desired vision. At part (b) it states that "Major proposals must demonstrate as appropriate how: i. Measures to reduce the need to travel by private car are identified and implemented…". The test should also reference an overall reduction in the need to travel overall, rather than just by car. This would correspond with Policy LG3, paragraph 109 of the NPPF and paragraph 107 of the draft NPPF (July 2024).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

3.12 Policy TRA1 sets out the transport considerations for new development. At part (ii) it states "*That development would not lead to highway safety problems or cause unacceptable impacts upon the transport network*". However, this is likely to be superseded by the current draft NPPF (July 2024) wording. It should reference to a vision for the development, and that the development may have an impact in some tested scenarios, but not in the desired vision. At part (b) it states that "Major proposals must demonstrate as appropriate how: i. Measures to reduce the need to travel by private car are identified and implemented…". The test should also reference an overall reduction in the need to travel overall, rather than just by car. This would correspond with Policy LG3, paragraph 109 of the NPPF and paragraph 107 of the draft NPPF (July 2024).

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* Yes

TRA2 - Major Transport Schemes

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA2 – Major Transport Schemes

3.13 The Parking policy across the District is set out in TRA4 Parking. Part (e) states that "*New development at Broad Locations should: i. Prioritise sustainable and active modes of transport*". This is a repetition of the same point in Policy LG1 on Broad Locations and does not need repeating in this policy.

3.14 Part (f) also provides guidance on car clubs, stating that SADC will seek financial contributions from all major developments to car club facilities. However, such specific requirements reduces the opportunity for applicants and promotors to engage directly with and appoint a car club provider, which may allow more flexibility of delivery and innovation of approach over time. It is proposed that the policy is re-worded as follows:

(f) "The Council supports provision for car clubs to help reduce the need for private car parking. Provision of suitable onsite car club facilities is required for development of 100 or more dwellings or 10,000m² of non-residential floorspace. The Council will **either** seek appropriate financial contributions from all major developments to car club facilities and schemes, **or the Council will secure a car club to be delivered by the Developer by a planning condition**."

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Part (e) states that "*New development at Broad Locations should: i. Prioritise sustainable and active modes of transport*". This is a repetition of the same point in Policy LG1 on Broad Locations and does not need repeating in this policy.

It is proposed that the policy is re-worded as follows:

(f) "The Council supports provision for car clubs to help reduce the need for private car parking. Provision of suitable onsite car club facilities is required for development of 100 or more dwellings or 10,000m² of non-residential floorspace. The Council will **either** seek appropriate financial contributions from all major developments to car club facilities and schemes, **or the Council will secure a car club to be delivered by the Developer by a planning condition**."

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* Yes

NEB1 - Woodlands, Trees and Landscape Features

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features** requests that at least 1 semi-mature tree is planted for each dwelling; for C2 accommodation applicants are expected to plant 1 semi-mature tree for every 2.5 dwelling equivalent bed spaces. Pigeon welcome this approach in principle and is committed to delivering one tree for each dwelling, however, in certain circumstances it may be more appropriate to plant young trees / saplings. For example, younger trees have resilient root systems that can overcome the stress of being planted faster than larger trees can. It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to “semi-mature” is removed.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- **LG1 Part (n) and draft Policy NEB1 – Woodland, Trees and Landscape Features -** It is therefore recommended that the exact nature and type of tree is secured through landscape masterplans and the reference to "semi-mature" is removed.

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* Yes

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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Chapter 10 – Natural Environment, Biodiversity and Green Infrastructure

NEB12 – Green Space Standards and New Green Space Provision

3.15 The "Appendix A.1 SADC Infrastructure Schedule (September 2024)" states that draft Site Allocation H1 – North Hemel Hempstead will be contributing to the delivery of sports provision, in line with Sports England requirements, delivered on East Hemel Hempstead North. The draft Site Allocation H1 – North Hemel Hempstead also includes the delivery of 'local public open space, including sports facilities' under part (1).

Pigeon request clarity on whether part (c) of draft Policy NEB12 on new development providing new multi-functional green spaces as set out in the Table 10.2 of the Policy applies to draft Site Allocation H1 – North Hemel Hempstead or whether this draft Allocation is subject to part (d) which allows, 'in some exceptional cases' for this requirement to be in the form of a financial payment to support maintenance and improvement of an existing green space. In any event, Pigeon and Bloor can deliver the requirements of NEB12 as they relate to Site Allocation H1 – North Hemel Hempstead.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Pigeon request clarity on whether part (c) of draft Policy NEB12 on new development providing new multi-functional green spaces as set out in the Table 10.2 of the Policy applies to draft Site Allocation H1 – North Hemel Hempstead or whether this draft Allocation is subject to part (d) which allows, 'in some exceptional cases' for this requirement to be in the form of a financial payment to support maintenance and improvement of an existing green space.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES3 - Efficient Use of Land

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

▪ **LG1 Part (j) and draft Policy DES3 – Efficient Use of Land** expects development proposals to achieve 40 net dwellings per hectare. However, this policy must also recognise the open space and private amenity space requirements that need to be delivered on the Site to support the population. The Site is expected to deliver sports provision, SANG, open space, managed woodland and a range of community growing spaces. There are many competing uses on the Site that need to be managed to achieve the Four Pillars that underpin the HGC. It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- **LG1 Part (j) and draft Policy DES3 – Efficient Use of Land** It is therefore recommended that the policy is made more flexible so that it is a target rather than a minimum.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Pigeon (Hemel Hempstead) Ltd is the freeholder owner of the southern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Pigeon (Hemel Hempstead) Ltd respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

DES5 - Residential Amenity Standards

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.16 Draft Policy DES5 sets out proposed residential amenity standards. Pigeon welcome that the wording of the policy has been drafted to provide flexibility to allow variation to the standards at the detailed design stage subject to the nature of the development and location. It is noted that any variation must still deliver a high standard of amenity for existing and future occupants of both the new development and neighbouring buildings.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for DES5

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Pigeon_[R].pdf
3. SADC Reg 19 Representation_Form Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Pigeon (Hemel Hempstead) Ltd is the freeholder owner of the southern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.

Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Pigeon (Hemel Hempstead) Ltd respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to our representation letter which is submitted alongside this form and details why the Local Plan is legally compliant and sound but requires some modifications.

Site Allocation H1 – North Hemel Hempstead, AL3 7AU

1.1 Quod, on behalf of Pigeon (Hemel Hempstead) Ltd ("Pigeon"), welcomes the opportunity to submit representations in response to the St Albans District Council ("SADC") Draft Local Plan Regulation 19 consultation in relation to draft Site Allocation H1 – North Hemel Hempstead, AL3 7AU ("the Site").

Introduction

1.2 Pigeon is the freehold owner of the northern area of draft Site Allocation H1 – North Hemel that also forms part of the emerging Hemel Garden Communities ("HGC"). Pigeon is fully committed to the sustainable delivery of this Site and of the new garden community which is intended to be delivered as a part of the UK Government's Garden Communities Programme.

1.3 The land subject to these representations was previously assessed through the Call for Sites process in 2021 and the Regulation 18 consultation in 2023. Pigeon is pleased to see that North Hemel Hempstead remains allocated in the Draft Local Plan Site Allocations for the provision of 1,500 homes in total (at least 1,125 in Plan period).

1.4 Draft Site Allocation H1 measures 152.96 ha. A plan of draft Site Allocation H1 – North Hemel Hempstead is provided below, identifying the land ownership of the Site.

Figure 1: The Site (Draft Allocation H1 shown in red, Pigeon's land shown in dark blue and Bloor Homes land shown in light green)

See supporting document: North Hemel Hempstead Regulation 19 Representation Pigeon for figure

1.5 As show in Figure 1, Pigeon (Hemel Hempstead) Ltd ("Pigeon") and Bloor Homes ("Bloor") control the majority of the land within draft Site Allocation H1 – North Hemel Hempstead.

1.6 As demonstrated within the Vision and Delivery Document submitted at the Regulation 18 consultation in 2023, Pigeon and Bloor are able to deliver the essential policy requirements for draft Site Allocation H1 – North Hemel Hempstead within the land it controls. This Vision and Delivery Document has also been submitted alongside these Regulation 19 representations.

See supporting document: Hemel Hempstead Vision and Delivery Statement

1.7 The Site represents a deliverable, technically unconstrained and a sustainable location for new development. The Site's location adjoining to Hemel Hempstead is well connected and benefits from direct linkages via the B487 to the A5183 Dunstable Road and M1. The Site is well connected to the existing built-up area both in terms of its relationship with adjoining land uses and with regards to accessibility to services, employment, facilities, and public transport links.

1.8 The Sustainability Appraisal (September 2024) that supports the draft Local Plan demonstrates that there are a range of economic, environmental and sustainable benefits that justify the release of the Site from the Green Belt in order to meet SADC's housing needs. Pigeon and Bloor developed a draft masterplan for the Site that was submitted within the Vision and Delivery Statement that supported the Regulation 18 consultation response in 2023. The draft masterplan demonstrates that the Site can be delivered in accordance with the requirements of draft Site Allocation H1 and

demonstrates that Pigeon and Bloor are committed to delivering a sustainable, mixed community that truly reflects garden community principles and where people aspire to live. Any future development of the Site can be well integrated into the townscape and landscape. As identified in the Vision and Delivery Statement, there are no environmental factors that would render the North Hemel Hempstead Broad Location unsuitable for the proposed scheme.

1.9 This letter sets out Pigeon's representation on the policies within the Draft Local Plan and provides responses on key issues pertinent to the draft Site Allocation H1 – North Hemel Hempstead. Whilst these representations have been prepared on behalf of Pigeon, Pigeon is committed to continue working collaboratively with the other landowners as needed. This includes joint working with Bloor, who control the majority of the remainder of the land within the draft Site Allocation H1 – North Hemel Hempstead.

1.10 These representations are structured as follows:

- Section 1 – responds to the draft Site Allocations document
- Section 2 – responds to the policies contained within the Regulation 19 draft Local Plan
- Section 3 – responds to the draft evidence base and supporting documents

Section 1

Response to Draft Site Allocations (Part B of SADC Local Plan) – H1 North Hemel Hempstead

Draft Site Allocation H1

Figure 2: Extract from Draft Local Plan Part B – Site Allocations (H1 – North Hemel Hempstead)

See supporting document: North Hemel Hempstead Regulation 19 Representation Pigeon

2.1 The allocation not only represents a sustainable location for development in support of SADC's Local Plan and meeting it's own housing requirements but the Site is also critical to the development of the emerging HGC proposal and has an important role in supporting the delivery of 11,000 homes and 10,000 new jobs by 2050 across SADC and DBC.

2.2 Draft Site Allocation H1 – North Hemel Hempstead forms an important component of the wider HGC development, provides the eastern access on to Redbourn Road for the strategic sustainable movement corridor on which HGC relies, and therefore, the timely delivery of the wider HGC.

2.3 SADC is aware that the (now former) Secretary of State for Housing, Communities and Local Government wrote to SADC emphasising the importance of having an up-to-date Local Plan in March 2018 and again in December 2023. The Deputy Prime Minister most recently (30 July 2024) highlighted the Government's "goal has to be for universal coverage of ambitious local plans as quickly as possible" and stated that "there is not only a professional responsibility but a moral obligation to see more homes built". The Deputy Prime Minister also wrote to all local authority leaders on the same day and stated "the government's work is urgent, and in few areas is that urgency starker than in housing". SADC's aim of submitting the Local Plan for Examination by December 2024 is supported and reflects the urgent need to deliver more homes within SADC.

2.4 Approximately 30% of new residential growth in SADC is proposed to be located within HGC. The location of draft Site Allocation H1 – North Hemel Hempstead on the eastern edge of Hemel Hempstead represents a highly sustainable location for a high quality landscape and design-led neighbourhood to help meet the housing requirements of the local area and help meet the transformational objectives for Hemel Hempstead as part of the wider HGC proposals.

2.5 Pigeon fully supports the proposed allocation, but requests that amendments are made to the specific policy wording of draft Site Allocation H1 – North Hemel Hempstead to support the timely delivery of the development. These are as follows, with reference to the numbered paragraphs in the draft allocation:

▪ **Draft allocation boundary**– As noted in Section 1 of this letter, there is a parcel of land within the centre of draft Site Allocation H1 – North Hemel Hempstead that is excluded from the allocation and is owned by Mr and Mrs Sill. This land is retained as part of the Green Belt and would not seem to be required to deliver draft Site Allocation H1. Immediately to the west of this land is a narrow parcel of land that is not controlled by Pigeon or Bloor, as shown in Figure 1 and 3. It is requested that this land is excluded from draft Site Allocation H1. The exclusion of this land will not impact Pigeon and Bloor's ability to deliver all policy requirements for draft Site Allocation H1 – North Hemel Hempstead within the land it controls.

Figure 3 - Extract of draft Site Allocation H1 – North Hemel Hempstead boundary –showing Parcel of land requested to be removed from draft allocation boundary

See supporting document: North Hemel Hempstead Regulation 19 Representation Pigeon

▪ **Proposed Use**– Pigeon fully supports the proposed allocation for 1,500 homes. However, the allocation states that approximately 375 homes will be delivered post-2041. Paragraph 60 of the National Planning Policy Framework ("NPPF") (December 2023) states that housing should be significantly boosted, and SADC has a substantial backlog of unmet housing need. During the monitoring years 2021/22 and 2022/23 a total of 314 and 401 dwellings were completed respectively. This figure is substantially lower than the figure calculated using the Government's standard methodology of 885 dwellings per annum.

Under the proposed changes to the NPPF, SADC's annual housing need would rise to 1,544 dwellings per annum. It would be inconsistent with the scale and urgency of housing need if the Plan was to artificially defer development of allocated sites. It is requested that the policy wording is clarified so that it states that there is no restriction on the delivery of all 1,500 homes within the Plan period providing that any future application can demonstrate, through technical assessment work, that the number of homes proposed within the development is acceptable.

▪ **Para 1 - Sport provision**– the allocation makes reference to including sports facilities under paragraph 1 and also includes contributions to health and sport provision within the wider HGC Growth Areas under paragraph 23. Pigeon support the delivery of sports facilities but it is important to recognise the financial commitment being asked in both delivery and contributions to sports facilities. The "Appendix A.1 SADC Infrastructure Schedule (September 2024)" expects draft Site Allocation H1 – North Hemel Hempstead to contribute £2,313,945 for sports provision in HGC. It would be expected that any sports facilities delivered as part of the allocation would reduce the financial contributions for sports provision in the wider HGC.

▪ **Para 5 - Significant Publicly Accessible Green Area and updated site boundary**–the updated wording from the Regulation 18 draft Plan is welcomed with the reference to Country Park having been removed. The expansion of the allocation boundary to include additional land to the east is also welcomed as this area will be able to be utilised for Suitable Alternative Natural Greenspace ("SANG") for the Chilterns Beechwoods Special Area of Conservation ("SAC") and to deliver Biodiversity Net Gain ("BNG") and sports provision required to be delivered under paragraph 1.

▪ **Para 11 - Extra-care facilities** states that the allocation should deliver two extra care facilities comprising of 70-80 self-contained units in each facility, one 70-80 bed nursing home and 6 supported living units for people with disabilities. As reflected in the representations submitted at the Regulation 18 stage (September 2023), there are a number of ways in which the needs of older people can be met, as set out within the sub text of draft Policy HOU3 and Planning Practice Guidance ("PPG") Paragraph: 010 Reference ID: 63-010-20190626. Therefore, we would suggest that the allocation wording is revised to remove specific reference to "extra-care" and instead state "specialist housing for older people". This includes housing with support (retirement living and / or sheltered housing) and housing with care (extra care housing and / or housing with care), residential care homes, and other appropriate forms of accommodation. This provides the flexibility to deliver accommodation that provides variety and meets demand, while meeting SADC's requirement for specialist accommodation.

▪ **Para 12 – Integrated Mobility Hub**– we recommend that paragraph 12 be split into two parts, to differentiate between education needs and the mobility hub.

▪ **Para 13 – Transport** - should refer to a new gateway along the B487 Hemel Hempstead Road, not Redbourn Road (the same applies to H2 East Hemel). The road name changes to the east of Holtsmere End Lane.

▪ **Infrastructure provision**– The "Appendix A.1 SADC Infrastructure Schedule (September 2024)" highlights the contributions draft Site Allocation H1 – North Hemel Hempstead will be expected to make.

Pigeon would highlight that any planning obligations be in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010, whereby a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

....

Conclusion

5.1 Overall, Pigeon strongly supports the draft Site Allocation H1 – North Hemel Hempstead, AL3 7AU. The Site represents a deliverable, technically unconstrained and a sustainable location for new development. The Site's location adjoining to Hemel Hempstead is well connected and benefits from direct linkages via the B487 to the A5183 Dunstable Road and M1. The Site is well connected to the existing built-up area both in terms of its relationship with adjoining land uses and with regards to accessibility to services, employment, facilities, and public transport links.

5.2 Draft Site Allocation H1 – North Hemel Hempstead is important in the early delivery of the St Albans Local Plan housing provision. Draft Site Allocation H1 – North Hemel Hempstead forms an important component of the wider HGC development, provides the eastern access on to Redbourn Road for the strategic sustainable movement corridor on which HGC relies, and therefore, the timely delivery of the wider HGC.

5.3 Pigeon is committed to delivering this Site and to working collaboratively with SADC, DBC and other landowners with interests in the draft Site Allocation H1 – North Hemel Hempstead and the wider HGC area to develop the strategy for coordinated, sustainable development. However, as set out within these representations, some changes to the draft policies are required to help facilitate the delivery of Site Allocation H1 – North Hemel Hempstead, HGC and the wider objectives set out in the Draft Local Plan.

5.4 Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Pigeon respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

5.5 We trust that these representations are helpful and look forward to participating in the forthcoming Examination including attendance at relevant Hearing Sessions. Should you have any questions about these representations, or require any additional information, please do not hesitate to contact me or my colleague John Rhodes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to our representation letter which is submitted alongside this form which details proposed modifications to policies and recommended revised wording ...

Proposed modifications to Draft Site Allocations (Part B of SADC Local Plan) – H1 North Hemel Hempstead are set out in Section 2 of the representation ...

- **Draft allocation boundary**– As noted in Section 1 of this letter, there is a parcel of land within the centre of draft Site Allocation H1 – North Hemel Hempstead that is excluded from the allocation and is owned by Mr and Mrs Sill. This land is retained as part of the Green Belt and would not seem to be required to deliver draft Site Allocation H1. Immediately to the west of this land is a narrow parcel of land that is not controlled by Pigeon or Bloor, as shown in Figure 1 and 3 (***See supporting document: North Hemel Hempstead Regulation 19 Representation Pigeon)*** It is requested that this land is excluded from draft Site Allocation H1. The exclusion of this land will not impact Pigeon and Bloor's ability to deliver all policy requirements for draft Site Allocation H1 – North Hemel Hempstead within the land it controls.

  Proposed use: It is requested that the policy wording is clarified so that it states that **there is no restriction on the delivery of all 1,500 homes within the Plan period** providing that any future application can demonstrate, through technical assessment work, that the number of homes proposed within the development is acceptable.
- **Para 1 - Sport provision** – the allocation makes reference to including sports facilities under paragraph 1 and also includes contributions to health and sport provision within the wider HGC Growth Areas under paragraph 23. Pigeon support the delivery of sports facilities but it is important to recognise the financial commitment being asked in both delivery and contributions to sports facilities.
- **Para 11 - Extra-care facilities** - Therefore, we would suggest that the allocation wording is revised to remove specific reference to "extra-care" and instead state "**specialist housing for older people"**
- **Para 12 – Integrated Mobility Hub**– we recommend that paragraph 12 be split into two parts, to differentiate between education needs and the mobility hub.
- **Para 13 – Transport** - should refer to a new gateway along the B487 **Hemel Hempstead Road**, not Redbourn Road (the same applies to H2 East Hemel). The road name changes to the east of Holtsmere End Lane.
- **Infrastructure Provision -** Pigeon would highlight that any planning obligations be in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010, whereby a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hemel Hempstead Vision and Delivery Statement_[R].pdf
2. North Hemel Hempstead Regulation 19 Representation Pigeon_[R].pdf
3. SADC Reg 19 Representation_Form Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Pigeon (Hemel Hempstead) Ltd is the freeholder owner of the southern area of draft Site Allocation H1 – North Hemel Hempstead that also forms part of the emerging Hemel Garden Communities.

The representation letter that has been submitted alongside this form details the proposed modifications and revised wording of policies in the draft Local Plan.
Given the pivotal role of draft Site Allocation H1 – North Hemel Hempstead in delivering the Local Plan strategy, and having regard to the nature of these representations, Pigeon (Hemel Hempstead) Ltd respectfully requests the right to appear and be heard at the Local Plan Examination Hearing session(s).

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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290 - BRiCS Development

Submission Number: 290 Submission Date: 07/11/24 09:00

Respondent: ET Planning Tom Ryan

On Behalf Of C/O ET Planning : BRiCS Development

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Table

Number:

1.3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Settlement Hierarchy

Policy SP1 is underpinned by the settlement hierarchy set out in Table 1.3 of the draft SALP.

The settlement hierarchy is divided into 7 tiers, with Wheathampstead falling within Tier 4 ('Large Village'). The settlement hierarchy however notes that Wheathampstead has a *"functional relationship with Harpenden for higher order services"*. Harpenden is categorised as a Tier 2 settlement ('Town').

The Settlement Hierarchy Report (June 2023) confirms that Wheathampstead has a *"population of approximately 4,500 residents, comprised of a high percentage of residents aged 65+ and a lower population of working age than the District average"*. There is therefore a clear market need for specialist care (Use Class C2) provision in Wheathampstead, despite there being no allocated sites for this use in the settlement area.

In addition, it is considered that the Settlement Hierarchy Report (June 2023) does not give appropriate weighting to the proximity of settlements and their cross-boundary relationships to services, facilities and employment. The settlement hierarchy approach for Wheathampstead has therefore not been appropriately justified, as Wheathampstead is sustainably located and well-connected to Harpenden, and therefore has the ability to contribute towards Harpenden's housing need and accommodate growth that more closely resembles the extent seen at larger settlement areas.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 20241107 Representation to St Albans Regulation 19 Local Plan - Land West of Lamer Lane_[R].pdf
2. Appendix 1 - P24-1568E_Wheathampstead_Vision_Document_[R].pdf
3. Appendix 2 - Lamer Lane Wheathampstead_Landscape Statement_04-11-2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We reserve the right to attend the Examination in Public once these have been confirmed by an Inspector.

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP1

BRiCS' main concern with the Local Plan as a whole, relates to the provision of housing. Firstly, the level of housing planned for does not provide sufficient contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery. In addition, SACDC has adopted an arbitrary approach to housing growth across the District as a whole, with housing growth not provided per settlement area.

It is evident that the overall housing requirement has decreased from the Regulation 18 SALP from 15,096 (888 dpa) to 14,603 (885 dpa) net additional dwellings (a decrease of 493 homes over the Plan period), with the period for delivery confirmed as 1 October 2024 to 31 March 2041. There has however been no evidence or justification published for this decrease in housing numbers across the Plan period.

In addition, in light of the new consultation draft NPPF (July 2024), it is clear that the SALP has not been positively prepared in the context of 75% uplift proposed by the draft Standard Method. The recently published 'outcome of the proposed revised method' (30 July 2024) indicates that the proposed Standard Method for SACDC will be 1,544 dpa (659 dpa higher than the proposed SALP Regulation 19 figure). This would equate to a housing need of 25,475 dwellings across the 16.5-year Plan period horizon (an increase of 10,673 dwellings over the whole Plan period compared with the draft SALP).

Although, the consultation draft NPPF (July 2024) hasn't come into effect yet (anticipated for December 2024), it should still be given material weight when determining the soundness of the emerging SALP. In particular, the transitional arrangements set out within paragraph 227 of the consultation draft NPPF (July 2024) confirm that:

"Where paragraph 226 c) applies [in the case of the SALP assuming the Plan is submitted for Examination within one month from the publication of the new NPPF], local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need."

Firstly, we question whether it is realistic for SACDC to submit their Plan for Examination within one month from the publication of the new NPPF. In which case, the SALP would need to make additional allocations to account for the 75% uplift proposed by the draft Standard Method. Secondly, even if the transitional arrangements are met, SACDC will be required to review the proposed SALP *"at earliest opportunity to address the shortfall in housing need"* between the current Standard Method and proposed Standard Method housing need figures.

Given SACDC's track record of being slow to review their Local Plan, with the current Local Plan more than 30 years old, SACDC should be planning for this uplifted need now, rather than deferring this to a future Plan period.

In addition, SACDC's latest Authority Monitoring Report (2023) confirms that the Council can only demonstrate 1.7 years of deliverable housing land supply against their four-year requirement. The housing need shortfall is therefore exacerbated when compared to the additional 10,673 dwellings required by the Standard Method over the Plan period as a whole.

It is therefore necessary for SACDC to begin planning for additional housing growth in order to demonstrate a deliverable supply of housing sites, whether or not they meet the transitional arrangements of the draft NPPF (July 2024). Land
West of Lamer Lane should therefore be strongly considered for allocation for the reasons set out in these representations.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 20241107 Representation to St Albans Regulation 19 Local Plan - Land West of Lamer Lane_[R].pdf
2. Appendix 1 - P24-1568E_Wheathampstead_Vision_Document_[R].pdf
3. Appendix 2 - Lamer Lane Wheathampstead_Landscape Statement_04-11-2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We reserve the right to attend the Examination in Public once these have been confirmed by an Inspector.

LG5 - Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG5

As set out in our Regulation 18 representations, we support the Council's acknowledgement of the need to release Green Belt land.
As outlined above, it should be noted that the NPPF (December 2023) requires that:

- *"Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas" (Paragraph 11b); and*
- *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay" (Paragraph 60).*

This provides the context in which the NPPF (December 2023) Chapter 13 (Protecting Green Belt Land) is drafted and highlights that the review of Green Belt boundaries should take place through the preparation or review of the Local Plan. Paragraph 147 states that:

"When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary."
Paragraph 148 provides guidance for Councils about defining Green Belt boundaries, stating that they should:

a) "Ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;
b) Not include land which it is unnecessary to keep permanently open;
c) Where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
d) Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
e) Be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
f) Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."

A Stage 2 Green Belt Review has been undertaken by the Council, as assessed below. In accordance with the guidance in the PPG this exercise needs to be re-assessed with modified assumptions designed to ensure a better fit between capacity and need, in order to reflect the housing requirements of the District.

In terms of Policy LG5, the policy wording is not reflective of national policy as there is no consideration of Very Special Circumstances (VSC's), as required by paragraphs 147 and 148 of the NPPF (December 2023). It is considered that the following text should be added to make it consistent with national policy:

"Inappropriate development will not be permitted unless very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations."

SACDC Stage 2 Green Belt Review (June 2023)

The Stage 2 Green Belt Review (GBR) follows the Stage 1 GBR (March 2019) undertaken as part of the evidence base in the previously withdrawn Local Plan (withdrawn in November 2020). SACDC note that *"the Green Belt evidence, in particular the Stage 2 GBR was questioned by the Inspectors"*. The new Stage 2 GBR, which forms part of the evidence base for the draft SALP, takes a more 'granular' approach to the study areas. Land West of Lamer Lane is assessed as a standalone site under site reference SA-43.

It is clear, as endorsed by the new Labour Government and the provisions set out in the consultation draft NPPF (July 2024), that sites that make limited contribution to the purposes of the Green Belt should be considered for their release in order to meet the identified housing needs across the country. This is part of Labours' reforms to the planning system in order to boost housing delivery to meet the new national target of 300,000 homes per annum.

In SACDC, where there is a significant housing supply shortfall, it will be even more important for the Council to assess the suitability of Green Belt sites for housing development.

As part of the Stage 2 GBR, SACDC assessed Land West of Lamer Lane (SA-43) against the following 4 Green Belt purposes:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment; and
d) to preserve the setting and special character of historic towns.

SACDC's Stage 2 Green Belt Review (June 2023) scoring for Land West of Lamer Lane (SA-43) is as follows (scoring has been provided on a scale from 0-5: where 0 equates to a limited contribution to the Green Belt purposes and 5 equates to a significant contribution to a Green Belt purpose):

- Purpose 1: 0
- Purpose 2: 0
- Purpose 3: 5
- Purpose 4: 0

In addition, the Stage 2 GBR also qualitatively assessed the role of the Site as part of the wider Green Belt, to determine if it performed an important strategic role. The Stage 2 GBR considered that Land West of Lamer Lane (SA-43) plays an 'important' contribution to the wider strategic Green Belt.

For ease of review, our comments on the Council's assessment of parcel SA-43 – Land West of Lamer Lane is provided in the table below *[please see attached document]*. ET Planning's interpretation and commentary of the Stage 2 GBR score is provided in the two far-right columns. Our commentary is evidenced through the Landscape Statement (Appendix 2) which has been submitted alongside these representations.

In summary, it is considered that SACDC's assessment of Land West of Lamer Lane (SA-43) hasn't been appropriately evidenced. The Site makes limited contribution to purpose 3 of the Green Belt, due to the well-contained nature of the Site and the fact that encroachment into the countryside

has already occurred. In addition, the evidence to suggest that the Site plays an 'important' strategic contribution to the wider Green Belt hasn't been appropriately justified (given that the Site contributes 'weakly' to 3 out of the 4 Green Belt purposes assessed in the Stage 2 GBR).

It is therefore considered, given the housing land supply position and the assessment of the Site's contribution to the Green Belt purposes, that the Green Belt boundary should be reassessed in order to release the Site from the Green Belt. This will enable the Site to come forward to contribute towards meeting identified local housing needs.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 20241107 Representation to St Albans Regulation 19 Local Plan - Land West of Lamer Lane_[R].pdf
2. Appendix 1 - P24-1568E_Wheathampstead_Vision_Document_[R].pdf
3. Appendix 2 - Lamer Lane Wheathampstead_Landscape Statement_04-11-2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We reserve the right to attend the Examination in Public once these have been confirmed by an Inspector.

LG7 - Affordable housing in the Green Belt (rural exception sites)

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG7 sets out the Councils policy on affordable housing development in the Green Belt.

The Local Plan states that the District's house prices are amongst the highest in the whole country and discusses the acute problem of affordability within the District (Paragraph 4.8).

Whilst the NPPF (December 2023) paragraph 154 refers to 'limited affordable housing' as an exception to inappropriate development in the Green Belt, it seems illogical that criterion a) would cap such development at 9 dwellings and Policy LG5 would not allow for VSC's, in the context of the severe need for affordable housing.

As discussed above, there is no current policy basis to give merit to the overprovision of affordable housing.

Inspectors have allowed a number of Green Belt appeals for major housing sites across the UK where an over-delivery of affordable housing has been proposed. Examples are listed below:

- APP/X1925/W/21/3273701;
- APP/X0415/W/22/3303868;
- APP/B1930/W/20/3265925; and
- APP/G5180/W/18/3206569.

In each of these examples (where there was a notable shortfall in affordable housing delivery), the delivery of affordable housing was afforded the highest level of weight in the planning balance, and the determining factor in the appeals being allowed.

They show the ability for larger schemes in the Green Belt (all schemes were well in excess of 9 dwellings) to make a more meaningful contribution to affordable housing delivery. There is no current policy basis to give merit to the over-provision of affordable housing, either as a VSC in Policy LG5 or due to the 9 dwelling cap proposed by Policy LG7. We would suggest that both Policy LG5 and LG7 require amending for the policies to be effective.

As a separate point, the NPPF Annexe 2 (Glossary) provides a definition of 'rural exception sites' and states that *"A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding"*. The policy in no way reflects circumstances where market housing is required to help deliver affordable units, and therefore is not considered to be in accordance with national policy.

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* Yes, I wish to participate in hearing session(s)

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HOU1 - Housing Mix

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU1 sets out the Council's policies on housing mix.

BRiCS object to the policy as currently drafted. In relation to part a), the policy wording is too vague and is not appropriately evidenced. There is a lack of detail within the policy wording as to what is required to meet the needs of current and future households.

In relation to part b), we have a number of points to make. Firstly, there is no full justification for the figures provided within the policy. Secondly, the table in the policy provides a district-wide picture from the SHMA. The policy as currently worded is too prescriptive, as it does not allow for more localised variations to housing mix. Development should comply with the Development Plan when read as a whole, and there are other determining factors in the assessment of mix, such as the requirement for a development to accord with an areas character.

Housing mix should also be partly driven by character-led considerations. For example, the surrounding character may be typified by larger 4+ bed properties, and it may not considered appropriate for a development to deliver smaller units.

Lastly, there is no flexibility in the policy wording: *"proposals of 10 or more homes to provide a housing mix as follows"*. In order to be effective and in accordance with national policy, the policy should encourage the provision of an appropriate housing mix in a way which balances need and character-led considerations.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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HOU2 - Affordable Housing

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU2 sets out the Council's policies on affordable housing.

It is acknowledged that the District's house prices are amongst the highest in the country (Paragraph 4.8). However, the requirement in criterion c) for Use Class C2 schemes to deliver affordable housing is unjustified.

In requiring all retirement living schemes to provide affordable housing, the draft policy takes a 'broad brush' approach to the sector and does not recognise the difference between different retirement living products, some of which are affordable products in their own right such as sheltered housing. For large purpose built retirement villages, which are by their nature a managed, centralised product, the practicalities of offering an affordable product are extremely difficult.

The proposed requirement to provide affordable housing for Use Class C2 developments will reduce viability to the extent that a scheme and its benefits for the local area including meeting the identified need will not be delivered.

In summary, the evidence base does not appear to have fully assessed the viability of the affordable requirement for Class C2 uses, and as so current worded this policy would undermine the Plan's ability to deliver the outcomes of draft Policy HOU3 (i.e. meeting the identified need for specialist housing for older people).

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HOU3 - Specialist Housing

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Regulation 19 version of the SALP proposes changes to part c) of Policy HOU3. The policy wording now states (changes shown by a strikethrough and red text *[please see attached document]*):
"Provision to be made for specialist housing to meet the needs of older people and / or people with disabilities within the Broad Locations and housing sites providing 500 dwellings or more. In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community;"

It is evident that the Council's focus for specialist care housing (Use Class C2) is on strategic development sites of 500 or more dwellings. Part B of the SALP – Local Plan Sites (September 2024) does not allocate any housing sites specifically for specialist care provision. Instead, in line with Policy HOU3, the draft SALP – Part B includes specialist care housing as a proportion of the overall housing provision on larger strategic sites.

Planning Practice Guidance (PPG - as amended) for 'Housing for older and disabled people' was published on 26th June 2019 and acknowledges the need to provide housing for older people as "critical". The PPG acknowledges that people are now living longer lives, with the growth in the older population increasing. The PPG records that in mid- 2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million.

The draft SALP however is not consistent with national policy, as the change in the trigger from 250 dwellings to 500 dwellings in Policy HOU3 has resulted in an overall reduction in the number of specialist care dwellings being provided in the draft SALP. The difference is highlighted through analysis of the proposed site allocations below, where: the difference in proposed specialist housing numbers between the Regulation 18 and Regulation 19 SALP are shown in bold/ brackets; and, allocations highlighted in red *[please see attached document]* show where the specialist care provision has been removed from the allocation policy altogether.

- H1 – North Hemel Hempstead – 1,125 units including at least two 70-80 unit extra-care schemes (previously 60+ extra-care units in the Regulation 18 SALP)
- H2 – East Hemel Hempstead – 1,235 units including at least two 70-80 unit extra-care schemes (previously 70+ extra-care units in the Regulation 18 SALP)
- H4 – East Hemel Hempstead – 1,940 units including at least three 70-80 unit extra-care schemes (previously 70+ extra-care units in the Regulation 18 SALP)
- B1 – North St Albans – 1,097 units including at least two 70-80 unit extra-care schemes (previously 50+ extra-care units in the Regulation 18 SALP)
- B2 – North East Harpenden - 738 units including at least one 70-80 unit extra-care schemes (previously 60+ extra-care units in the Regulation 18 SALP)
- B3 – West Redbourn, Redborn – 545 units now not including any specialist care provision. Regulation 18 SALP included at least two 60+unit nursing care schemes.
- B4 – East St Albans - 522 units including at least one 70-80 unit extra-care scheme (was previously 50+ units)
- B5 – Glinwell, Hatfield Road, St Albans – 484 units now not including any specialist care provision. Regulation 18 SALP included at least one 80+ unit nursing care scheme
- B6 – West of London Colney - 324 units now not including any specialist care provision. Regulation 18 SALP included at least one 60+ unit nursing care scheme.
- B7 – North West Harpenden - 293 units now not including any specialist care provision. Regulation 18 SALP included at least one 60+ unit nursing care scheme.
- B8 – Harper Lane, north of Radlett - 274 units now not including any specialist care provision. Regulation 18 SALP included at least one 50+ unit nursing care scheme.

The net difference in specialist care provision equates to a decrease of 170 units provided in the Regulation 19 SALP, compared with the allocation figures in the Regulation 18 SALP (taking the uppermost figures where ranges have been provided and assuming the maximum number of schemes would be delivered on the proposed allocation sites). The decrease in specialist care provision has not been justified in the SALP and therefore it is considered that this would result in a significant under-delivery of specialist care housing across the Plan period as a whole. This would lead to a large shortfall against the local housing needs of SACDC, especially in settlements such as Wheathampstead, which has a high proportion of elderly residents.

In addition, it is clear that the draft SALP would rely on large strategic sites to deliver specialist care accommodation. This approach is not considered to be positively prepared or effective, as it would mean that specialist housing would likely be delivered towards the end of the Plan period, due to the housing trajectory of the large strategic sites.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

This approach will therefore not address the need for specialist care housing in the short or medium term. Instead, it is considered that SACDC should allocate small-medium scale housing sites for specialist (Use Class C2) care in areas most at need (for example, Land West of Lamer Lane in Wheathampstead). This approach would be sound, as it responds appropriately to the local housing need requirements of Wheathampstead, rather than applying an arbitrary approach to housing growth on a district-wide scale.

Allocating specialist care housing (Use Class C2) as part of smaller mixed-use sites, such as BRiCS' offering at Land West of Lamer Lane, will enable the necessary delivery of C2 housing at the front end of the Plan period (as opposed to relying on strategic sites of 500+ units which will all be delivered towards the end of the Plan period). This modified approach is necessary to make the Plan sound given the absence of C2 housing delivery in recent years, in the context of a predominantly Green Belt authority with an outdated Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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NEB11 - Chilterns National Landscape

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Chilterns National Landscape

Policy NEB11 of the SALP relates to the Chilterns National Landscape, which currently lies outside of SACDC. The policy has been drafted and included in the Regulation 19 SALP on the anticipation of an extension to the boundary of the Chilterns National Landscape into the District. This has led to the deletion of the following proposed allocations:

- North of The Slype, Gustard Wood;
- South of Codicote Road; and
- Highway Chipping Depot, Lower Luton Road

An update published in June 2024 by the governing body for the Chilterns National Landscape states that ”the statutory and public consultation will take place in winter 2024/25…[with the] aim to seek a variation order from the Secretary of State in winter 2025”

At this stage, the extent of the proposed boundary variation to the Chilterns National Landscape is unclear, with the first stage of consultation scheduled for the end of 2024. It is therefore not justified for the SALP to pre-determine the boundary changes to the Chilterns National Landscape, as the proposals for the boundary extension are not material and haven’t been tested through Examination by the Secretary of State.

As there is no detail as of yet to the proposed amendments to the Chilterns National Landscape, only very limited weight can be applied to the proposals for the purposes of Plan making.

For the emerging Plan to be positively prepared (in light of the comments elsewhere within these representations relating to housing need), deleted allocations set out at paragraph 4.2 should be reinstated as proposed allocations. In addition, further growth should be proposed specifically at Wheathampstead (see paragraphs 2.2-2.5).

As currently drafted, Policy NEB11 acts like a moratorium on development, which is neither justified nor positively prepared.

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291 - SEGRO (Radlett) Limited

Submission Number: 291 Submission Date: 07/11/24 09:00

Respondent: RPS Consulting Simon Peake

On Behalf Of c/o RPS : SEGRO (Radlett) Limited

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.1 Strategic Policy SP1: A Spatial Strategy for St Albans District states that *'growth must be supported by the necessary community infrastructure, transport improvements, green spaces and tree planting'*. The Local Plan also supports *'significant new employment space provision'*and *'green belt compensatory improvements including significant new country parks'*.

2.2 SEGRO (Radlett) Limited support the spatial strategy of the Local Plan, particularly the provision of new employment space. The SRFI scheme will provide significant new employment space associated with the rail terminal comprising up to 331,655 sqm of logistics floorspace (Class B8 use with ancillary Class B1/B2 uses). To note, Use Class B1 is now classified as Use Class E in accordance with the updated The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into force on the 1st of September 2020.

2.3 Policy SP1 states that Green Belt compensatory improvements include significant new country parks, better access to the countryside via new and improved rights of way, and new and improved habitat connectivity. As part of Areas 3 to 8 of the SRFI scheme, a Country Park comprising 247 hectares of land with new areas of woodland and managed countryside will be provided. Off-site footpath, bridleway and cycleway improvements will also be provided in the south and west of the site. Therefore, SEGRO (Radlett) Limited support the obligation for green belt compensatory improvements to include significant new country parks and better access to countryside and habitat connectivity which are already reflected in and are part of the approved SRFI scheme.

2.4 Additionally, growth will be supported through the delivery of the SRFI scheme which will provide the necessary community infrastructure, transport improvements, green spaces and tree planting associated with the development. This includes the provision of an intermodal terminal, Park Street/Frogmore Relief Road, a landscape setting with perimeter landscaped mounds, and a Country Park for public access to open land and community forest. Area 2 of the Development Site will also be similar in appearance and character to the Country Park with landscape mounds, ponds for great crested newts and green space adjacent to the development platform accommodating the rail terminal and associated B8 floorspace. Additionally, more than 86 hectares of land, which comprises 50% of the Development Site, will be landscaped.

2.5 Policy SP1 supports development which will address the Climate Emergency with regard to sustainable movement that reduces reliance on private car use. The SRFI will assist in a modal shift in distribution transport from road to rail, which in turn will reduce carbon emissions and can help to meet national net zero and decarbonisation targets.

2.6 Overall, Policy SP1 is considered to be positively prepared and provides a strategy which seeks to meet the area's objectively assessed need and is consistent with achieving sustainable development.

2.7 The policy is also justified with an appropriate strategy, effective through its deliverability over the plan period, and consistent with national policy. Therefore, SEGRO (Radlett) Limited consider Strategic Policy SP1 to be in accordance with paragraph 35 of the National Planning Policy Framework (NPPF) 2021 and the updated version of the NPPF published on 20th December 2023.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.1 Strategic Policy SP2 – Responding to the Climate Emergency states that the Council will support proposals that help to combat climate change, including *'pursuing the reduction of whole life-cycle carbon emissions (both operational and embodied)'*and providing *'on-site renewables, high standards of energy efficiency, and low carbon energy'*.

3.2 Policy CE1 - Promoting Sustainable Design, Construction and Building Efficiency sets out how *'new buildings should be designed and constructed to ensure efficient use of energy, water and materials'*. Part (a) requires proposals to take into account any nationally adopted standards.

3.3 SEGRO (Radlett) Limited are supportive of new buildings to be designed and constructed efficiently in order to minimise carbon emissions. The design of the SRFI will meet the requirements of The Building Futures Sustainable Design Toolkit (BFSDT) including a commitment to a BREEAM 'very good' standards, in accordance with adopted policy objectives at the time of approval.

3.4 Policy CE2 - Renewable and Low Carbon Energy seeks to *'increase the use of renewable and low carbon energy in the District*'. Part b of the policy requires major developments to set out at the planning application stage how they will make use of renewable or low carbon energy within the site through (i) submitting and agreeing an Energy Statement with the Council and (ii) agreed measure will be secured through conditions.

3.5 Segro support Policy CE2 which seeks to maximise the use of renewable or low carbon energy where appropriate is supported. In line with Policy CE2, an Energy Statement was submitted and approved for the SRFI.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.1 Strategic Policy SP2 – Responding to the Climate Emergency states that the Council will support proposals that help to combat climate change, including *'pursuing the reduction of whole life-cycle carbon emissions (both operational and embodied)'*and providing *'on-site renewables, high standards of energy efficiency, and low carbon energy'*.

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3.5 Segro support Policy CE2 which seeks to maximise the use of renewable or low carbon energy where appropriate is supported. In line with Policy CE2, an Energy Statement was submitted and approved for the SRFI.

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

CE2 - Renewable and Low Carbon Energy

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

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3.5 Segro support Policy CE2 which seeks to maximise the use of renewable or low carbon energy where appropriate is supported. In line with Policy CE2, an Energy Statement was submitted and approved for the SRFI.

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.1 Strategic Policy SP3 – Land and the Green Belt seeks to *'protect the Green Belt from inappropriate development, and ensure the most effective use of land in the District up until 2041. This involves select Green Belt boundary adjustments in the right areas to provide wider protection of the rest Green Belt.'* The revised Green Belt boundaries are set out on the Policies Map. The policy also seeks to *'increase overall employment floorspace in the District.'*

4.2 The Council has undertaken a detailed Green Belt Review as part of its new evidence base to understand the impacts of potential development in the Green Belt and to revise the boundaries as necessary. Furthermore, the SRFI impact on the Green Belt has been examined at length through the planning history.

4.3 The Policies Map identifies the main development areas of the SRFI remaining as located within the Green Belt. In addition, the site-specific draft policy EMP2 – Strategic Rail Freight Interchange (SRFI) states that *'there is now a reasonable prospect that the SRFI will be delivered during the Plan period. All of the public benefits including all the country parks and community forest and the Park Street/ Frogmore relief road and other requirements set out in the 2014 Planning permission will be required to be delivered.* ***On review of this Plan and once the SRFI has been completed, Green Belt boundaries in relation to the SRFI facility will be reviewed and revised as appropriate'***.

4.4 This is welcomed, however now that full planning permission has been granted from the SRFI, and development on site has started, it is our view that the Radlett SRFI site should be removed from the Green Belt at the first opportunity to reflect the current situation; and this should not await further review.

4.5 Whilst it is accepted that Green Belt should be protected from inappropriate development and ensure the most effective use of land in line with paragraph 128 of the NPPF, the Policies Map (and Policy EMP2) should be updated to remove the SRFI from the Green Belt as the development will be coming forward during the plan preparation stages, and indicatively completed within the plan-period of 2041. The merits of the SRFI development, balanced against the impact on the Green Belt, has long been established through the planning history with permission ultimately granted in 2014, development commenced in 2019 and the CLEUD approved in 2021.

4.6 With the land acquisition completed last year in June 2023 and the site in single land ownership, SEGRO (Radlett) Limited has a committed implementation programme in place (**Appendix 1**). The retention of the SRFI site in the Green Belt is inconsistent with the aims of the policy and NPPF.

4.7 Whilst Areas 3-8 will continue to perform as Green Belt, remaining largely as open countryside, the retention of the SRFI development site (Areas 1 & 2) within the Green Belt undermines the overall legitimacy of Green Belt policy. Paragraph 148 of the NPPF (2023) states that when determining Green Belt boundaries, local plans should:

"e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period"

4.8 By continuing to retain the SRFI site in the Green Belt boundaries, this goes against Paragraph 148 of the NPPF. Regardless of how the Green Belt designation affects deliverability of the site, the land will no longer be permanently open, by virtue of its development. Paragraph 143 of the NPPF sets out the five purposes of the Green Belt. The land at the SRFI cannot and does not contribute to the five purposes. It cannot assist in safeguarding the countryside from encroachment, as the future committed development will already cause encroachment. The boundary should therefore be amended. In doing so, it is relevant to note that Area 2 of the Development Site will be similar in appearance and character to the Country Park with the provision of green space adjacent to the development platform accommodating the rail terminal and associated B8 floorspace. Both Areas should however be removed for the reasons outlined above.

4.9 The progress of the SRFI will be apparent as the Draft Local Plan progresses. **Appendix 1** of this report includes a programme for implementation. Aligned to the current SADC Local Development Scheme, it is clear that should both remain on target, by the time of adoption in 2026, the SRFI will

have made significant progress ahead of the first occupation indicative target of 2026. The SRFI has an indicative target completion of Q4 2030. Whilst completion will be subject to successful delivery and occupation of the site (and wider market conditions), the target dates are comfortably within the plan period of 2041.

4.10 Furthermore, retention of the site in the Green Belt limits the ability to respond to changing needs, as even quite small changes to the scheme may be classified as a departure to the Local Plan, and referable to the Secretary of State under the Green Belt consultation procedure. Whilst SEGRO (Radlett) Limited has the intention to build out the SRFI as consented, as a strategic-scale project, to be built over a number of years, there may be a requirement to review and amend the approved scheme. As the principle of development has long been established and the planning permission approves substantial development within the Green Belt, amending the Green Belt boundary to accord with this will facilitate a more efficient planning process as the site comes forward. Any variation of the planning permission will be subject to appropriate planning procedure and due consideration. However, there is no longer a necessity for the site to remain within designated Green Belt as it fails to meet the purposes of such protective designation.

4.11 The combination of the site-specific policy in the Local Plan with the suggested Green Belt boundary change could be used to ensure that the development of the site is consistent with the principles that underpinned the granting of the SRFI permission. As presently drafted, the policy is not fully effective, justified or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

4.12 Therefore, to ensure the Local Plan is positively prepared, justified, and effective it is recommended that the Green Belt boundary is reconsidered and the Council exclude the SRFI site from the Green Belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.1 Strategic Policy SP5 - Employment and the Local Economy will *'support economic growth and productivity by maintaining current employment areas and creating new ones such that there is sufficient land and floorspace to cater for full employment and provide for different kinds of employment use.'*

5.2 SEGRO (Radlett) Limited support this objective and highlight the contribution that SRFI will make to this aim. The SRFI is designated as a Protected Employment Area (PEA 12) in Table 5.1. The policy states that the Council will retain the Protected Employment Areas for *'appropriate business uses'*and the Council will *'encourage full use of designated employment sites and supports new businesses, business growth, and inward investment'*.

5.3 The SRFI will support economic growth and productivity by creating circa 3,400 jobs on site and circa 500 jobs off-site across the wider labour catchment areas, as well generating circa 500 construction sector jobs per year over a five-year period.

5.4 The scheme will also benefit the national and local economies, as well as help satisfy the demands of consumers and businesses for the sustainable movement of the goods and services that are increasingly relied upon.

5.5 Furthermore, a diverse range of employment opportunities such as managerial, administrative, IT, engineering, skilled warehousing personnel and driver staff will be provided through the SRFI. Ultimately, the scheme will generate economic funds which will in turn benefit SADC and Hertfordshire County Council. This opportunity to provide a significant economic contribution will be particularly important considering the current period of weak economic growth.

5.6 The policy also states in part (b) that two new industrial and business locations will be designated, one of which is the SRFI which is recognised as*: '33.16 ha of the Government permitted Strategic Rail Freight Interchange at the former Radlett aerodrome - mostly B8 distribution/warehousing'*in the policy.

5.7 The South West Hertfordshire Economic Study (September 2024) as part of the new evidence base has developed two scenarios to understand the balance of demand and commitments in establishing whether additional land supply would be required for industrial, storage and distribution. The two scenarios are driven by *"different assumptions about the contribution of Radlett Strategic Railfreight Interchange (331,665 sqm capacity) to meeting South West Herts needs".*

5.8 It should now be recognised that Radlett SRFI has been implemented and is in the process of being delivered on-site, with the intention of the full scheme being delivered. The current programme (provided in **Appendix 1** [see attached file]) has been accelerated and indicates when the employment units will be delivered. Any projections of employment land supply should therefore reflect this current programme and the commitment of SEGRO to deliver the full scheme.

5.9 Furthermore, it is noted that in addition to the consented and commenced SRFI and other major sites identified (Policy EMP4), the recently approved outline planning application (ref. 5/2022/2966) on a site of 7.57 hectares to provide 75,700 sqm flexible commercial/employment space falling within either Class B8 (Storage and Distribution) or a data centre in SADC will also make a contribution to local employment activity. The evidence base has therefore been updated to accurately assess need, in the context of committed and anticipated employment-related development.

5.10 Overall, the policy's recognition of the SRFI as a Protected Employment Area is supported. It is considered that the employment floorspace has been allocated appropriately in accordance with an updated evidence base which provides a policy that is justified and effective.

5.16 In conclusion, SEGRO (Radlett) Limited support the ambitions of SADC to ensure *'sufficient land and floorspace to cater for full employment and provide for different kinds of employment use'*, however, this can only be achieved through a deliverable and sustainable Plan that allocates employment floorspace appropriately in line with a recognition of the SFRI being delivered.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

EMP1 - Protected Employment Areas

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.11 Policy EMP1 – Protected Employment Areas states that*'to protect and enhance the designated Protected Employment Areas in the District, proposals that are within the locations set out in Table 5.1 must demonstrate:*

1. *a) No net loss of employment floorspace; redevelopment or intensification of existing employment uses will usually be supported;*
2. *That the use class will normally be B2, B8, or E(g); in the case of E(g) applications conditions may be applied to prevent a change of use to E(a-f) use classes; and*
3. *That small-scale services such as a creche or café are ancillary and do not compromise the functioning of the location for B2, B8 or E(g) uses.'*

5.12 The SRFI is identified as a Protected Employment Area (PEA 12) located between Frogmore and London Colney in Table 5.1. In line with the policy, the SRFI will not result in a net loss of employment floorspace, rather, new employment space up to 331,655 sqm comprising Use Classes B2, B8 and E(g) will be provided on the site. Any small-scale services on the site will be ancillary and do not compromise the functioning of the location. Therefore, SEGRO (Radlett) Limited welcome this designation and support the protection of the SRFI as an employment area that will comprise of B2, B8 or E(g) use classes and consider Policy EMP1 to be sound and justified.

5.16 In conclusion, SEGRO (Radlett) Limited support the ambitions of SADC to ensure *'sufficient land and floorspace to cater for full employment and provide for different kinds of employment use'*, however, this can only be achieved through a deliverable and sustainable Plan that allocates employment floorspace appropriately in line with a recognition of the SFRI being delivered.

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

EMP2 - Strategic Rail Freight Interchange (SRFI)

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.13 Policy EMP2 – Strategic Rail Freight Interchange (SRFI) states that *'there is now a reasonable prospect that the SRFI will be delivered during the Plan period. All of the public benefits including all the country parks and community forest and the Park Street / Frogmore relief road and other requirements set out in the 2014 Planning permission must be delivered. On review of this Plan and once the SRFI has been completed, Green Belt boundaries in relation to the SFRI facility will be reviewed and revised as appropriate.'*

5.14 Whilst SEGRO (Radlett) Limited welcome and support the recognition of the SRFI through its site-specific policy, the effectiveness and soundness of Policy EMP2 should be strengthened. The policy wording of *'a reasonable prospect that the SRFI will be delivered'* is unjust in recognition that the SRFI planning permission has been implemented and was formally confirmed by SADC on 6th July 2021. Furthermore, the site acquisition process was complete in June 2023 and the site is now in single land ownership, which enables the development to progress within the programme. Therefore, there is a good prospect that the SRFI and its accompanying benefits, which are the subject of the 2014 planning permission, will be delivered during the Plan period. **Appendix 1** outlines the programme for delivery. This can be reviewed as the Local Plan preparation progresses. On the current target for adoption of 2026, the SRFI would have made significant progress in terms of delivery, preparing the site for indicative first occupation from Q4 2026 onwards. It is therefore reasonable for the policy to be amended and for the SRFI site to be removed from the Green Belt.

5.15 Policy EMP2 also states that the Green Belt boundaries will be reviewed and revised as appropriate once the SRFI is complete. Whilst SEGRO (Radlett) Limited support the review and revision of the green belt boundaries, it is arguably unjustified and ineffective to do this after the SRFI has been completed. Considering that the site is within the green belt, the site should be released from the green belt as part of this Local Plan review which reflects the reality that the development has been commenced and will be delivered during the life of the Local Plan. This has been addressed further in the preceding section of this representation.

5.16 In conclusion, SEGRO (Radlett) Limited support the ambitions of SADC to ensure *'sufficient land and floorspace to cater for full employment and provide for different kinds of employment use'*, however, this can only be achieved through a deliverable and sustainable Plan that allocates employment floorspace appropriately in line with a recognition of the SFRI being delivered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy EMP2 –Strategic Rail Freight Interchange (SRFI)

"Development has commenced and there is now a<u>strong likelihood</u> that the SRFI will be delivered during the Plan period. All of the public benefits including all the country parks and community forest and the Park Street / Frogmore relief road and other requirements set out in the 2014 Planning permission must be delivered.

The Green Belt boundaries in relation to the SFRI facility<u>have been</u> reviewed and revised as appropriate <u>to release the SRFI from the Green Belt</u>.

The Strategic Rail Freight Interchange is shown on the Policies Map."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.1 Strategic Policy SP8 - Transport Strategy outlines how the Council *will 'prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network'*.

6.2 Policy TRA1 – Transport Considerations for New Development sets out the requirements for major proposals to ensure that *'safe and suitable access can be provided' and 'development would not lead to highway safety problems or cause unacceptable impacts upon the transport network'*.

6.3 Policy TRA2 – Major Transport Schemes states in part (b) that *'there is now a reasonable prospect that the Government permitted Strategic Rail Freight Interchange identified in policy EMP2 will be delivered during the Plan period. The Council supports the road and sustainable transport infrastructure needed to mitigate it, in particular A414 enhancement.*'

6.4 As discussed above in paragraph 5.13, SEGRO (Radlett) Limited welcome the recognition of the SRFI in policy TRA2, we further consider that the the policy wording of *'a reasonable prospect'*of the SRFI will be delivered could be more accurately stated as a 'likely' or 'good prospect' given the fact that development has commenced on site and the clear delivery programme set out

by SEGRO (Radlett) Limited.. Nonetheless, SEGRO (Radlett) Limited consider the support for *'road and sustainable transport infrastructure needed to mitigate'* the SRFI, in particular regarding the A414, to be sound.

6.5 Policy TRA3 – Development Generating New Lorry Movements sets out requirements for proposals leading to significant increases in lorry movements and how they can reduce their impact on the environment and congestion.

6.6 Policy TRA4 – Parking states that development proposals should meet on-site car and cycle parking standards for new non-residential development which are set out within the draft Local Plan. It is acknowledged that the SRFI consent has a condition (no. 10) restricting the maximum number of parking spaces, which would be less parking provision than the draft policy. However, it is specific to the approved development and any future need to review parking spaces will be subject to detailed assessment at the relevant time. SEGRO (Radlett) Limited are supportive of Policies TRA3 and TRA4 which set out the car and lorry transport and parking requirements.

6.7 In addition to encouraging the transfer of freight from road to rail, the SRFI will also improve local transport connections in line with the draft Local Plan policies SP8, TRA1 and TRA3. The SRFI will become a nationally significant logistics hub which will meet the requirements of businesses serving London and the South-East of the UK.

6.8 The Radlett SRFI development will deliver a wide range of transport benefits, including combination of on and off-site highway works with improvements to the PRoW network will fully consider the needs of pedestrians and cyclists. Alongside the measures addressed in the draft TFMMP, it will ensure the scheme is well served by a range of transport modes with the aim of reducing reliance on cars.

6.9 Overall, SEGRO (Radlett) Limited are supportive of Policies SP8, TRA1, TRA2, TRA3 and TRA4 and consider them to be sound. It is considered these policies are an important inclusion within the draft Local Plan to ensure SADC is well connected, accessible and encourages sustainable transport.

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.1 Strategic Policy SP8 - Transport Strategy outlines how the Council *will 'prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network'*.

6.2 Policy TRA1 – Transport Considerations for New Development sets out the requirements for major proposals to ensure that *'safe and suitable access can be provided' and 'development would not lead to highway safety problems or cause unacceptable impacts upon the transport network'*.

6.3 Policy TRA2 – Major Transport Schemes states in part (b) that *'there is now a reasonable prospect that the Government permitted Strategic Rail Freight Interchange identified in policy EMP2 will be delivered during the Plan period. The Council supports the road and sustainable transport infrastructure needed to mitigate it, in particular A414 enhancement.*'

6.4 As discussed above in paragraph 5.13, SEGRO (Radlett) Limited welcome the recognition of the SRFI in policy TRA2, we further consider that the the policy wording of *'a reasonable prospect'*of the SRFI will be delivered could be more accurately stated as a 'likely' or 'good prospect' given the fact that development has commenced on site and the clear delivery programme set out by SEGRO (Radlett) Limited.. Nonetheless, SEGRO (Radlett) Limited consider the support for *'road and sustainable transport infrastructure needed to mitigate'*the SRFI, in particular regarding the A414, to be sound.

6.5 Policy TRA3 – Development Generating New Lorry Movements sets out requirements for proposals leading to significant increases in lorry movements and how they can reduce their impact on the environment and congestion.

6.6 Policy TRA4 – Parking states that development proposals should meet on-site car and cycle parking standards for new non-residential development which are set out within the draft Local Plan. It is acknowledged that the SRFI consent has a condition (no. 10) restricting the maximum number of parking spaces, which would be less parking provision than the draft policy. However, it is specific to the approved development and any future need to review parking spaces will be subject to detailed assessment at the relevant time. SEGRO (Radlett) Limited are supportive of Policies TRA3 and TRA4 which set out the car and lorry transport and parking requirements.

6.7 In addition to encouraging the transfer of freight from road to rail, the SRFI will also improve local transport connections in line with the draft Local Plan policies SP8, TRA1 and TRA3. The SRFI will become a nationally significant logistics hub which will meet the requirements of businesses serving London and the South-East of the UK.

6.8 The Radlett SRFI development will deliver a wide range of transport benefits, including combination of on and off-site highway works with improvements to the PRoW network will fully consider the needs of pedestrians and cyclists. Alongside the measures addressed in the draft TFMMP, it will ensure the scheme is well served by a range of transport modes with the aim of reducing reliance on cars.

6.9 Overall, SEGRO (Radlett) Limited are supportive of Policies SP8, TRA1, TRA2, TRA3 and TRA4 and consider them to be sound. It is considered these policies are an important inclusion within the draft Local Plan to ensure SADC is well connected, accessible and encourages sustainable transport.

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

TRA2 - Major Transport Schemes

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.1 Strategic Policy SP8 - Transport Strategy outlines how the Council *will 'prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network'*.

6.2 Policy TRA1 – Transport Considerations for New Development sets out the requirements for major proposals to ensure that *'safe and suitable access can be provided' and 'development would not lead to highway safety problems or cause unacceptable impacts upon the transport network'*.

6.3 Policy TRA2 – Major Transport Schemes states in part (b) that *'there is now a reasonable prospect that the Government permitted Strategic Rail Freight Interchange identified in policy EMP2 will be delivered during the Plan period. The Council supports the road and sustainable transport infrastructure needed to mitigate it, in particular A414 enhancement.*'

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6.5 Policy TRA3 – Development Generating New Lorry Movements sets out requirements for proposals leading to significant increases in lorry movements and how they can reduce their impact on the environment and congestion.

6.6 Policy TRA4 – Parking states that development proposals should meet on-site car and cycle parking standards for new non-residential development which are set out within the draft Local Plan. It is acknowledged that the SRFI consent has a condition (no. 10) restricting the maximum number of parking spaces, which would be less parking provision than the draft policy. However, it is specific to the approved development and any future need to review parking spaces will be subject to detailed assessment at the relevant time. SEGRO (Radlett) Limited are supportive of Policies TRA3 and TRA4 which set out the car and lorry transport and parking requirements.

6.7 In addition to encouraging the transfer of freight from road to rail, the SRFI will also improve local transport connections in line with the draft Local Plan policies SP8, TRA1 and TRA3. The SRFI will become a nationally significant logistics hub which will meet the requirements of businesses serving London and the South-East of the UK.

6.8 The Radlett SRFI development will deliver a wide range of transport benefits, including combination of on and off-site highway works with improvements to the PRoW network will fully consider the needs of pedestrians and cyclists. Alongside the measures addressed in the draft TFMMP, it will ensure the scheme is well served by a range of transport modes with the aim of reducing reliance on cars.

6.9 Overall, SEGRO (Radlett) Limited are supportive of Policies SP8, TRA1, TRA2, TRA3 and TRA4 and consider them to be sound. It is considered these policies are an important inclusion within the draft Local Plan to ensure SADC is well connected, accessible and encourages sustainable transport.

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Policy TRA2 –Major Transport Schemes

"a) The Council supports the delivery of the following major transport schemes in principle:

1. *Improvements to Walking and Cycle Infrastructure*
2. *A package of transport measures to enhance M1 Junction 8 (M1 J8) and surrounding area, in association with Hemel Garden Communities (HGC);*
3. *Mobility Hubs located at Land East of Hemel Hempstead in association with HGC;*
4. *Transport schemes identified in the IDP;*
5. *Abbey Line enhanced service; and*
6. *Hertfordshire Essex Rapid Transport Scheme (HERT).*
7. *There is now a<u>strong likelihood</u> that the Government permitted Strategic Rail Freight Interchange identified in policy EMP2 will be delivered during the Plan period. The Council supports the road and sustainable transport infrastructure needed to mitigate it, in particular A414 enhancement.*
8. *Development should not prejudice the construction or effective operation of the existing transport infrastructure and schemes listed above. Any proposals for development that may reasonably be considered to impact upon transport infrastructure or the delivery of the identified schemes will not be supported unless it is demonstrated the proposal would not harm their delivery.*
9. *As the options for the transport schemes progress, the impact of the delivery of the major transport schemes will be subject to assessment in accordance with policies in the Plan such as archaeological assessment, environment assessment and flood risk."*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

TRA3 - Development Generating New Lorry Movements

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.1 Strategic Policy SP8 - Transport Strategy outlines how the Council *will 'prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network'*.

6.2 Policy TRA1 – Transport Considerations for New Development sets out the requirements for major proposals to ensure that *'safe and suitable access can be provided' and 'development would not lead to highway safety problems or cause unacceptable impacts upon the transport network'*.

6.3 Policy TRA2 – Major Transport Schemes states in part (b) that *'there is now a reasonable prospect that the Government permitted Strategic Rail Freight Interchange identified in policy EMP2 will be delivered during the Plan period. The Council supports the road and sustainable transport infrastructure needed to mitigate it, in particular A414 enhancement.*'

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6.5 Policy TRA3 – Development Generating New Lorry Movements sets out requirements for proposals leading to significant increases in lorry movements and how they can reduce their impact on the environment and congestion.

6.6 Policy TRA4 – Parking states that development proposals should meet on-site car and cycle parking standards for new non-residential development which are set out within the draft Local Plan. It is acknowledged that the SRFI consent has a condition (no. 10) restricting the maximum number of parking spaces, which would be less parking provision than the draft policy. However, it is specific to the approved development and any future need to review parking spaces will be subject to detailed assessment at the relevant time. SEGRO (Radlett) Limited are supportive of Policies TRA3 and TRA4 which set out the car and lorry transport and parking requirements.

6.7 In addition to encouraging the transfer of freight from road to rail, the SRFI will also improve local transport connections in line with the draft Local Plan policies SP8, TRA1 and TRA3. The SRFI will become a nationally significant logistics hub which will meet the requirements of businesses serving London and the South-East of the UK.

6.8 The Radlett SRFI development will deliver a wide range of transport benefits, including combination of on and off-site highway works with improvements to the PRoW network will fully consider the needs of pedestrians and cyclists. Alongside the measures addressed in the draft TFMMP, it will ensure the scheme is well served by a range of transport modes with the aim of reducing reliance on cars.

6.9 Overall, SEGRO (Radlett) Limited are supportive of Policies SP8, TRA1, TRA2, TRA3 and TRA4 and consider them to be sound. It is considered these policies are an important inclusion within the draft Local Plan to ensure SADC is well connected, accessible and encourages sustainable transport.

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

TRA4 - Parking

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.1 Strategic Policy SP8 - Transport Strategy outlines how the Council *will 'prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network'*.

6.2 Policy TRA1 – Transport Considerations for New Development sets out the requirements for major proposals to ensure that *'safe and suitable access can be provided' and 'development would not lead to highway safety problems or cause unacceptable impacts upon the transport network'*.

6.3 Policy TRA2 – Major Transport Schemes states in part (b) that *'there is now a reasonable prospect that the Government permitted Strategic Rail Freight Interchange identified in policy EMP2 will be delivered during the Plan period. The Council supports the road and sustainable transport infrastructure needed to mitigate it, in particular A414 enhancement.*'

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6.8 The Radlett SRFI development will deliver a wide range of transport benefits, including combination of on and off-site highway works with improvements to the PRoW network will fully consider the needs of pedestrians and cyclists. Alongside the measures addressed in the draft TFMMP, it will ensure the scheme is well served by a range of transport modes with the aim of reducing reliance on cars.

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

7.1 Strategic Policy SP10 – Natural Environment, Biodiversity and Green and Blue Infrastructure outlines how the Council *'will protect and enhance green and blue infrastructure for its role in combating Climate Change and supporting biodiversity, along with its value for recreation, health and wellbeing, and landscape value.'*

7.2 Policy NEB 4 - Significant Publicly Accessible Green Areas states that *'the Council will preserve and enhance the SRFI Country Park(s) (approved)'*and *'will seek development contributions from relevant major developments to mitigate impacts and support the maintenance and enhancement of these areas, including through delivery of Greenspace Action Plans (GAPs) and Greenspace Management Plans.'*

7.3 SEGRO (Radlett) Limited is supportive of the above and highlights the contribution that the SRFI will provide towards SADC achieving these objectives. The proposed Country Park is an important element of the Radlett SRFI proposals.

7.4 The SRFI Country Park will provide 247 hectares of woodland and managed countryside including 80 hectares of new species rich mixed woodland planting and 160 hectares of conservation grazing which will contribute to the Watling Chase Community Forest Area. Within the Country Park there will be a Visitor Interpretation Centre, car parking and picnic areas. New footpaths, bridleways, nature trails and multi-use routes along with improvements to existing rights of way comprising circa 17km in total will be delivered. Additionally, new and improved bird watching, equestrian and fishing facilities will also be created, as well as informal recreational facilities such as play areas, outdoor gyms and trim trails.

7.5 The Country Park as part of the SRFI has been provided to provide improved public access to green space, facilities for recreation and biodiversity. SEGRO (Radlett) Limited are supportive of Policy NEB4's recognition of the SRFI Country Park in assisting to maintain a high quality of life and supporting both mental and physical health.

7.6 Policy NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces requires that proposals *'have regard to the biodiversity already present within the site'*as well as *'identify opportunities to maximise the provision for biodiversity on the design of new buildings in line with national and local nature conservation priorities'*.

7.7 Policy NEB 10 – Landscape and Design requires major proposals to consider *'how the existing*

landscape will be protected, enhanced and integrated into the development, detailed in a Landscape Strategy, along with new tree planting as part of any new green space provision'.

7.8 It is considered that policies NEB7 and NEB10 are justified and sound, recognising the importance of new developments in increasing biodiversity and providing sufficient landscaping. The landscaping and biodiversity improvements that will be facilitated through the Country Park as part of the SRFI accord with Policies NEB7 and NEB10.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 18

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

7.1 Strategic Policy SP10 – Natural Environment, Biodiversity and Green and Blue Infrastructure outlines how the Council *'will protect and enhance green and blue infrastructure for its role in combating Climate Change and supporting biodiversity, along with its value for recreation, health and wellbeing, and landscape value.'*

7.2 Policy NEB 4 - Significant Publicly Accessible Green Areas states that *'the Council will preserve and enhance the SRFI Country Park(s) (approved)'*and *'will seek development contributions from relevant major developments to mitigate impacts and support the maintenance and enhancement of these areas, including through delivery of Greenspace Action Plans (GAPs) and Greenspace Management Plans.'*

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7.5 The Country Park as part of the SRFI has been provided to provide improved public access to green space, facilities for recreation and biodiversity. SEGRO (Radlett) Limited are supportive of Policy NEB4's recognition of the SRFI Country Park in assisting to maintain a high quality of life and supporting both mental and physical health.

7.6 Policy NEB7 - Biodiversity Provision in the Design of New Buildings and Open Spaces requires that proposals *'have regard to the biodiversity already present within the site'*as well as *'identify opportunities to maximise the provision for biodiversity on the design of new buildings in line with national and local nature conservation priorities'*.

7.7 Policy NEB 10 – Landscape and Design requires major proposals to consider *'how the existing*

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

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

Comment Number: 19

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

NEB10 - Landscape and Design

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

7.1 Strategic Policy SP10 – Natural Environment, Biodiversity and Green and Blue Infrastructure outlines how the Council *'will protect and enhance green and blue infrastructure for its role in combating Climate Change and supporting biodiversity, along with its value for recreation, health and wellbeing, and landscape value.'*

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

Strategic Policy SP12 - High Quality Design

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

8.1 Strategic Policy SP12 – High-Quality Design suggests that new development should *'respond positively to its context, be of high quality architecture and make efficient use of land'*.

8.2 Policy DES1 – Design of New Development sets out the parameters which new development should account for in order to achieve high quality design.

8.3 SEGRO (Radlett) Limited support the above policies in order to ensure that new development will positively respond to its surroundings, provide a high standard of amenity and ensure a high quality of architecture. These policies are consistent with national policy, notably the NPPF and National Design Guide, and are therefore considered sound and positively prepared.

8.4 Policy DES7 – Servicing of Development expects *'servicing needs of development should be considered at an early stage in the design process'*. The policy details how proposals are required to demonstrate compliance with refuse storage, cycle storage, parcel and deliveries and mechanical servicing and plant systems.

8.5 SEGRO (Radlett) Limited consider Policy DES7 to be an important part of the design process to ensure that new buildings will function appropriately for users. SEGRO (Radlett) Limited consider it to be justified and sound and are thus supportive of the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

DES1 - Design of New Development

Comment Number: 20

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

DES7 - Servicing of Development

Comment Number: 21

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

Strategic Policy SP13 - Health and Wellbeing

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

9.1 Strategic Policy SP13 – Health and Wellbeing aims to *'improve people's health and wellbeing and encourage them to adopt a healthy lifestyle'* which will be *'sought through relevant policies throughout this Plan'* related to improved sustainable transport infrastructure, provision of green space and reducing the dominance of the car.

9.2 The SRFI aligns with Policy SP13 by encouraging the transfer of freight from road to rail, improving local transport connections and provision of the publicly accessible Country Park. As discussed in paragraph 6.12 of these representations, the TFMMP secured through Condition 9 of the outline planning permission will encourage a reduction in car journeys and will ensure the SRFI is served by a range of sustainable transport modes including walking, cycling, buses, trains. The Country Park is also an important part of the SRFI which will deliver extensive open space and woodland that will be accessible and beneficial for the local community. Furthermore, Area 2 of the Development Site will be similar in appearance and character to the Country Park with the provision of green space adjacent to the development platform accommodating the rail terminal and associated B8 floorspace.

9.3 Overall, SEGRO (Radlett) Limited are supportive of Policy SP13 considering its conformity with national policy and its soundness based on the objective of promoting healthy and sustainable communities.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

HW5 - Health Impact Assessments

Comment Number: 22

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

9.4 Policy HW5 – Health Impact Assessments states that *'Health Impacts Assessments are required for proposals that may have an adverse impact on the immediate area and affect people living in the development and close by'*. More specifically, the policy suggests that Health Impact Assessments (HIAs) should be provided as part of a planning application for *'major transport infrastructure improvements, including the Government permitted Strategic Rail Freight Interchange'*.

9.5 Whilst the merits of an HIA are fully acknowledged, the above policy wording should be amended to remove reference to the SRFI as the development has full planning permission and has been implemented. In the event where amendments to the approved scheme are required, which meet the threshold requiring an HIA to be undertaken, this would be assessed at the appropriate time. However, to avoid confusion and ensure the policy is justified and effective, the SRFI reference should be omitted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

HW5 –Health Impact Assessments

"Health Impacts Assessments are required for proposals that may have an adverse impact on the immediate area and affect people living in the development and close by. More specifically, Health Impact Assessments should be provided as part of certain planning applications in accordance with the latest Hertfordshire County Council Position Statement, and in line with the local Health Impact Assessment methodology set out in Hertfordshire County Council's Health Impact Assessment Guidance and Toolkit document.

A Health Impact Assessment must be submitted for the following types of applications:

1. *a) Residential proposals of 100 dwellings or more (however this threshold may be reduced depending on the nature and scale of the development);*
    1. *Major transport infrastructure improvements, including major new roads or major new junctions, existing rail networks, rail stations,and the proposed Hertfordshire Essex Rapid Transit (HERT);*
    2. *Any other locally or nationally significant infrastructure project;*
    3. *Landfill, waste treatment and management facilities, major composting facilities, anaerobic digesters, new minerals workings and aggregate depots, other permanent infrastructure such as coated stone plants or ready mix plants and recycling centres;*
    4. *Developments subject to an Environmental Impact Assessment; and*
    5. *Non-residential developments of over 1,000 square metres.*
2. *Where a Health Impact Assessment has identified an issue that may have a significant adverse impact, the applicant should set out how this will be addressed and mitigated as part of the proposal."*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LOCAL PLAN CONSULTATION REG19 SEGRO_[R].pdf

292 - Leverstock Green Village Association

Submission Number: 292 Submission Date: 07/11/24 09:00

Respondent: Troy Hayes

On Behalf Of Leverstock Green Village Association : Leverstock Green Village Association

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1.12. For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate. The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

...

4. **Sustainability Appraisal**

4.1. We have a number of points regarding the Sustainability Appraisal (SA) which are in line with those made by Redbourn Parish Council. The SA is clearly These are summarised below:

...

- As we set out in our response to Policy LG2 below there are serious concerns regarding the existing air and noise pollution in the area including east of Hemel. The Sustainability Appraisal is very dismissive of this serious threat to human health and what the potential impact is of proposing development closer to the main source of the air and noise pollution – the M1. The SA states the following about this topic which demonstrates that the SA and the Local Plan has not really taken this key matter into consideration writing it off saying that air quality concerns are decreasing over time and focusing on the modal shift assumptions in the transport evidence.
- *"Hemel Garden Communities – there are two AQMAs at Hemel Hempstead, but these are relatively distant from HGC (associated with north-south road corridors close to the western edge of the town). HGC is considered to be associated with a considerable opportunity in respect of masterplanning in support of trip internalisation and modal shift away from the*

private car (albeit this remains a focus of ongoing work), plus the A414 strategy / HERT represents a considerable opportunity to address air quality hotspots across the sub-region (for example, Hertford is constrained). However, benefits would be felt in the long term, and air quality concerns are decreasing nationally over time (albeit concerns will remain, particularly in respect of particulates from roads, brakes and tiers given the weight of EVs).”(Paragraph 9.3.2)

- *“In conclusion, a broadly neutral effect is predicted on the baseline, as per the conclusion in 2023. There is little reason to suggest that the proposed growth strategy will conflict with air quality objectives, particularly noting the location of AQMAs within the District and in surrounding areas. HGC is supported, but there is inherently an element of uncertainty and risk around achieving the high levels of modal shift (away from use of the private car) that are being assumed for the purposes of traffic modelling*.” (Paragraph 9.3.4)

5. **Overall Timing and Housing Needs**

5.1. LGVA is concerned that the Regulation 19 Local Plan has been prepared in haste in order to avoid higher housing need / requirements through the proposed NPPF consultation.

5.2. We question whether SACDC has used the South West Hertfordshire Local Housing Needs Assessment (September 2020) to arrive at its housing need figure? This study was undertaken four years ago (2020) which is a considerable time ago and should be considered by SACDC to be an out-of-date evidence base document. Policy HOU2 (Affordable Housing) refers to a Local Housing Needs Assessment (LHNA) dated 2019 however this does not appear in the Draft Local Plan Evidence Base on SACDC's website

5.3. As we set out in our representations the Local Plan and particularly the Hemel Garden Communities allocations are not backed by sufficient or sound evidence to justify their inclusion in the Plan. Given that HGC is by far the most strategic development in the Local Plan and requires a very significant proposed release of Green Belt, the Local Plan should not be rushed through the way it has. This will only lead to the Local Plan either the Plan being at Examination for an extended period of time due to it requiring quite fundamental modifications to make it sound or it will be found unsound with no potential for its fundamental flaws to be modified leading to its withdrawal and SACDC will need to go back to the start of the process once again.

...

7. **Policy SP1 (A Spatial Strategy for St Albans District)**
   Policy LG2 (Support for Transformation of Hemel Hempstead) Site Allocation H4 (East Hemel Hempstead (South)
   Policy LG3 (Hemel Garden Communities Growth Areas Place Principles)
   Policy HOU6 (Gypsies, Travellers and Travelling Showpeople) Policy TRA2 (Major Transport Schemes)

...

Hemel Garden Communities

7.2. We recognise the vision of HGC, but we are concerned there is no comprehensive infrastructure and transport plan to support the proposals. We also have misgivings that such a large-scale project involving two local authorities and multiple other agencies over such a protracted period is deliverable.

7.3. We appreciate the planning is at an early stage, but the task of coordinating all aspects of the HGC will be a major challenge. The timely delivery of infrastructure and particularly roads will be essential.

...

7.5. As already set out in relation to the Sustainability Appraisal the matter of noise and air quality have not been properly assessed as part of the plan making process. The above gross housing density calculations do not take account of the other parts of the site that will need to be 'netted off 'due to other constraints with a key constraint being the M1 which clearly has an air and noise pollution factor that requires considerable mitigation. We have reviewed Defra's 2019 Road Traffic Noise Levels mapping to see what this means for the Local Plan Area given the heavy traffic and congestion in the area including the presence of the M1.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 6

Figure 6: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods Accessed: http://www.extrium.co.uk/noiseviewer.html

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 7

Figure 7: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods. Source: http://www.extrium.co.uk/noiseviewer.html

7.6. As one can clearly see from the above mapping the noise levels east of Hemel do not appear to be safe and high density housing and employment in the area is going to further exacerbate this issue. It is very difficult to see how mitigation measures could greatly impact the noise and air pollution from the M1. In any case this area appears to be an unsafe and unsuitable location to allocate strategic housing that is meant to be 'sustainable' when its future residents will be exposed to unhealthy levels of pollution.

7.7. As a consequence of these strategic issues alone, as outlined above, the number of residential units in the H4 area should be drastically reduced, probably to less than 1,000 dwellings.

7.8. The Local Plan Part B Allocation for site H4 includes a number of development requirements which we list below. We seriously question how all of these requirements can fit onto a site when its strategic constraints are considered. We list a number of these requirements below:

- SANG Requirements
- BNG Requirements (aims to exceed 10% minimum target)
- High quality design and buffer zones to mitigate adverse impacts from motorway noise and air pollution and address the Buncefield oil depot and pipelines
- There is a major surface water flow path across the centre of the broad location, and three associated smaller flow paths
- Three extra-care facilities comprising of 70-80 self-contained units in each facility, two 70-80 bed nursing homes and 9 supported living units for people with disabilities.
- One new 3FE and one new 2FE primary schools
- 15-20 pitches for Gypsy and Travellers using best practice on location and design
- Land will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements
- The layout and design of development should minimise any harm to the setting and significance of listed buildings
- Recreation space and other community facilities
- Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 1; Bedrock Aquifer.

7.9. Whilst one could suggest that it will 'all be solved' in the masterplanning work, this is setting the Local Plan up for failure and the delivery of 'over development' on previous Green Belt land.

7.10. Furthermore, LGVA has serious doubts about the sound planning of infrastructure of HGC in terms of SACDC and on cross boundary infrastructure with neighbouring authorities. The Infrastructure Delivery Plan, Housing Trajectory and Viability Evidence provide us with no confidence

that there is a coherent and sound plan for the coordination and delivery of the infrastructure to deliver the HGC and the quality of place-making set out in Policy LG3 (Hemel Garden Communities Growth Area Place Principles).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate.

The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reg 19 Leverstock Green Village Association vf_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Leverstock Green Village Association (LGVA) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Hemel Hempstead LGVA considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1. **Introduction**

1.1. Leverstock Green Village Association CIO (LGVA) is a registered Charity (Charity No.1172784) whose geographical area of benefit is the ecclesiastical parish of Leverstock Green, a substantial portion of which is on Crown Estate land within the area of St Albans City and District Council. Formed in 1974 the Charity is governed by a Board of Trustees including both democratically elected representatives and nominated representatives of village organisations. The Association's Constitution includes responsibility for the provision and maintenance of a Village Hall, the provision of educational, recreational and leisure time facilities, and the promotion of the benefits and the protection of the interests of village residents, including, inter alia, environmental matters. Arising from this latter responsibility, since there is no civil parish for the area, the LGVA undertakes most planning matters which would normally be carried out by a Parish Council. The Charity converted from an unincorporated association to a Charitable Incorporated Organisation in 2017.

1.2. Leverstock Green is an historic and characterful village on the eastern edge of the Hemel Hempstead urban area with open countryside to the east and south. There is documented and archaeological evidence that people lived and worked in the immediate area of Leverstock Green from the time of Roman occupation onwards. Recent research indicates that settlement along Westwick Row may well date back even further to the Iron Age and perhaps the Bronze Age.

1.3. In 1949, the Masterplan for the development of Hemel Hempstead New Town stated that 'Leverstock Green should, as far as possible, retain its village character'. Over the last 70 years the village has expanded with a number of housing developments to its present size of about 2,700 dwellings.

1.4. Today, Leverstock Green is a dynamic community which has retained its strong village identity, and the residents take great pride in maintaining the character of the village. The Leverstock Green Village Association runs a highly successful and well-appointed Village Hall. The Hall is used by over 40 village and community groups including a playgroup and a theatrical group. The LGVA produces a quarterly newsletter, which is delivered to all homes, and runs an annual summer fete and winter fayre as well as regular events in the Hall such as quizzes and concerts.

1.5. Holy Trinity Church located in the centre of the village is a warm, vibrant and well attended church which is at the centre of village life, and the well-regarded village C of E primary school is rated 'Good' by OFSTED. There is a co-located Day Nursery and Preschool.

1.6. The village centre has a parade of quality shops and a Post Office which are well patronised by the community. A community library is located adjacent to the Hall. The

LGVA arranges for a display of Christmas lights which is sponsored by local businesses.

1.7. Leverstock Green has a number of successful and well supported sports clubs. The Football Club was founded in 1895. The Cricket Club adjacent to the village green was founded in 1908 and the Tennis Club in 1961. All three have thriving club houses. The village has three public houses/restaurants including the historic 'Olde Leather Bottle'. The village has a Scout Group with its own premises and two Women's Institutes.

1.8. The proposal to build 2,400 dwellings would almost double the size of Leverstock Green and would subsume the village in an expansion of the Hemel Hempstead urban area. Consequently, the village character of Leverstock Green would be lost.

1.9. The community is concerned that St Albans CDC is dismissive of the village character of Leverstock Green and the impact that such a large expansion would have on the village.

1.10. LGVA submits the following representations to the Regulation 19 Local Plan consultation.

1.11. **LGVA has reviewed the representations prepared by Redbourn Parish Council (RPC) and we endorse these representations as most of the points in RPC makes also apply to Leverstock Green.**

1.12. For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate. The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

2. Consultation

2.1. LGVA is concerned Leverstock Green was not included in the exhibition programme for the new Local Plan. An exhibition was subsequently added after intervention by our local DBC councillors. The event was extremely useful and was well attended by village residents.

2.2. We are grateful to the St Albans City and District Council (SADC), Dacorum Borough Council (DBC) and Hemel Garden Communities (HGC) staff for their hard work in setting up and manning the exhibition. The high level of interest shown by local residents indicated there is a great deal of concern and in some cases anger over SADC proposals to build large numbers of dwellings adjacent to Leverstock Green. This concern must not be ignored, and it is vital Leverstock Green residents are kept involved in SADC's proposals.

3. Duty to Cooperate

3.1. Despite SACDC's attempt to evidence that it has discharged the duty in its Statement of Common Ground (Overarching) (Autumn 2024), there is lack of substantive and up to date evidence that 'active', 'ongoing' and 'constructive' cooperation took place from the start of the preparation of the Local Plan. If further evidence of cooperation were to be submitted by SACDC in the lead up to, or after submission of the Local Plan then this would clearly demonstrate that the Local Plan and its policies were not informed by this engagement – which is, after all, the entire reason for the Duty to Cooperate as explained in the NPPF: *"effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy"*[1]. ([1] NPPF paragraph 26)

3.2. The SOCG only establishes as common ground with SACDC's strategic partners: the strategic geography and what comprises the strategic cross-boundary matters. Unfortunately, **the SOCG does not contain any substance on what constitutes the material cooperation between parties on the agreed strategic matters**.

3.3. Furthermore, we would like to highlight the fact that whilst the housing provision proposed at Hemel East will count towards SACDC's housing requirements, services and infrastructure will be provided DBC within the exiting town of Hemel Hempstead. Therefore, the taxes generated at Hemel East will go to SACDC rather than to DBC. It is our understanding that Hemel East landowners have approach the Boundary Commission about this matter suggesting that the boundary should be redrawn so that the new growth at Hemel East falls within DBC. This would clearly have significant implications for the housing land available for both Councils.

4. **Sustainability Appraisal**

4.1. We have a number of points regarding the Sustainability Appraisal (SA) which are in line with those made by Redbourn Parish Council. The SA is clearly These are summarised below:

- Without a clear understanding about what infrastructure will be delivered, its cost and how it will be funded for the largest growth area of the Local Plan at HGC, how can the SA prepare reasonable alternatives and draw meaningful conclusions to inform decisions in the Local Plan.
- By assuming that the HGC is going to be delivered under all 'reasonable alternatives' in the SA, the Plan is placing the entirety of its strategy and plan on the delivery of the HGC. If the Local Plan is found unsound and / or the HGC does not deliver as SACDC predicts (which is very likely) then SACDC and its communities will find itself in the very position it is seeking to avoid – that of unable to defend itself against planning applications due to a lack of housing supply.
- Particularly important for Leverstock Green the SA concludes at Paragraph 5.4.25 that the scale and extent of growth should really be reduced at the southern extent of the allocation, yet they fear the risk of delaying the plan-making timetable. This is clearer a case of SACDC ignoring its own technical evidence in favour of seeking to pursue a quicker plan-making timetable even if this means the Plan will not be found sound.

"There is feasibly the possibility of reducing the scale/extent of growth somewhat at the southern extent of the area and possibly also at the northeast extent (less clear/significant), but there is no clear case for doing so, and even fairly modest adjustments could lead to a risk of delay to the plan-making timetable"

- As we set out in our response to Policy LG2 below there are serious concerns regarding the existing air and noise pollution in the area including east of Hemel. The Sustainability Appraisal is very dismissive of this serious threat to human health and what the potential impact is of proposing development closer to the main source of the air and noise pollution – the M1. The SA states the following about this topic which demonstrates that the SA and the Local Plan has not really taken this key matter into consideration writing it off saying that air quality concerns are decreasing over time and focusing on the modal shift assumptions in the transport evidence.
- *"Hemel Garden Communities – there are two AQMAs at Hemel Hempstead, but these are relatively distant from HGC (associated with north-south road corridors close to the western edge of the town). HGC is considered to be associated with a considerable opportunity in respect of masterplanning in support of trip internalisation and modal shift away from the private car (albeit this remains a focus of ongoing work), plus the A414 strategy / HERT represents a considerable opportunity to address air quality hotspots across the sub-region (for example, Hertford is constrained). However, benefits would be felt in the long term, and*

air quality concerns are decreasing nationally over time (albeit concerns will remain, particularly in respect of particulates from roads, brakes and tiers given the weight of EVs).”(Paragraph 9.3.2)

- *“In conclusion, a broadly neutral effect is predicted on the baseline, as per the conclusion in 2023. There is little reason to suggest that the proposed growth strategy will conflict with air quality objectives, particularly noting the location of AQMAs within the District and in surrounding areas. HGC is supported, but there is inherently an element of uncertainty and risk around achieving the high levels of modal shift (away from use of the private car) that are being assumed for the purposes of traffic modelling*.” (Paragraph 9.3.4)

5. **Overall Timing and Housing Needs**

5.1. LGVA is concerned that the Regulation 19 Local Plan has been prepared in haste in order to avoid higher housing need / requirements through the proposed NPPF consultation.

5.2. We question whether SACDC has used the South West Hertfordshire Local Housing Needs Assessment (September 2020) to arrive at its housing need figure? This study was undertaken four years ago (2020) which is a considerable time ago and should be considered by SACDC to be an out-of-date evidence base document. Policy HOU2 (Affordable Housing) refers to a Local Housing Needs Assessment (LHNA) dated 2019 however this does not appear in the Draft Local Plan Evidence Base on SACDC's website

5.3. As we set out in our representations the Local Plan and particularly the Hemel Garden Communities allocations are not backed by sufficient or sound evidence to justify their inclusion in the Plan. Given that HGC is by far the most strategic development in the Local Plan and requires a very significant proposed release of Green Belt, the Local Plan should not be rushed through the way it has. This will only lead to the Local Plan either the Plan being at Examination for an extended period of time due to it requiring quite fundamental modifications to make it sound or it will be found unsound with no potential for its fundamental flaws to be modified leading to its withdrawal and SACDC will need to go back to the start of the process once again.

5. **Exceptional Circumstances and Green Belt**

6.1. Leverstock Green is defined by its semi-rural environment with Green Belt to the east, south and southwest of the built-up area. These areas are prime agricultural land which creates a green buffer around Leverstock Green and which needs to be protected wherever possible. The loss locally of such a significant amount of prime agricultural land is considered foolhardy in the current climate.

6.2. The Draft Local Plan (both Reg. 18 and Reg. 19 versions) fail to state what 'exceptional circumstances’ there are for proposing the Draft Local Plan sites in the Green Belt.

6.3. The Green Belt Exceptional Circumstances Evidence Paper gives no evidence of discussions between SACDC and neighbouring authorities regarding meeting development need. It does not include demonstrated evidence of making as much use of brownfield and underutilised land, and there is a lack of demonstration of density optimisation. LGVA contests that the Council has demonstrated examining fully all reasonable options for meeting its identified need for development before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries.

6.4. The site was considered as part of the 2014 Green Belt Review which looked at this area in the assessment of Site S2. Figure 1 shows the entirety of the site and highlights Site 2b in yellow as an area recommended as potentially suitable for release.

6.5. This area of the site infills development from the built-up boundary of the adjacent urban area up to the M1. The remainder of Policy S6 iii site ‘East Hemel Hempstead (South)’ is not recommended for Green Belt release in the Green Belt Review, as a result of the area being constrained by having an open landscape character which would make development visually prominent from both a local level but also from some mid-range views from land to the east of the

M1 motorway. The study instead recommends that landscape features, planting and hedgerows should be retained in this area, in order to ‘reduce the visibility of any future development from the key transport corridor and wider countryside’ (para 4.6.10, Green Belt Review, 2014).

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 1

Figure 1: The yellow area indicates the area of East Hemel Hempstead (South) considered appropriate for Green Belt release with the rest of the site retained as recommended by the Green Belt Review (2014)

6.6. The Green Belt Review Methodology (Section 4) includes an assessment of settlement area buffer zones. We suspect strongly the Green Belt Review was influenced by SADC to suit the purposes of the draft Plan. Despite Hemel Hempstead qualifying as a ‘highest order settlement’ with 400m buffer zones, the review uses the presence of the M1 to conveniently justify the removal of the buffer zones from the whole of the East Hemel area. If the buffer zones had stayed in place, the number of dwellings which could accommodated in East Hemel would be reduced considerably. This would also significantly reduce the HGC ambition to build 11,000 homes. We consider the 400m buffer zone should be applied to the whole of the Site H4 East Hemel (South) (Green Belt Review Sub-Area SA165).

6.7. The 2023 Part 2 Green Belt Review determines that the southern parcels (SA-162, 164 and 165) that all of the parcels perform ‘strongly’ against the NPPF purposes.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 2

Figure 2: Part 2 Green Belt Review (2023) Figure 5.12 Overall performance against NPPF purposes – South

6.8. The Part 2 Green Belt Review ultimately concludes the majority of the parcels are not considered any further.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 3

Figure 3: Part 2 Green Belt Review (2023) Figure 5.18 Recommendations - South

6.9. It is therefore perplexing to then see the Local Plan’s allocation proposal to allocate (H4 – see below) the entirety of SA-164 and SA-165 and release the whole of the Green Belt within these parcels apart from the very southern tip

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 4

Figure 4: Local Plan Part B H4 - East Hemel Hempstead (South), HP2 4PA

6.10. Therefore, exceptional circumstances have not been set out or justified by SCDC and its own Green Belt evidence since 2014 does not support the allocation of the East Hemel South yet SACDC has proposed it for allocation and Green Belt release in any case despite there being a lack of justification to do so.

6.11. **Green Belt Policy LG5:** We question part b) of this policy. It seems to be attempting to open the door for 'New state schools' in the Green Belt and we do not see where this is supported in the NPPF. It also includes "The creation of new transport infrastructure" in the Green Belt yet the wording in the NPPF is in relation to "local transport infrastructure which can demonstrate a requirement for a Green Belt location" and is only 'not inappropriate' in the Green Belt provided that it preserves its openness and does not conflict with the purposes of including land within it. **Policy LG5 is not consistent with national planning policy for the reasons explained above, therefore it is not a sound policy**.

7. **Policy SP1 (A Spatial Strategy for St Albans District)**
   Policy LG2 (Support for Transformation of Hemel Hempstead) Site Allocation H4 (East Hemel Hempstead (South)
   Policy LG3 (Hemel Garden Communities Growth Areas Place Principles)

Policy HOU6 (Gypsies, Travellers and Travelling Showpeople) Policy TRA2 (Major Transport Schemes)

7.1. LGVA recognises some additional housing is required and supports modest and proportionate development. However, we object strongly to the sheer scale of the SADC proposals which would envelope and overwhelm Leverstock Green. Despite being part of the Hemel Hempstead urban area since the construction of the new town from the 1940s, Leverstock Green retains a distinct and proud village character and a strong sense of community. Under the proposals, Leverstock Green would nearly double in size and would lose much of the surrounding Green Belt which defines its identity. The character of the village would be changed out of all proportion, and the necessary infrastructure requirements would be unsustainable in a village environment.

Hemel Garden Communities

7.2. We recognise the vision of HGC, but we are concerned there is no comprehensive infrastructure and transport plan to support the proposals. We also have misgivings that such a large-scale project involving two local authorities and multiple other agencies over such a protracted period is deliverable.

7.3. We appreciate the planning is at an early stage, but the task of coordinating all aspects of the HGC will be a major challenge. The timely delivery of infrastructure and particularly roads will be essential.

Scale of Housing

7.4. The plan envisages 2,400 dwellings in the East Hemel South area adjacent to Leverstock Green. This represents 18% of SADC's total requirement. The proposed allocation extends from J8 of the M1 to the point where the A414 and A4147 cross the M1. We believe this area of 142 hectares is inadequate to accommodate over 2,000 dwellings at an acceptable level of density. Moreover, as already explained, the Green Belt Reviews recommends that only the smaller area adjacent to Junction 8 of the M1 should be considered for possible release. This equates to a gross housing density of 17 dwellings per hectare (dph) which does not even factor in the southern tip of the site which is within the allocation site yet is proposed to be retained as Green Belt. We have done a rough calculation of the amount of Green Belt appears to be retained at the southern tip of the allocation which is approximately 15.3 hectares. The potential developable area of the allocation is reduced from 142 hectares to 126.7 hectares as a result. The gross housing density is then increased to 19 dph.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 5

Figure 5: Measurement of Green Belt retained in Allocation H4 - East Hemel Hempstead (South). Source: Google Maps

7.5. As already set out in relation to the Sustainability Appraisal the matter of noise and air quality have not been properly assessed as part of the plan making process. The above gross housing density calculations do not take account of the other parts of the site that will need to be 'netted off 'due to other constraints with a key constraint being the M1 which clearly has an air and noise pollution factor that requires considerable mitigation. We have reviewed Defra's 2019 Road Traffic Noise Levels mapping to see what this means for the Local Plan Area given the heavy traffic and congestion in the area including the presence of the M1.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 6

Figure 6: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods Accessed: http://www.extrium.co.uk/noiseviewer.html

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 7

Figure 7: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods. Source: http://www.extrium.co.uk/noiseviewer.html

7.6. As one can clearly see from the above mapping the noise levels east of Hemel do not appear to be safe and high density housing and employment in the area is going to further exacerbate this issue. It is very difficult to see how mitigation measures could greatly impact the noise and air pollution from the M1. In any case this area appears to be an unsafe and unsuitable location to allocate strategic housing that is meant to be 'sustainable' when its future residents will be exposed to unhealthy levels of pollution.

7.7. As a consequence of these strategic issues alone, as outlined above, the number of residential units in the H4 area should be drastically reduced, probably to less than 1,000 dwellings.

7.8. The Local Plan Part B Allocation for site H4 includes a number of development requirements which we list below. We seriously question how all of these requirements can fit onto a site when its strategic constraints are considered. We list a number of these requirements below:

- SANG Requirements
- BNG Requirements (aims to exceed 10% minimum target)
- High quality design and buffer zones to mitigate adverse impacts from motorway noise and air pollution and address the Buncefield oil depot and pipelines
- There is a major surface water flow path across the centre of the broad location, and three associated smaller flow paths
- Three extra-care facilities comprising of 70-80 self-contained units in each facility, two 70-80 bed nursing homes and 9 supported living units for people with disabilities.
- One new 3FE and one new 2FE primary schools
- 15-20 pitches for Gypsy and Travellers using best practice on location and design
- Land will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements
- The layout and design of development should minimise any harm to the setting and significance of listed buildings
- Recreation space and other community facilities
- Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 1; Bedrock Aquifer.

7.9. Whilst one could suggest that it will 'all be solved' in the masterplanning work, this is setting the Local Plan up for failure and the delivery of 'over development' on previous Green Belt land.

7.10. Furthermore, LGVA has serious doubts about the sound planning of infrastructure of HGC in terms of SACDC and on cross boundary infrastructure with neighbouring authorities. The Infrastructure Delivery Plan, Housing Trajectory and Viability Evidence provide us with no confidence that there is a coherent and sound plan for the coordination and delivery of the infrastructure to deliver the HGC and the quality of place-making set out in Policy LG3 (Hemel Garden Communities Growth Area Place Principles).

7.11. **LGVA has reviewed the representations prepared by Redbourn Parish Council (RPC) and we endorse these representations as most of the points which RPC make also apply to Leverstock Green.**

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reg 19 Leverstock Green Village Association vf_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Leverstock Green Village Association (LGVA) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Hemel Hempstead LGVA considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.3. As we set out in our representations the Local Plan and particularly the Hemel Garden Communities allocations are not backed by sufficient or sound evidence to justify their inclusion in the Plan. Given that HGC is by far the most strategic development in the Local Plan and requires a very significant proposed release of Green Belt, the Local Plan should not be rushed through the way it has. This will only lead to the Local Plan either the Plan being at Examination for an extended period of time due to it requiring quite fundamental modifications to make it sound or it will be found unsound with no potential for its fundamental flaws to be modified leading to its withdrawal and SACDC will need to go back to the start of the process once again.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

...

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6.3. The Green Belt Exceptional Circumstances Evidence Paper gives no evidence of discussions between SACDC and neighbouring authorities regarding meeting development need. It does not include demonstrated evidence of making as much use of brownfield and underutilised land, and there is a lack of demonstration of density optimisation. LGVA contests that the Council has demonstrated examining fully all reasonable options for meeting its identified need for development before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries.

6.4. The site was considered as part of the 2014 Green Belt Review which looked at this area in the assessment of Site S2. Figure 1 shows the entirety of the site and highlights Site 2b in yellow as an area recommended as potentially suitable for release.

6.5. This area of the site infills development from the built-up boundary of the adjacent urban area up to the M1. The remainder of Policy S6 iii site 'East Hemel Hempstead (South)' is not recommended for Green Belt release in the Green Belt Review, as a result of the area being constrained by having an open landscape character which would make development visually prominent from both a local level but also from some mid-range views from land to the east of the M1 motorway. The study instead recommends that landscape features, planting and hedgerows should be retained in this area, in order to 'reduce the visibility of any future development from the key transport corridor and wider countryside' (para 4.6.10, Green Belt Review, 2014).

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 1

Figure 1: The yellow area indicates the area of East Hemel Hempstead (South) considered appropriate for Green Belt release with the rest of the site retained as recommended by the Green Belt Review (2014)

6.6. The Green Belt Review Methodology (Section 4) includes an assessment of settlement area buffer zones. We suspect strongly the Green Belt Review was influenced by SADC to suit the purposes of the draft Plan. Despite Hemel Hempstead qualifying as a 'highest order settlement' with 400m buffer zones, the review uses the presence of the M1 to conveniently justify the removal of the buffer zones from the whole of the East Hemel area. If the buffer zones had stayed in place, the number of dwellings which could accommodated in East Hemel would be reduced considerably. This would also significantly reduce the HGC ambition to build 11,000 homes. We consider the 400m buffer zone should be applied to the whole of the Site H4 East Hemel (South) (Green Belt Review Sub-Area SA165).

6.7. The 2023 Part 2 Green Belt Review determines that the southern parcels (SA-162, 164 and 165) that all of the parcels perform 'strongly' against the NPPF purposes.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 2

Figure 2: Part 2 Green Belt Review (2023) Figure 5.12 Overall performance against NPPF purposes – South

6.8. The Part 2 Green Belt Review ultimately concludes the majority of the parcels are not considered any further.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 3

Figure 3: Part 2 Green Belt Review (2023) Figure 5.18 Recommendations - South

6.9. It is therefore perplexing to then see the Local Plan's allocation proposal to allocate (H4 – see below) the entirety of SA-164 and SA-165 and release the whole of the Green Belt within these parcels apart from the very southern tip

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 4

Figure 4: Local Plan Part B H4 - East Hemel Hempstead (South), HP2 4PA

6.10. Therefore, exceptional circumstances have not been set out or justified by SCDC and its own Green Belt evidence since 2014 does not support the allocation of the East Hemel South yet SACDC has proposed it for allocation and Green Belt release in any case despite there being a lack of justification to do so.

6.11. **Green Belt Policy LG5:** We question part b) of this policy. It seems to be attempting to open the door for 'New state schools' in the Green Belt and we do not see where this is supported in the NPPF. It also includes "The creation of new transport infrastructure" in the Green Belt yet the wording in the NPPF is in relation to "local transport infrastructure which can demonstrate a requirement for a Green Belt location" and is only 'not inappropriate' in the Green Belt provided that it preserves its openness and does not conflict with the purposes of including land within it. **Policy LG5 is not consistent with national planning policy for the reasons explained above, therefore it is not a sound policy**.

...

7.4. The plan envisages 2,400 dwellings in the East Hemel South area adjacent to Leverstock Green. This represents 18% of SADC's total requirement. The proposed allocation extends from J8 of the M1 to the point where the A414 and A4147 cross the M1. We believe this area of 142 hectares is inadequate to accommodate over 2,000 dwellings at an acceptable level of density. Moreover, as already explained, the Green Belt Reviews recommends that only the smaller area adjacent to Junction 8 of the M1 should be considered for possible release. This equates to a gross housing density of 17 dwellings per hectare (dph) which does not even factor in the southern tip of the site which is within the allocation site yet is proposed to be retained as Green Belt. We have done a rough calculation of the amount of Green Belt appears to be retained at the southern tip of the allocation which is approximately 15.3 hectares. The potential developable area of the allocation is reduced from 142 hectares to 126.7 hectares as a result. The gross housing density is then increased to 19 dph.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 5

Figure 5: Measurement of Green Belt retained in Allocation H4 - East Hemel Hempstead (South). Source: Google Maps

...

7.8. The Local Plan Part B Allocation for site H4 includes a number of development requirements which we list below. We seriously question how all of these requirements can fit onto a site when its strategic constraints are considered. We list a number of these requirements below:

- SANG Requirements
- BNG Requirements (aims to exceed 10% minimum target)

- High quality design and buffer zones to mitigate adverse impacts from motorway noise and air pollution and address the Buncefield oil depot and pipelines
- There is a major surface water flow path across the centre of the broad location, and three associated smaller flow paths
- Three extra-care facilities comprising of 70-80 self-contained units in each facility, two 70-80 bed nursing homes and 9 supported living units for people with disabilities.
- One new 3FE and one new 2FE primary schools
- 15-20 pitches for Gypsy and Travellers using best practice on location and design
- Land will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements
- The layout and design of development should minimise any harm to the setting and significance of listed buildings
- Recreation space and other community facilities
- Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 1; Bedrock Aquifer.

7.9. Whilst one could suggest that it will 'all be solved' in the masterplanning work, this is setting the Local Plan up for failure and the delivery of 'over development' on previous Green Belt land.

...

7.11. **LGVA has reviewed the representations prepared by Redbourn Parish Council (RPC) and we endorse these representations as most of the points which RPC make also apply to Leverstock Green.**

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate.

The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reg 19 Leverstock Green Village Association vf_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Leverstock Green Village Association (LGVA) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Hemel Hempstead LGVA considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

...

7.8. The Local Plan Part B Allocation for site H4 includes a number of development requirements which we list below. We seriously question how all of these requirements can fit onto a site when its strategic constraints are considered. We list a number of these requirements below:

- SANG Requirements
- BNG Requirements (aims to exceed 10% minimum target)
- High quality design and buffer zones to mitigate adverse impacts from motorway noise and air pollution and address the Buncefield oil depot and pipelines
- There is a major surface water flow path across the centre of the broad location, and three associated smaller flow paths

- Three extra-care facilities comprising of 70-80 self-contained units in each facility, two 70-80 bed nursing homes and 9 supported living units for people with disabilities.
- One new 3FE and one new 2FE primary schools
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- Land will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements
- The layout and design of development should minimise any harm to the setting and significance of listed buildings
- Recreation space and other community facilities
- Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 1; Bedrock Aquifer.

7.9. Whilst one could suggest that it will 'all be solved' in the masterplanning work, this is setting the Local Plan up for failure and the delivery of 'over development' on previous Green Belt land.

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For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate.

The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA2 - Major Transport Schemes

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1.12. For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate. The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

...

5. **Overall Timing and Housing Needs**

5.1. LGVA is concerned that the Regulation 19 Local Plan has been prepared in haste in order to avoid higher housing need / requirements through the proposed NPPF consultation.

5.2. We question whether SACDC has used the South West Hertfordshire Local Housing Needs Assessment (September 2020) to arrive at its housing need figure? This study was undertaken four years ago (2020) which is a considerable time ago and should be considered by SACDC to be an out-of-date evidence base document. Policy HOU2 (Affordable Housing) refers to a Local Housing Needs Assessment (LHNA) dated 2019 however this does not appear in the Draft Local Plan Evidence Base on SACDC's website

5.3. As we set out in our representations the Local Plan and particularly the Hemel Garden Communities allocations are not backed by sufficient or sound evidence to justify their inclusion in the Plan. Given that HGC is by far the most strategic development in the Local Plan and requires a very significant proposed release of Green Belt, the Local Plan should not be rushed through the way it has. This will only lead to the Local Plan either the Plan being at Examination for an extended period of time due to it requiring quite fundamental modifications to make it sound or it will be found unsound with no potential for its fundamental flaws to be modified leading to its withdrawal and SACDC will need to go back to the start of the process once again.

...

7. **Policy SP1 (A Spatial Strategy for St Albans District)**
   Policy LG2 (Support for Transformation of Hemel Hempstead) Site Allocation H4 (East Hemel Hempstead (South)
   Policy LG3 (Hemel Garden Communities Growth Areas Place Principles)
   Policy HOU6 (Gypsies, Travellers and Travelling Showpeople) Policy TRA2 (Major Transport Schemes)

...

Hemel Garden Communities

7.2. We recognise the vision of HGC, but we are concerned there is no comprehensive infrastructure and transport plan to support the proposals. We also have misgivings that such a large-scale project involving two local authorities and multiple other agencies over such a protracted period is deliverable.

7.3. We appreciate the planning is at an early stage, but the task of coordinating all aspects of the HGC will be a major challenge. The timely delivery of infrastructure and particularly roads will be essential.

...

7.10. Furthermore, LGVA has serious doubts about the sound planning of infrastructure of HGC in terms of SACDC and on cross boundary infrastructure with neighbouring authorities. The Infrastructure Delivery Plan, Housing Trajectory and Viability Evidence provide us with no confidence that there is a coherent and sound plan for the coordination and delivery of the infrastructure to deliver the HGC and the quality of place-making set out in Policy LG3 (Hemel Garden Communities Growth Area Place Principles).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1.12. For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate. The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

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7.3. We appreciate the planning is at an early stage, but the task of coordinating all aspects of the HGC will be a major challenge. The timely delivery of infrastructure and particularly roads will be essential.

...

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1. **Introduction**

1.1. Leverstock Green Village Association CIO (LGVA) is a registered Charity (Charity No.1172784) whose geographical area of benefit is the ecclesiastical parish of Leverstock Green, a substantial portion of which is on Crown Estate land within the area of St Albans City and District Council. Formed in 1974 the Charity is governed by a Board of Trustees including both democratically elected representatives and nominated representatives of village organisations. The Association's Constitution includes responsibility for the provision and maintenance of a Village Hall, the provision of educational, recreational and leisure time facilities, and the promotion of the benefits and the

protection of the interests of village residents, including, inter alia, environmental matters. Arising from this latter responsibility, since there is no civil parish for the area, the LGVA undertakes most planning matters which would normally be carried out by a Parish Council. The Charity converted from an unincorporated association to a Charitable Incorporated Organisation in 2017.

1.2. Leverstock Green is an historic and characterful village on the eastern edge of the Hemel Hempstead urban area with open countryside to the east and south. There is documented and archaeological evidence that people lived and worked in the immediate area of Leverstock Green from the time of Roman occupation onwards. Recent research indicates that settlement along Westwick Row may well date back even further to the Iron Age and perhaps the Bronze Age.

1.3. In 1949, the Masterplan for the development of Hemel Hempstead New Town stated that 'Leverstock Green should, as far as possible, retain its village character'. Over the last 70 years the village has expanded with a number of housing developments to its present size of about 2,700 dwellings.

1.4. Today, Leverstock Green is a dynamic community which has retained its strong village identity, and the residents take great pride in maintaining the character of the village. The Leverstock Green Village Association runs a highly successful and well-appointed Village Hall. The Hall is used by over 40 village and community groups including a playgroup and a theatrical group. The LGVA produces a quarterly newsletter, which is delivered to all homes, and runs an annual summer fete and winter fayre as well as regular events in the Hall such as quizzes and concerts.

1.5. Holy Trinity Church located in the centre of the village is a warm, vibrant and well attended church which is at the centre of village life, and the well-regarded village C of E primary school is rated 'Good' by OFSTED. There is a co-located Day Nursery and Preschool.

1.6. The village centre has a parade of quality shops and a Post Office which are well patronised by the community. A community library is located adjacent to the Hall. The

LGVA arranges for a display of Christmas lights which is sponsored by local businesses.

1.7. Leverstock Green has a number of successful and well supported sports clubs. The Football Club was founded in 1895. The Cricket Club adjacent to the village green was founded in 1908 and the Tennis Club in 1961. All three have thriving club houses. The village has three public houses/restaurants including the historic 'Olde Leather Bottle'. The village has a Scout Group with its own premises and two Women's Institutes.

1.8. The proposal to build 2,400 dwellings would almost double the size of Leverstock Green and would subsume the village in an expansion of the Hemel Hempstead urban area. Consequently, the village character of Leverstock Green would be lost.

1.9. The community is concerned that St Albans CDC is dismissive of the village character of Leverstock Green and the impact that such a large expansion would have on the village.

1.10. LGVA submits the following representations to the Regulation 19 Local Plannconsultation.

1.11. **LGVA has reviewed the representations prepared by Redbourn Parish Council (RPC) and we endorse these representations as most of the points in RPC makes also apply to Leverstock Green.**

1.12. For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate. The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

2. **Consultation**

2.1. LGVA is concerned Leverstock Green was not included in the exhibition programme for the new Local Plan. An exhibition was subsequently added after intervention by our local DBC councillors. The event was extremely useful and was well attended by village residents.

2.2. We are grateful to the St Albans City and District Council (SADC), Dacorum Borough Council (DBC) and Hemel Garden Communities (HGC) staff for their hard work in setting up and manning the exhibition. The high level of interest shown by local residents indicated there is a great deal of concern and in some cases anger over SADC proposals to build large numbers of dwellings adjacent to Leverstock Green. This concern must not be ignored, and it is vital Leverstock Green residents are kept involved in SADC's proposals.

3. Duty to Cooperate

3.1. Despite SACDC's attempt to evidence that it has discharged the duty in its Statement of Common Ground (Overarching) (Autumn 2024), there is lack of substantive and up to date evidence that 'active', 'ongoing' and 'constructive' cooperation took place from the start of the preparation of the Local Plan. If further evidence of cooperation were to be submitted by SACDC in the lead up to, or after submission of the Local Plan then this would clearly demonstrate that the Local Plan and its policies were not informed by this engagement – which is, after all, the entire reason for the Duty to Cooperate as explained in the NPPF: *"effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy"*[1]. ([1] NPPF paragraph 26)

3.2. The SOCG only establishes as common ground with SACDC's strategic partners: the strategic geography and what comprises the strategic cross-boundary matters. Unfortunately, **the SOCG does not contain any substance on what constitutes the material cooperation between parties on the agreed strategic matters**.

3.3. Furthermore, we would like to highlight the fact that whilst the housing provision proposed at Hemel East will count towards SACDC's housing requirements, services and infrastructure will be provided DBC within the exiting town of Hemel Hempstead. Therefore, the taxes generated at Hemel East will go to SACDC rather than to DBC. It is our understanding that Hemel East landowners have approach the Boundary Commission about this matter suggesting that the boundary should be redrawn so that the new growth at Hemel East falls within DBC. This would clearly have significant implications for the housing land available for both Councils.

4. **Sustainability Appraisal**

4.1. We have a number of points regarding the Sustainability Appraisal (SA) which are in line with those made by Redbourn Parish Council. The SA is clearly These are summarised below:

- Without a clear understanding about what infrastructure will be delivered, its cost and how it will be funded for the largest growth area of the Local Plan at HGC, how can the SA prepare reasonable alternatives and draw meaningful conclusions to inform decisions in the Local Plan.
- By assuming that the HGC is going to be delivered under all 'reasonable alternatives' in the SA, the Plan is placing the entirety of its strategy and plan on the delivery of the HGC. If the Local Plan is found unsound and / or the HGC does not deliver as SACDC predicts (which is very likely) then SACDC and its communities will find itself in the very position it is seeking to avoid – that of unable to defend itself against planning applications due to a lack of housing supply.
- Particularly important for Leverstock Green the SA concludes at Paragraph 5.4.25 that the scale and extent of growth should really be reduced at the southern extent of the allocation, yet they fear the risk of delaying the plan-making timetable. This is clearer a case of SACDC ignoring its own technical evidence in favour of seeking to pursue a quicker plan-making timetable even if this means the Plan will not be found sound.

"There is feasibly the possibility of reducing the scale/extent of growth somewhat at the southern extent of the area and possibly also at the northeast extent (less clear/significant), but there is no clear case for doing so, and even fairly modest adjustments could lead to a risk of delay to the plan-making timetable"

- As we set out in our response to Policy LG2 below there are serious concerns regarding the existing air and noise pollution in the area including east of Hemel. The Sustainability Appraisal is very dismissive of this serious threat to human health and what the potential impact is of proposing development closer to the main source of the air and noise pollution – the M1. The SA states the following about this topic which demonstrates that the SA and the Local Plan has not really taken this key matter into consideration writing it off saying that air quality concerns are decreasing over time and focusing on the modal shift assumptions in the transport evidence.
- *"Hemel Garden Communities – there are two AQMAs at Hemel Hempstead, but these are relatively distant from HGC (associated with north-south road corridors close to the western edge of the town). HGC is considered to be associated with a considerable opportunity in respect of masterplanning in support of trip internalisation and modal shift away from the private car (albeit this remains a focus of ongoing work), plus the A414 strategy / HERT represents a considerable opportunity to address air quality hotspots across the sub-region (for example, Hertford is constrained). However, benefits would be felt in the long term, and air quality concerns are decreasing nationally over time (albeit concerns will remain, particularly in respect of particulates from roads, brakes and tiers given the weight of EVs)."*(Paragraph 9.3.2)
- *"In conclusion, a broadly neutral effect is predicted on the baseline, as per the conclusion in 2023. There is little reason to suggest that the proposed growth strategy will conflict with air quality objectives, particularly noting the location of AQMAs within the District and in surrounding areas. HGC is supported, but there is inherently an element of uncertainty and risk around achieving the high levels of modal shift (away from use of the private car) that are being assumed for the purposes of traffic modelling*." (Paragraph 9.3.4)

5. **Overall Timing and Housing Needs**

5.1. LGVA is concerned that the Regulation 19 Local Plan has been prepared in haste in order to avoid higher housing need / requirements through the proposed NPPF consultation.

5.2. We question whether SACDC has used the South West Hertfordshire Local Housing Needs Assessment (September 2020) to arrive at its housing need figure? This study was undertaken four years ago (2020) which is a considerable time ago and should be considered by SACDC to be an out-of-date evidence base document. Policy HOU2 (Affordable Housing) refers to a Local Housing Needs Assessment (LHNA) dated 2019 however this does not appear in the Draft Local Plan Evidence Base on SACDC's website

5.3. As we set out in our representations the Local Plan and particularly the Hemel Garden Communities allocations are not backed by sufficient or sound evidence to justify their inclusion in the Plan. Given that HGC is by far the most strategic development in the Local Plan and requires a very significant proposed release of Green Belt, the Local Plan should not be rushed through the way it has. This will only lead to the Local Plan either the Plan being at Examination for an extended period of time due to it requiring quite fundamental modifications to make it sound or it will be found unsound with no potential for its fundamental flaws to be modified leading to its withdrawal and SACDC will need to go back to the start of the process once again.

5. **Exceptional Circumstances and Green Belt**

6.1. Leverstock Green is defined by its semi-rural environment with Green Belt to the east, south and southwest of the built-up area. These areas are prime agricultural land which creates a green buffer around Leverstock Green and which needs to be protected wherever possible. The loss locally of such a significant amount of prime agricultural land is considered foolhardy in the current climate.

6.2. The Draft Local Plan (both Reg. 18 and Reg. 19 versions) fail to state what 'exceptional circumstances' there are for proposing the Draft Local Plan sites in the Green Belt.

6.3. The Green Belt Exceptional Circumstances Evidence Paper gives no evidence of discussions between SACDC and neighbouring authorities regarding meeting development need. It does not include demonstrated evidence of making as much use of brownfield and underutilised land, and there is a lack of demonstration of density optimisation. LGVA contests that the Council has demonstrated examining fully all reasonable options for meeting its identified need for development before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries.

6.4. The site was considered as part of the 2014 Green Belt Review which looked at this area in the assessment of Site S2. Figure 1 shows the entirety of the site and highlights Site 2b in yellow as an area recommended as potentially suitable for release.

6.5. This area of the site infills development from the built-up boundary of the adjacent urban area up to the M1. The remainder of Policy S6 iii site 'East Hemel Hempstead (South)' is not recommended for Green Belt release in the Green Belt Review, as a result of the area being constrained by having an open landscape character which would make development visually prominent from both a local level but also from some mid-range views from land to the east of the M1 motorway. The study instead recommends that landscape features, planting and hedgerows should be retained in this area, in order to 'reduce the visibility of any future development from the key transport corridor and wider countryside' (para 4.6.10, Green Belt Review, 2014).

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 1

Figure 1: The yellow area indicates the area of East Hemel Hempstead (South) considered appropriate for Green Belt release with the rest of the site retained as recommended by the Green Belt Review (2014)

6.6. The Green Belt Review Methodology (Section 4) includes an assessment of settlement area buffer zones. We suspect strongly the Green Belt Review was influenced by SADC to suit the purposes of the draft Plan. Despite Hemel Hempstead qualifying as a 'highest order settlement' with 400m buffer zones, the review uses the presence of the M1 to conveniently justify the removal of the buffer zones from the whole of the East Hemel area. If the buffer zones had stayed in place, the number of dwellings which could accommodated in East Hemel would be reduced considerably. This would also significantly reduce the HGC ambition to build 11,000 homes. We consider the 400m buffer zone should be applied to the whole of the Site H4 East Hemel (South) (Green Belt Review Sub-Area SA165).

6.7. The 2023 Part 2 Green Belt Review determines that the southern parcels (SA-162, 164 and 165) that all of the parcels perform 'strongly' against the NPPF purposes.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 2

Figure 2: Part 2 Green Belt Review (2023) Figure 5.12 Overall performance against NPPF purposes – South

6.8. The Part 2 Green Belt Review ultimately concludes the majority of the parcels are not considered any further.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 3

Figure 3: Part 2 Green Belt Review (2023) Figure 5.18 Recommendations - South

6.9. It is therefore perplexing to then see the Local Plan's allocation proposal to allocate (H4 – see below) the entirety of SA-164 and SA-165 and release the whole of the Green Belt within these parcels apart from the very southern tip

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 4

Figure 4: Local Plan Part B H4 - East Hemel Hempstead (South), HP2 4PA

6.10. Therefore, exceptional circumstances have not been set out or justified by SCDC and its own Green Belt evidence since 2014 does not support the allocation of the East Hemel South yet SACDC has proposed it for allocation and Green Belt release in any case despite there being a lack of justification to do so.

6.11. **Green Belt Policy LG5:** We question part b) of this policy. It seems to be attempting to open the door for 'New state schools' in the Green Belt and we do not see where this is supported in the NPPF. It also includes "The creation of new transport infrastructure" in the Green Belt yet the wording in the NPPF is in relation to "local transport infrastructure which can demonstrate a requirement for a Green Belt location" and is only 'not inappropriate' in the Green Belt provided that it preserves its openness and does not conflict with the purposes of including land within it. **Policy LG5 is not consistent with national planning policy for the reasons explained above, therefore it is not a sound policy**.

7. **Policy SP1 (A Spatial Strategy for St Albans District)**
   Policy LG2 (Support for Transformation of Hemel Hempstead) Site Allocation H4 (East Hemel Hempstead (South)
   Policy LG3 (Hemel Garden Communities Growth Areas Place Principles)
   Policy HOU6 (Gypsies, Travellers and Travelling Showpeople) Policy TRA2 (Major Transport Schemes)

7.1. LGVA recognises some additional housing is required and supports modest and proportionate development. However, we object strongly to the sheer scale of the SADC proposals which would envelope and overwhelm Leverstock Green. Despite being part of the Hemel Hempstead urban area since the construction of the new town from the 1940s, Leverstock Green retains a distinct and proud village character and a strong sense of community. Under the proposals, Leverstock Green would nearly double in size and would lose much of the surrounding Green Belt which defines its identity. The character of the village would be changed out of all proportion, and the necessary infrastructure requirements would be unsustainable in a village environment.

Hemel Garden Communities

7.2. We recognise the vision of HGC, but we are concerned there is no comprehensive infrastructure and transport plan to support the proposals. We also have misgivings that such a large-scale project involving two local authorities and multiple other agencies over such a protracted period is deliverable.

7.3. We appreciate the planning is at an early stage, but the task of coordinating all aspects of the HGC will be a major challenge. The timely delivery of infrastructure and particularly roads will be essential.

Scale of Housing

7.4. The plan envisages 2,400 dwellings in the East Hemel South area adjacent to Leverstock Green. This represents 18% of SADC's total requirement. The proposed allocation extends from J8 of the M1 to the point where the A414 and A4147 cross the M1. We believe this area of 142 hectares is inadequate to accommodate over 2,000 dwellings at an acceptable level of density. Moreover, as already explained, the Green Belt Reviews recommends that only the smaller area adjacent to Junction 8 of the M1 should be considered for possible release. This equates to a gross housing density of 17 dwellings per hectare (dph) which does not even factor in the southern tip of the site which is within the allocation site yet is proposed to be retained as Green Belt. We

have done a rough calculation of the amount of Green Belt appears to be retained at the southern tip of the allocation which is approximately 15.3 hectares. The potential developable area of the allocation is reduced from 142 hectares to 126.7 hectares as a result. The gross housing density is then increased to 19 dph.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 5

Figure 5: Measurement of Green Belt retained in Allocation H4 - East Hemel Hempstead (South). Source: Google Maps

7.5. As already set out in relation to the Sustainability Appraisal the matter of noise and air quality have not been properly assessed as part of the plan making process. The above gross housing density calculations do not take account of the other parts of the site that will need to be 'netted off 'due to other constraints with a key constraint being the M1 which clearly has an air and noise pollution factor that requires considerable mitigation. We have reviewed Defra's 2019 Road Traffic Noise Levels mapping to see what this means for the Local Plan Area given the heavy traffic and congestion in the area including the presence of the M1.

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 6

Figure 6: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods Accessed: http://www.extrium.co.uk/noiseviewer.html

See attached 'Reg 19 Leverstock Green Village Association vf' for Figure 7

Figure 7: Defra (2019) Road Traffic Noise Levels Lden (day-evening-night) 24 hour annual average noise level in decibels with weightings applied for the evening and night periods. Source: http://www.extrium.co.uk/noiseviewer.html

7.6. As one can clearly see from the above mapping the noise levels east of Hemel do not appear to be safe and high density housing and employment in the area is going to further exacerbate this issue. It is very difficult to see how mitigation measures could greatly impact the noise and air pollution from the M1. In any case this area appears to be an unsafe and unsuitable location to allocate strategic housing that is meant to be 'sustainable' when its future residents will be exposed to unhealthy levels of pollution.

7.7. As a consequence of these strategic issues alone, as outlined above, the number of residential units in the H4 area should be drastically reduced, probably to less than 1,000 dwellings.

7.8. The Local Plan Part B Allocation for site H4 includes a number of development requirements which we list below. We seriously question how all of these requirements can fit onto a site when its strategic constraints are considered. We list a number of these requirements below:

- SANG Requirements
- BNG Requirements (aims to exceed 10% minimum target)
- High quality design and buffer zones to mitigate adverse impacts from motorway noise and air pollution and address the Buncefield oil depot and pipelines
- There is a major surface water flow path across the centre of the broad location, and three associated smaller flow paths
- Three extra-care facilities comprising of 70-80 self-contained units in each facility, two 70-80 bed nursing homes and 9 supported living units for people with disabilities.
- One new 3FE and one new 2FE primary schools
- 15-20 pitches for Gypsy and Travellers using best practice on location and design
- Land will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements
- The layout and design of development should minimise any harm to the setting and significance of listed buildings

- Recreation space and other community facilities
- Take appropriate account of these Environmental Constraints: Source Protection Zone (SPZ) 1; Bedrock Aquifer.

7.9. Whilst one could suggest that it will 'all be solved' in the masterplanning work, this is setting the Local Plan up for failure and the delivery of 'over development' on previous Green Belt land.

7.10. Furthermore, LGVA has serious doubts about the sound planning of infrastructure of HGC in terms of SACDC and on cross boundary infrastructure with neighbouring authorities. The Infrastructure Delivery Plan, Housing Trajectory and Viability Evidence provide us with no confidence that there is a coherent and sound plan for the coordination and delivery of the infrastructure to deliver the HGC and the quality of place-making set out in Policy LG3 (Hemel Garden Communities Growth Area Place Principles).

7.11. **LGVA has reviewed the representations prepared by Redbourn Parish Council (RPC) and we endorse these representations as most of the points which RPC make also apply to Leverstock Green.**

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate.

The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reg 19 Leverstock Green Village Association vf_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Leverstock Green Village Association (LGVA) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Hemel Hempstead LGVA considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Sustainability Appraisal Note

Comment Number: 4

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

4. **Sustainability Appraisal**

4.1. We have a number of points regarding the Sustainability Appraisal (SA) which are in line with those made by Redbourn Parish Council. The SA is clearly These are summarised below:

- Without a clear understanding about what infrastructure will be delivered, its cost and how it will be funded for the largest growth area of the Local Plan at HGC, how can the SA prepare reasonable alternatives and draw meaningful conclusions to inform decisions in the Local Plan.
- By assuming that the HGC is going to be delivered under all ‘reasonable alternatives’ in the SA, the Plan is placing the entirety of its strategy and plan on the delivery of the HGC. If the Local Plan is found unsound and / or the HGC does not deliver as SACDC predicts (which

is very likely) then SACDC and its communities will find itself in the very position it is seeking to avoid – that of unable to defend itself against planning applications due to a lack of housing supply.

- Particularly important for Leverstock Green the SA concludes at Paragraph 5.4.25 that the scale and extent of growth should really be reduced at the southern extent of the allocation, yet they fear the risk of delaying the plan-making timetable. This is clearer a case of SACDC ignoring its own technical evidence in favour of seeking to pursue a quicker plan-making timetable even if this means the Plan will not be found sound.

"There is feasibly the possibility of reducing the scale/extent of growth somewhat at the southern extent of the area and possibly also at the northeast extent (less clear/significant), but there is no clear case for doing so, and even fairly modest adjustments could lead to a risk of delay to the plan-making timetable"

- As we set out in our response to Policy LG2 below there are serious concerns regarding the existing air and noise pollution in the area including east of Hemel. The Sustainability Appraisal is very dismissive of this serious threat to human health and what the potential impact is of proposing development closer to the main source of the air and noise pollution – the M1. The SA states the following about this topic which demonstrates that the SA and the Local Plan has not really taken this key matter into consideration writing it off saying that air quality concerns are decreasing over time and focusing on the modal shift assumptions in the transport evidence.
- *"Hemel Garden Communities – there are two AQMAs at Hemel Hempstead, but these are relatively distant from HGC (associated with north-south road corridors close to the western edge of the town). HGC is considered to be associated with a considerable opportunity in respect of masterplanning in support of trip internalisation and modal shift away from the private car (albeit this remains a focus of ongoing work), plus the A414 strategy / HERT represents a considerable opportunity to address air quality hotspots across the sub-region (for example, Hertford is constrained). However, benefits would be felt in the long term, and air quality concerns are decreasing nationally over time (albeit concerns will remain, particularly in respect of particulates from roads, brakes and tiers given the weight of EVs)."*(Paragraph 9.3.2)
- *"In conclusion, a broadly neutral effect is predicted on the baseline, as per the conclusion in 2023. There is little reason to suggest that the proposed growth strategy will conflict with air quality objectives, particularly noting the location of AQMAs within the District and in surrounding areas. HGC is supported, but there is inherently an element of uncertainty and risk around achieving the high levels of modal shift (away from use of the private car) that are being assumed for the purposes of traffic modelling*." (Paragraph 9.3.4)

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the purposes of clarification, it is the Association's considered view that the Local Plan is unsound, and the Council has failed to discharge its Duty to Cooperate.

The proposed scale and distribution of growth has not been justified, it has not been positively prepared, and the policies are ineffective. LGVA considers that the delivery of growth at the Hemel Garden Communities has not been demonstrated through technical evidence including the Council's Green Belt Review, Infrastructure Delivery Plan (IDP), Viability evidence and Transport evidence.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reg 19 Leverstock Green Village Association vf_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Leverstock Green Village Association (LGVA) confirms that it wishes to participate in the Local Plan Examination hearing sessions. Given the scale of strategic development proposed at Hemel Hempstead LGVA considers it critical that it has the opportunity to provide further input into the Local Plan Examination process including the hearing sessions to elaborate on its representations, respond to other evidence and arguments put forward as part of the hearings and Examination.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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293 - Jill Wilcox

Submission Number: 293 Submission Date: 07/11/24 09:00

Respondent: Jill Wilcox

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We wish to object to the proposed plan to build on Amwell field. For the following reasons.

1) when brought the property 43 years ago he was told the field was part of strategic farm land, to help provide food security. In the light of the current wars which have made importing food amongst Other things more expensive and difficult, we think it should remain as farm land for this purpose.

2) we are pleased to see you have acknowledged the gas pipe that is going through the field, additional traffic and vibrations can only make the possibility of explosions or leaks due to this pipe more likely. I understand the distance from the pipe to building should be 24.4 metre's.

3) Access to the site would require extensive work, digging up more green land. Disturbing wildlife.

4)The recreation land is well used by the community and using this for access to the field would make this dangerous and destroy a valuable resource.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wilcox_L&J_[R].pdf

294 - Hemel Business Park Ltd

Submission Number: 294 Submission Date: 07/11/24 09:00

Respondent: Alex Cole

On Behalf Of Hemel Business Park Ltd :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission]

Re: Representations to the Regulation 19 Consultation on the Draft Local Plan 2041 –Appspond Lane, St Albans, Hertfordshire

These representations are submitted on behalf of Hemel Business Park Ltd. (hereafter 'HBP') who own and are promoting land at Appspond Lane, St Albans, Hertfordshire, in response to the St Albans Draft Local Plan 2041 Regulation 19 Consultation.

Overall, HBP consider that the Plan as drafted is in need of significant change in order to demonstrate soundness under public examination as required by paragraph 35 of the National Planning Policy Framework (2023). This is in the context of the Local Planning Authority accelerating its programme to prepare the Plan which in our view if it is to be found sound under public examination. The programme towards adoption has been accelerated in order to avoid the increased housing requirement arising from proposed changes to national planning policy, and this acceleration comes at the risk of the Plan's soundness. Alongside the Plan's approach to housing strategy, HBP also has concerns around the proposed strategy for meeting employment needs over the Plan period.

...

National Planning Policy requirements

These representations have been prepared in the context of national planning policy and legislation setting out the necessary approach to plan-making and the tests of "soundness." Section 20(5) of the Planning and Compulsory Purchase Act 2004 requires that all development plan documents must be submitted for independent examination to assess whether they are "sound". Further to this, Section 19 of the 2004 Act requires local planning authorities to have regard to various matters, including national policies, such as those set out in the National Planning Policy Framework ("NPPF"), alongside other advice contained in guidance issued by the Secretary of State.

There is no statutory definition of soundness, however paragraph 35 of the NPPF states that to be sound, a Local Plan should be:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Proposed Changes to National Planning Policy

On 30 July 2024, the new Labour Government published a draft of the revised NPPF. The new draft emphasises, amongst other things, accelerating housing delivery and supporting economic development.

A revised Standard Method, which sets out each Local Planning Authority's (LPA's) housing requirement has been published alongside the draft NPPF. For both clarity, a spreadsheet has been published that sets out the new target alongside the previous one. For St Albans, the requirement has increased from 885 dwellings per annum (dpa) to 1,544 dpa, an uplift of 656 dpa.

Appendix 1 of the draft NPPF sets out the implementation timeline. For the purposes of Plan making, the document will become effective (with all Local Plans subject to both it and the new housing figure) on the Implementation Date: this is precisely one month after the Publication Date of the final version. There are three exceptions:

a) If a Local Plan has been submitted for examination by the Implementation Date;

b) If the Local Plan is at Regulation 19 stage by the Implementation Date, and has a housing requirement
no more than 200 dpa fewer of the revised requirement; or

c) Plan is a 'Part 2' document that does not introduce new strategic policies setting the housing requirement.

On the Regulation 19 consultation process
Timeline and Scope

The current Local Plan for St Albans was adopted in 1994, and the need for a new Plan is significant. The previous timetable for the Plan anticipated a Regulation 19 consultation in October/December 2024, with submission to the Secretary of State three months later in March 2025. This was set out in the Local Development Scheme (LDS) published in February 2024. As recently as the Council's Planning Policy and Climate Committee meeting on 25 June 2024, St Albans were working towards the timetable.

At a meeting of the Planning Policy and Climate Change Committee on 12 September 2024, the Council assessed the likely impact of the draft NPPF on their emerging Plan, and considered three options for their emerging Plan going forwards:

1. Submit for examination before the Implementation Date (housing target 885 dpa);
2. Publish Regulation 19 draft before the Implementation Date (housing target of 1,344 dpa [within 200 of the revised Standard Method figure]); or
3. Restart Plan making process (housing target of 1,544 dpa).

The Council resolved to pursue Option A, which has brought forward both the Regulation 19 consultation by one month, and the submission of the Plan by three to December 2024. The table below compares the LDS from February 2024 with the timeline currently available on the Council's website.

[Please see attachment for Table]

Considering the need for a new Plan, an ambitious timeframe that seeks the earliest possible adoption date is to be welcomed (though we note that the adoption date is unchanged in the revised LDS). However, seeking rapidly to progress the Plan must not come at the cost of its soundness. Such haste risks the Plan being withdrawn from examination, further delaying the ultimate adoption of a much needed and up-to-date Local Plan.

Under the current timeframe, St Albans are planning to submit the Plan within a month of the Regulation 19 consultation ending. St Albans need to review the responses to Regulation 19 carefully, attending to feedback on both soundness and legal compliance. This is essential to ensuring that the Plan as submitted has the best possible chance of being adopted.

In our view, a submission date of December 2024 allows insufficient time to ensure that this process is appropriately carried out.

There are additional concerns around the scope of the consultation being undertaken As set out in legislation, the local authority 'must invite [stakeholders] to make representations to the local planning authority about what

a local plan [...] ought to contain'[1]. Generally speaking, council's rarely impose constraints on what consultees can (or ought to) submit. However, guidance issued by St Albans for this consultation states that it is a 'technical exercise', and that 'all representations on the draft Local Plan must related to a matter of legal compliance or a matter of soundness.'

[Footnote 1: Town and Country Planning (Local Planning) (England) Regulations 2012, Section 18(1)(b). Regulation 19 of the statutory instrument make reference S.18(1)(b) in setting out what the Regulation 19 consultation ought to]

In practical terms, the 'test of soundness' (set out in paragraph 35 of the NPPF and described above) is sufficiently broad to allow for a searching assessment of the draft Plan, but it is considered to be an unnesecary constraint that risks preventing stakeholders from providing meaningful comment on the Plan's strategy and approach that, if appropriately considered, could ensure that the Plan is adopted.

In order to ensure that the Regulation 19 process is as effective as possible, helping to developed a robust Plan for submission, St Albans ought to welcome all comments relating to the Plan, and making sure they give themselves enough time to review responses and make changes to the Plan where necessary.

Differences from Regulation 18 Draft

The Regulation 18 draft provided for 15,066 dwellings, in contrast to which the Regulation 19 version plans for only 14,603 dwellings. This reduction has been achieved via two changes from the previous drafting:

- The annual target is 885 units, rather than 888 (a reduction of 51 dwelling over the Plan period); and
- 'Year 1' of the Plan covers only six months (October 2024 to March 2041). The requirement for Year 1 is therefore only 443 units (removing an additional 442 dwellings from the housing requirement).

This reduction has been achieved by lowing the indicative capacity of draft housing allocations. There is nothing in the evidence base to suggest that this reduction has been driven by revised sustainability appraisals, nor any other evidence-based site assessments.

On The Council's approach to the Regulation 19 process

St Alban's have brought forward the Regulation 19 process, following a meeting of the Planning Policy and Climate Change Committee on 12 September 2024. Faced with a rising housing requirement under emerging national policy, St Albans reviewed options and resolved to advance with the current draft of the Plan at pace instead of being obliged to accommodate increased housing requirements set out in emerging national planning policy.

Beyond this, they have reduced the housing target to the greatest possible degree: taking advantage of the latest Standard Method requirement to lower the housing target by three dwellings a year, and removing six months from beginning of the Plan to remove an additional 442 dwellings.

These reductions have not been driven by a reduction in available sites, nor updated evidence on site capacities. As a strategy, this is neither positively prepared nor is it effective. It is also not consistent with national policy.

Paragraph 128 of the current NPPF states that planning policies should support development that make efficient use of land. As per paragraph 129:

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

St Alban's housing requirement under emerging national policy is set meaningfully to increase, and despite the fact that the Council are not yet beholden to this figure, they are in no position to reduce site capacities in the short term and ought to plan positively and sustainably for future growth. By reducing the capacity of sites subject of draft allocations with capacities previously considered sustainable in the former consultation document, the Plan does not make efficient use of land, and fails to meet a key requirement of national policy.

In order to be considered justified, a Plan needs to advance an appropriate strategy that takes into account the 'reasonable alternatives' Clearly, there is a reasonable alternative (as set out in the previous draft of the Plan) which could allow for the delivery of an additional 463 dwellings over the Plan period without increasing the total quantum of allocated land.

This additional capacity could, if included within the Plan strategy, serve to aid unmet need in other authorities, who will not necessarily be able to avoid increased housing requirements, and may not be able to meet these requirements in full. A set out above, recent revisions to the Plan-making time frame risks delivering a rushed Plan that neither properly considers *inter alia* the needs of the wider area, nor makes appropriate changes prior to submission. In this the Plan is not positively prepared.

For these reasons alone, the Plan cannot be considered sound, and significant revisions are required.

...

Conclusion

As set out above, the St Albans' Regulation 19 Draft Local Plan 2041 does not meet the tests of soundness, as set out in the NPPF, for the following reasons:

- **Positively prepared** – the Plan does not state its employment need at all, nor its supply in any detail. It is therefore not possible to establish whether it meets, as a minimum, the area's objectively assessed needs. The Plan also claims to have an oversupply of employment land that can contribute to neighbouring unmet need, but precise figures are not provided, an approach which lacks clarity. Further, a review of the relevant evidence suggests that the Plan's claim that it meets its need is subject to challenge.

- **Justified** – the chosen strategy for employment land delivery is to allocate a single strategic site. This leaves no space for contingency in the event that this site doesn't come forward, and the site itself may not provide enough land to delivery the necessary level of B2/B8 floorspace over the Plan period. Aside from the quantitative need, there are concerns that this site will not meet the qualitative requirements of the area, which is characterised by micro, small, and medium sized business. The allocation also resists logistics development, which throws into further doubt the Plan's ability to meet anticipated needs.
- **Effective** – the Plan seemingly puts forward no timelines for site deliveries, and it is therefore unclear whether or not the needs of the area can be met over the course of the Plan, this is particularly pertinent for employment need, which is principally tied to a single strategic allocation.
- **Consistent with national policy** – key requirements of national planning policy, such as the need to make effective use of land, are not met by the Plan's strategy, which has systematically reduced the capacity of a large number of residential allocations for reasons that appear to have little to do with the site's themselves. Rather, it appears that this has been driven by the desire to reduce the housing requirement (and consequently the supply) as much as possible.

Beyond concerns with the Plan's broad strategy, the Land at Appspond Lane ought to be allocated for employment development to further secure the Plan's soundness:

- **Positively prepared** – Allocating the site will go some way to ensuring that the Plan can meet its objectively identified quantitatively and qualitatively identified need.
- **Justified** – The site's status as a existing employment site, along with the sustained efforts to secure its redevelopment, make it clear that the site will come forward, and can be sustainably relied upon to contribute to the Plan's employment land supply
- **Effective** – The site is a previously developed site in active employment use, and ought to be supported and allocated for additional development in order to maximise the site's efficiency and ensure the best possible use of the site and its land.
- **Consistent with national policy** – allow for the stie to come forward, supported under a site allocation, to ensure that the best use is made of a poorly performing and previously development Green Belt site in active employment use, is considered to be a sound strategy that would be entirely in keeping with standards set by national planning policy.

Evidently, the Plan requires significant alteration if it is to be found sound under examination, and this should include:

- A clearly stated employment land requirement;
- Clearly identify employment land supply (including the indicative hectarage of all proposed employment uses set against their requirements);
- Clear timeframes for site delivery;
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- Greater efficiency in the use of allocated land in order to ensure that this tenet of national planning policy is met; and
- The inclusion of a site allocation for Land at Appspond Lane to identify the site for employment development.

Making these changes are necessary if the Plan is to be considered sound, and capable of progression through examination to formal adoption.

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[Please see attachment for full submission]

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2. Hemel_Business_Park_Ltd_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

{Please see attachment for full submission]

Strategic Policy SP5 –Employment and The Local Economy

The concerns set out above regarding the abbreviated time frame principally relates to St Albans' housing requirements and supply. However, the Plan's approach to employment is also subject to concerns around soundness.

Employment Land Requirements

The Plan does not set out employment requirements in either the its broad strategy for growth or its more detailed employment policies. An assessment of an area's need over the Plan period, along with the quantum of supply, are two central strategic pillars required of a sound, positively prepared strategy. Without this figure, established by a robust evidence base, the Plan cannot be considered sound. Employment need figures should be provided within the Plan.

Strategic Policy SP5 states that the amount of land allocated exceeds the District's own needs, and that the excess will 'assist Dacorum Borough and potentially other South West Herts local authorities in meeting some of their employment requirements'. This is considered to be insufficiently vague – nowhere in either the policy or the supporting text is the relevant requirement and oversupply detailed. In the interest of an effective and positively prepared Plan, St Albans' full requirement should be stated, alongside the full quantum of allocated land. In the event that there is overdelivery earmarked for another authority, the quantum of this should be clearly stated. Currently, it is unclear how much land St Albans requires, how much is being provided to meet Dacorum's unmet need, and what may be available to meet unmet need elsewhere.

An Economic study for South West Hertfordshire, prepared by Hatch, and dated September 2024, identified that St Albans had (under a labour supply scenario) a requirement of 6.7ha for industrial, and 22ha for storage and distribution.

The report does not give a requirement for office space on the basis that, in the years following Covid, demand has significantly reduced, but states that:

To be clear, there is still expected to be demand for office space in the next few years but this is likely to be focused on smaller, high quality spaces in the FEMA's main office market (central Watford and St Albans).

Notwithstanding the potential for office demand increasing over the course of the twenty year Plan period, the anticipated employment requirement for St Albans based on labour supply is anticipated to be 28.7ha. Being based on Labour Supply, this is tied to the Standard Method which as set out above, will see an increase in housing requirements across the FEMA under the draft NPPF.

Employment Land Supply

As set out in Policy SP5, the Plan's employment land supply consists of two strategic sites:

- 16ha at the former Radlett aerodrome – A Strategic Rail Freight Interchange (B8 distribution / warehousing); and
- 53ha at East Hemel Hempstead (Central) - A range of uses including offices, research and development, light industrial and distribution.

Nowhere does the Plan set out anticipated delivery timeframes for these sites, and it is not clear when they are expected to come forward, and whether they will be built out in full within the Plan period.

...

Concluding comments on Employment Strategy

The Council's strategy for delivering its employment requirements over the Plan period does not meet the test of soundness as set out in the NPPF for the following reasons:

- The Plan fails to identify the total employment need within St Albans over the Plan, as a result of which any claim of delivery cannot be verified within the Plan itself. The Plan states there is surplus land to meet unmet need elsewhere, but this is not quantified and a review of the evidence suggests that this could be an overestimate. This approach does not represent a positively prepared Plan as defined in national planning policy;
- The inclusion of the Strategic Rail Freight Interchange within the Local Plan for the purposes of meeting local employment requirements in in appropriate, and ought to be removed from the local supply;
- Supply is focussed on a single strategic site. If site delivery is frustrated, St Albans' allocated supply will consist only of a regionally and nationally significant Strategic Rail Interchange, which will not be sufficient to meet local market requirements within St Albans. This approach is neither justified nor effective, and additional sites should be identified for contingency;

- Qualitatively speaking, a single strategic site may not be able to meet the growth requirements of St Albans local economy, especially one that actively resists logistics uses. Smaller sites should be included in the supply pipeline to provide flexibility; and
- A lack of timeframe for the delivery of each site makes it unclear how much of the allocated land is expected to come forward with the Plan period.

Strategic Policy SP5, and Site Allocation Policy H3 should both be amended in order to address these concerns, and ensure that it is capable of meeting the test of soundness.

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Conclusion

As set out above, the St Albans' Regulation 19 Draft Local Plan 2041 does not meet the tests of soundness, as set out in the NPPF, for the following reasons:

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- **Justified** – the chosen strategy for employment land delivery is to allocate a single strategic site. This leaves no space for contingency in the event that this site doesn't come forward, and the site itself may not provide enough land to delivery the necessary level of B2/B8 floorspace over the Plan period. Aside from the quantitative need, there are concerns that this site will not meet the qualitative requirements of the area, which is characterised by micro, small, and medium sized business. The allocation also resists logistics development, which throws into further doubt the Plan's ability to meet anticipated needs.
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[Please see attachment for full submission]

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Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

New Site - Appspond Lane

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission]

The Site

Appspond Lan is a brownfield site, measuring approximately 2.22 ha, currently in employment use. It is located between elevated roads: the A414 (formally the M10) to the east, the M1 to the west, the A4147 to the north. Access to the site is via Appspond Lane which runs along the site's western boundary, parallel with the M1. Due to their relative height, the roads visually separate the site from the nearby countryside and screen it from long range views. Further screening is provided by the dense foliage surrounding the entire site (save the access point), a Longfield Spring, a predominantly coniferous woodland along the site's southern boundary.

Alongside foliage, a fence, reaching approximately 2.8 metres in height, runs along the site's boundary and on the southern and western boundaries it is approximately 2.8 metres in height. This fence provides a clear delineation between the site and the surrounding planting and woodland. Within the north portion of the site are a large 58 metre high national grid electricity pylon as well as a telecoms mast, which due to their size and design, give the site a utilitarian character.

The site is within the Metropolitan Green Belt, and is designated a Safeguarded Waste Site in Hertfordshire County Council's Annual Monitoring Report (November 2021).

There are two separate and extant permissions on the site for a wood chipping facility (ref. 5/2007/1470, granted March 2007) and a wood waste biomass fuelled renewable energy plant (ref. 5/2009/2108, granted December 2010). The biomass plant was implemented but not built out.

...

Land at Appspond Lane

The Land at Appspond Lane is a previously developed site in employment use, on which sustainable, intensifying development is proposed and actively pursued via an ongoing planning appeal. It ought to be allocated within the Plan as part of a suite of smaller, sustainable sites capable of bringing forward employment development to ensure that the quantitative and qualitative needs of St Albans will be met over the course of the emerging Plan period.

As set out in documents submitted for both the planning application and the pending planning appeal, the site is, when set against the five Green Belt purposes, a poorly performing site which can be sustainably released from this designation in order to facilitate development. It is also a particularly sustainable and accessible location for open storage/Class B8 use, being located between the M1 to the west, the A414 (formerly the M10) to the east, and the A4147 to the north (which grants direct access to Hemel Hempstead and St Albans.

The site is also in active and long-standing employment use. Redeveloping it in order to increase its operating efficiency ought to be supported by the Council as part of a sustainable and comprehensive strategy for delivering a range of much needed employment sites throughout the authorities area of jurisdiction, and as part of the process the site should be allocated for employment development in these terms.

Conclusion

As set out above, the St Albans' Regulation 19 Draft Local Plan 2041 does not meet the tests of soundness, as set out in the NPPF, for the following reasons:

- **Positively prepared** – the Plan does not state its employment need at all, nor its supply in any detail. It is therefore not possible to establish whether it meets, as a minimum, the area's objectively assessed needs. The Plan also claims to have an oversupply of employment land that can contribute to neighbouring unmet need, but precise figures are not provided, an approach which lacks clarity. Further, a review of the relevant evidence suggests that the Plan's claim that it meets its need is subject to challenge.
- **Justified** – the chosen strategy for employment land delivery is to allocate a single strategic site. This leaves no space for contingency in the event that this site doesn't come forward, and the site itself may not provide enough land to delivery the necessary level of B2/B8 floorspace over the Plan period. Aside from the quantitative need, there are concerns that this site will not meet the qualitative requirements of the area, which is characterised by micro, small, and medium sized business. The allocation also resists logistics development, which throws into further doubt the Plan's ability to meet anticipated needs.

- **Effective** – the Plan seemingly puts forward no timelines for site deliveries, and it is therefore unclear whether or not the needs of the area can be met over the course of the Plan, this is particularly pertinent for employment need, which is principally tied to a single strategic allocation.
- **Consistent with national policy** – key requirements of national planning policy, such as the need to make effective use of land, are not met by the Plan's strategy, which has systematically reduced the capacity of a large number of residential allocations for reasons that appear to have little to do with the site's themselves. Rather, it appears that this has been driven by the desire to reduce the housing requirement (and consequently the supply) as much as possible.

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H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

Allocation H3 - East Hemel Hempstead (Central)

The delivery of land for the purposes of meeting need arising within St Albans' is therefore concentrated on a single site at East Hemel Hempstead. If this site does not come forward as envisaged, St Alban's will be unable not only to contribute to Dacorum's unmet need, but also to fulfil their own employment land requirements. It is considered that this strategy lacks flexibility and contingency, and is not sound in this regard. The fact that this site exceeds the employment need will count for nought if the site itself is not delivered.

Beyond the Plan's ability to deliver the quantitative need, attention should be made to the qualitative employment requirements. As set out in paragraph 5.6 of the Plan, St Albans has a high proportion of small businesses:

Figures for 2022 [show] that out of 8,675 enterprises 91.4% were micro-businesses (employing up to 9 people), 7.1% were small businesses (employing 10 to 49 people), 1.2% were medium sized organisations (employing 50 –49) and just 0.4% were large organisations (employing 250 plus).

Strategic employment sites, many of which promote large units for regionally and nationally significant occupiers, may not bring forward a sufficient range of premises **to accommodate St Albans'**smaller local businesses, for whose expansion and growth the Plan should be providing

a suitable platform. Whilst allows states that 10% of any new development or redevelopment on site is required to contain units for Small Medium Enterprises and expansion / Grow-On units, it is not clear whether this will meet in full St Albans qualitative needs. It is also not clear that the concentration of land in a single area accommodates occupier requirements across the wider district. An approach that spreads development more widely is considered to be more justified in this regard.

Within the allocation policy, development across the 53ha site is apportioned as follows:

- Approximately 17ha of the site will promote high density, higher skilled employment uses to deliver a Business, Research and Development Park and explore opportunities for education; and
- Approximately 36ha to the north of the site will promote uses such as logistics and mixed industrial areas.

These figures do not square with the Site Viability Report prepared by BNP Paribas, dated September 2024, and published as part of the Regulation 19 evidence base, found the following capacity:

- Gross site: 58.40ha;
- Net site: 36.19ha;
- Industrial/logistics: 26.87ha; and
- Business/Research & Development Park: 9.32ha.

The allocation also states that 'an overconcentration of low employment generating logistics uses will not be permitted.'For the reasons stated above, the Radlett Aerodrome ought to be excluded from the local employment land supply, and East Hemel Hempstead (Central) is therefore the only allocated employment site in the local authority area. Placing restrictions on what kind of employment development will be permitted on site (especially for logistics, which has an identified requirement of c.22ha in the evidence base, by far the highest figure) is not a justified strategy.

Beyond concerns about restricting use, 17ha of the site has been set aside for office, and research & development (although the Site Viability Report found this to be only 9.32ha). Ambitious planning for high density, high skilled employment uses is to be supported, but this will not contribute to meeting the identified need of c.28.7ha identified in the **Hatch's September 2024 Employment Study.**

The site (and therefore the Plan as a whole) therefore puts forward a supply of 36ha to meet the 28.7ha requirement for B2/B8 Class uses as set out in the evidence base **–**and there is a clear policy restriction against logistics use. Further complicating the picture is the fact that the very recently prepared Site Viability Report relating to the allocation found that there was only 26.87ha for industrial and logistics development. This suggests that, far from an oversupply of land, the Plan could be short of its own requirement by c.1.83ha.

Concluding comments on Employment Strategy

The Council's strategy for delivering its employment requirements over the Plan period does not meet the test of soundness as set out in the NPPF for the following reasons:

The Plan fails to identify the total employment need within St Albans over the Plan, as a result of which any claim of delivery cannot be verified within the Plan itself. The Plan states there is surplus land to

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295 - Smallford Business Park Ltd

Submission Number: 295 Submission Date: 07/11/24 09:00

Respondent: Alex Cole

On Behalf Of Smallford Business Park Ltd :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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[Please see attachment for full submission]

Re: Representations to the Regulation 19 Consultation on the Draft Local Plan 2041 –Smallford Works, Smallford Lane, St Albans, AL4 0SA

These representations are submitted on behalf of Smallford Business Park Ltd. (hereafter 'SBP') who own and are promoting land at Smallford Works, Smallford Lane, St Albans, AL4 0SA, in response to the St Albans Draft Local Plan 2041 Regulation 19 Consultation.

Overall, SBP consider that the Plan as drafted is in need of significant change in order to demonstrate soundness under public examination as required by paragraph 35 of the National Planning Policy Framework (2023). This is in the context of the Local Planning Authority accelerating its programme to prepare the Plan which in our view if it is to be found sound under public examination. The programme towards adoption has been accelerated in order to avoid the increased housing requirement arising from proposed changes to national planning policy, and this acceleration comes at the risk of the Plan's soundness. Alongside the Plan's approach to housing strategy, SBP also has concerns around the proposed strategy for meeting employment needs over the Plan period.

These representations follow on from previous submissions made to past consultations, including to the Regulation 18 draft of the Local Plan in September 2023.

The Site

Smallford Works is a brownfield site, measuring approximately 3.34 ha (8.25 ac), currently in employment use. It is located to the west of Smallford Lane, three miles east of St Albans City Centre. The North Orbital Road (A414 dual carriageway) is access less than half a mile to the south. Smallford village is located on the other side of Smallford Lane, and extends to the A41.

Built development on the site comprises a complex of industrial uses and storage yards, partitioned and providing a variety of open storage type uses (Use Class B8). This includes the storage of construction materials, plant, portacabins, commercial vehicles, and other related items.

The site is designated within both the Metropolitan Green Belt and the Colney Heath Farmland Landscape Character Area.

The site is designated within the draft Plan as previously developed land within the Green Belt, and has an allocation for residential development, with an indicative capacity of 58 units. It is important to note that this is an unexplained reduction from the 80 unit capacity in the Regulation 18 draft, and appears to ignore previous representations to the Regulation 18 consultation, in which SBP clearly stated their intention to retain the site in its existing employment use with potential to deliver intensified employment development on the site in the future.

National Planning Policy requirements

These representations have been prepared in the context of national planning policy and legislation setting out the necessary approach to plan-making and the tests of "soundness." Section 20(5) of the Planning and Compulsory Purchase Act 2004 requires that all development plan documents must be submitted for independent examination to assess whether they are "sound". Further to this, Section 19 of the 2004 Act requires local planning authorities to have regard to various matters, including national policies, such as those set out in the National Planning Policy Framework ("NPPF"), alongside other advice contained in guidance issued by the Secretary of State.

There is no statutory definition of soundness, however paragraph 35 of the NPPF states that to be sound, a Local Plan should be:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Proposed Changes to National Planning Policy

On 30 July 2024, the new Labour Government published a draft of the revised NPPF. The new draft emphasises, amongst other things, accelerating housing delivery and supporting economic development.

A revised Standard Method, which sets out each Local Planning Authority's (LPA's) housing requirement has been published alongside the draft NPPF. For both clarity, a spreadsheet has been published that sets out the new target alongside the previous one. For St Albans, the requirement has increased from 885 dwellings per annum (dpa) to 1,544 dpa, an uplift of 656 dpa.

Appendix 1 of the draft NPPF sets out the implementation timeline. For the purposes of Plan making, the document will become effective (with all Local Plans subject to both it and the new housing figure) on the Implementation Date: this is precisely one month after the Publication Date of the final version. There are three exceptions:

a) If a Local Plan has been submitted for examination by the Implementation Date;

b) If the Local Plan is at Regulation 19 stage by the Implementation Date, and has a housing requirement no more than 200 dpa fewer of the revised requirement; or

c) Plan is a 'Part 2' document that does not introduce new strategic policies setting the housing requirement.

On the Regulation 19 consultation process
Timeline and Scope

The current Local Plan for St Albans was adopted in 1994, and the need for a new Plan is significant. The previous timetable for the Plan anticipated a Regulation 19 consultation in October/December 2024, with submission to the Secretary of State three months later in March 2025. This was set out in the Local Development Scheme (LDS) published in February 2024. As recently as the Council's Planning Policy and Climate Committee meeting on 25 June 2024, St Albans were working towards the timetable.

At a meeting of the Planning Policy and Climate Change Committee on 12 September 2024, the Council assessed the likely impact of the draft NPPF on their emerging Plan, and considered three options for their emerging Plan going forwards:

A. Submit for examination before the Implementation Date (housing target 885 dpa);

B. Publish Regulation 19 draft before the Implementation Date (housing target of 1,344 dpa [within 200 of the revised Standard Method figure]); or

C. Restart Plan making process (housing target of 1,544 dpa).

The Council resolved to pursue Option A, which has brought forward both the Regulation 19 consultation by one month, and the submission of the Plan by three to December 2024. The table below compares the LDS from February 2024 with the timeline currently available on the Council's website.

[Please see attachment for Table]

Considering the need for a new Plan, an ambitious timeframe that seeks the earliest possible adoption date is to be welcomed (though we note that the adoption date is unchanged in the revised LDS). However, seeking rapidly to progress the Plan must not come at the cost of its soundness. Such haste risks the Plan being withdrawn from examination, further delaying the ultimate adoption of a much needed and up-to-date Local Plan.

Under the current timeframe, St Albans are planning to submit the Plan within a month of the Regulation 19 consultation ending. St Albans need to review the responses to Regulation 19 carefully, attending to feedback on both soundness and legal compliance. This is essential to ensuring that the Plan as submitted has the best possible chance of being adopted.

In our view, a submission date of December 2024 allows insufficient time to ensure that this process is appropriately carried out.

There are additional concerns around the scope of the consultation being undertaken As set out in legislation, the local authority 'must invite [stakeholders] to make representations to the local planning authority about what a local plan [...] ought to contain'[1]. Generally speaking, council's rarely impose constraints on what consultees can (or ought to) submit. However, guidance issued by St Albans for this consultation states that it is a 'technical exercise', and that 'all representations on the draft Local Plan must related to a matter of legal compliance or a matter of soundness.'

[Footnote 1: Town and Country Planning (Local Planning) (England) Regulations 2012, Section 18(1)(b). Regulation 19 of the statutory instrument make reference S.18(1)(b) in setting out what the Regulation 19 consultation ought to]

In practical terms, the 'test of soundness' (set out in paragraph 35 of the NPPF and described above) is sufficiently broad to allow for a searching assessment of the draft Plan, but it is considered to be an unnesecary constraint that risks preventing stakeholders from providing meaningful comment on the Plan's strategy and approach that, if appropriately considered, could ensure that the Plan is adopted.

In order to ensure that the Regulation 19 process is as effective as possible, helping to developed a robust Plan for submission, St Albans ought to welcome all comments relating to the Plan, and making sure they give themselves enough time to review responses and make changes to the Plan where necessary.

Differences from Regulation 18 Draft

The Regulation 18 draft provided for 15,066 dwellings, in contrast to which the Regulation 19 version plans for only 14,603 dwellings. This reduction has been achieved via two changes from the previous drafting:

- The annual target is 885 units, rather than 888 (a reduction of 51 dwelling over the Plan period); and
- 'Year 1' of the Plan covers only six months (October 2024 to March 2041). The requirement for Year 1 is therefore only 443 units (removing an additional 442 dwellings from the housing requirement).

This reduction has been achieved by lowing the indicative capacity of draft housing allocations. There is nothing in the evidence base to suggest that this reduction has been driven by revised sustainability appraisals, nor any other evidence-based site assessments.

On The Council's approach to the Regulation 19 process

St Alban's have brought forward the Regulation 19 process, following a meeting of the Planning Policy and Climate Change Committee on 12 September 2024. Faced with a rising housing requirement under emerging national policy, St Albans reviewed options and resolved to advance with the current draft of the Plan at pace instead of being obliged to accommodate increased housing requirements set out in emerging national planning policy.

Beyond this, they have reduced the housing target to the greatest possible degree: taking advantage of the latest Standard Method requirement to lower the housing target by three dwellings a year, and removing six months from beginning of the Plan to remove an additional 442 dwellings.

These reductions have not been driven by a reduction in available sites, nor updated evidence on site capacities. As a strategy, this is neither positively prepared nor is it effective. It is also not consistent with national policy.

Paragraph 128 of the current NPPF states that planning policies should support development that make efficient use of land. As per paragraph 129:

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

St Alban's housing requirement under emerging national policy is set meaningfully to increase, and despite the fact that the Council are not yet beholden to this figure, they are in no position to reduce site capacities in the short term and ought to plan positively and sustainably for future growth. By reducing the capacity of sites subject of draft allocations with capacities previously considered sustainable in the former consultation document, the Plan does not make efficient use of land, and fails to meet a key requirement of national policy.

In order to be considered justified, a Plan needs to advance an appropriate strategy that takes into account the 'reasonable alternatives' Clearly, there is a reasonable alternative (as set out in the previous draft of the Plan) which could allow for the delivery of an additional 463 dwellings over the Plan period without increasing the total quantum of allocated land.

This additional capacity could, if included within the Plan strategy, serve to aid unmet need in other authorities, who will not necessarily be able to avoid increased housing requirements, and may not be able to meet these requirements in full. A set out above, recent revisions to the Plan-making time frame risks delivering a rushed Plan that neither properly considers *inter alia* the needs of the wider area, nor makes appropriate changes prior to submission. In this the Plan is not positively prepared.

For these reasons alone, the Plan cannot be considered sound, and significant revisions are required.

...

Conclusion

As set out above, the St Albans' Regulation 19 Draft Local Plan 2041 does not meet the tests of soundness, as set out in the NPPF, for the following reasons:

- **Positively prepared** – the Plan does not state its employment need at all, nor its supply in any detail. It is therefore not possible to establish whether it meets, as a minimum, the area's objectively assessed needs. The Plan also claims to have an oversupply of employment land that can contribute to neighbouring unmet need, but precise figures are not provided, an approach which lacks clarity. Further, a review of the relevant evidence suggests that the Plan's claim that it meets its need is subject to challenge.
- **Justified** – the chosen strategy for employment land delivery is to allocate a single strategic site. This leaves no space for contingency in the event that this site doesn't come forward, and the site itself may not provide enough land to delivery the necessary level of B2/B8 floorspace over the Plan period. Aside from the quantitative need, there are concerns that this site will not meet the qualitative requirements of the area, which is characterised by micro, small, and medium sized business. The allocation also resists logistics development, which throws into further doubt the Plan's ability to meet anticipated needs.
- **Effective** – the Plan seemingly puts forward no timelines for site deliveries, and it is therefore unclear whether or not the needs of the area can be met over the course of the Plan, this is particularly pertinent for employment need, which is principally tied to a single strategic allocation.
- **Consistent with national policy** – key requirements of national planning policy, such as the need to make effective use of land, are not met by the Plan's strategy, which has systematically reduced the capacity of a large number of residential allocations for reasons that appear to have little to do with the site's themselves. Rather, it appears that this has been driven by the desire to reduce the housing requirement (and consequently the supply) as much as possible.

Beyond concerns with the Plan's broad strategy, the details of the allocation at Smallford Works does not meet the test of soundness either:

- **Positively prepared** – the site will not be providing housing on the site. This reduces the Plan's overall housing supply figure, risking its ability to meet, as a minimum, its objectively assessed need for residential development. The Plan and its evidence base also seems to ignore the fact that delivering employment on the site would reduce the stock of employment land within St Albans, which would need to be addressed through appropriate allocation of replacement land. For reasons stated above, the allocation at Hemel Hempstead (Central) may be both quantitatively and qualitatively unable to accommodate this;
- **Justified** – the allocated use is inconsistent with representations previously submitted, clearly stating the site is being promoted for employment use and not residential development. In this, the Plan fails to account for clearly stated evidence regarding the site allocation;
- **Effective** – whilst allocating the site for development is wholly supported, a far more appropriate strategy for redeveloping the site would be to identify it for intensifying employment development consider its current status as an employment site in active use;
- **Consistent with national policy** – the principle of the site's allocation is consistent with relevant national policy, but the details are not: the proposed loss of employment floorspace without appropriate replacement, and the inefficient reduction of the site's developable capacity do not accord with central tenants of national planning policy.

Evidently, the Plan requires significant alteration if it is to be found sound under examination, and this should include:

- A clearly stated employment land requirement;

- Clearly identify employment land supply (including the indicative hectarage of all proposed employment uses set against their requirements);
- Clear timeframes for site delivery;
- A greater range of employment sites in order to provide *inter* alia flexibility and contingency;
- Greater efficiency in the use of allocated land in order to ensure that this tenet of national planning policy is met; and
- Alteration site allocation P3 (Smallford Works) to identify the site for intensifying employment development.

Making these changes are necessary if the Plan is to be considered sound, and capable of progression through examination to formal adoption.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[Please see attachment for full submission]

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107~2.pdf
2. Smallford_Business_Park_Ltd_[R].pdf

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission]

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[Please see attachment for full submission]

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1. 241107~2.pdf
2. Smallford_Business_Park_Ltd_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

Strategic Policy SP5 –Employment and The Local Economy

The concerns set out above regarding the abbreviated time frame principally relates to St Albans' housing requirements and supply. However, the Plan's approach to employment is also subject to concerns around soundness.

Employment Land Requirements

The Plan does not set out employment requirements in either the its broad strategy for growth or its more detailed employment policies. An assessment of an area's need over the Plan period, along with the quantum of supply, are two central strategic pillars required of a sound, positively prepared strategy. Without this figure, established by a robust evidence base, the Plan cannot be considered sound. Employment need figures should be provided within the Plan.

Strategic Policy SP5 states that the amount of land allocated exceeds the District's own needs, and that the excess will 'assist Dacorum Borough and potentially other South West Herts local authorities in meeting some of their employment requirements'. This is considered to be insufficiently vague – nowhere in either the policy or the supporting text is the relevant requirement and oversupply detailed. In the interest of an effective and positively prepared Plan, St Albans' full requirement should be stated, alongside the full quantum of allocated land. In the event that there is overdelivery earmarked for another authority, the quantum of this should be clearly stated. Currently, it is unclear how much land St Albans requires, how much is being provided to meet Dacorum's unmet need, and what may be available to meet unmet need elsewhere.

An Economic study for South West Hertfordshire, prepared by Hatch, and dated September 2024, identified that St Albans had (under a labour supply scenario) a requirement of 6.7ha for industrial, and 22ha for storage and distribution.

The report does not give a requirement for office space on the basis that, in the years following Covid, demand has significantly reduced, but states that:

To be clear, there is still expected to be demand for office space in the next few years but this is likely to be focused on smaller, high quality spaces in the FEMA's main office market (central Watford and St Albans).

Notwithstanding the potential for office demand increasing over the course of the twenty year Plan period, the anticipated employment requirement for St Albans based on labour supply is anticipated to be 28.7ha. Being based on Labour Supply, this is tied to the Standard Method which as set out above, will see an increase in housing requirements across the FEMA under the draft NPPF.

The Plan (and the evidence base) also appears to ignore the loss of employment land under the emerging Plan. Smallford works, for example, represents 3.34 ha of employment land that is proposed to be lost to housing under allocation P1 (discussed further below). As has been previously set out in representations, the Smallford Works site is currently in active employment use and there are no plans to promote the site for residential development.

...

Concluding comments on Employment Strategy

The Council's strategy for delivering its employment requirements over the Plan period does not meet the test of soundness as set out in the NPPF for the following reasons:

- The Plan fails to identify the total employment need within St Albans over the Plan, as a result of which any claim of delivery cannot be verified within the Plan itself. The Plan states there is surplus land to meet unmet need elsewhere, but this is not quantified and a review of the evidence suggests that this could be an overestimate. This approach does not represent a positively prepared Plan as defined in national planning policy;
- The inclusion of the Strategic Rail Freight Interchange within the Local Plan for the purposes of meeting local employment requirements in in appropriate, and ought to be removed from the local supply;
- Supply is focussed on a single strategic site. If site delivery is frustrated, St Albans' allocated supply will consist only of a regionally and nationally significant Strategic Rail Interchange, which will not be sufficient to meet local market requirements within St Albans. This approach is neither justified nor effective, and additional sites should be identified for contingency;

- Qualitatively speaking, a single strategic site may not be able to meet the growth requirements of St Albans local economy, especially one that actively resists logistics uses. Smaller sites should be included in the supply pipeline to provide flexibility; and
- A lack of timeframe for the delivery of each site makes it unclear how much of the allocated land is expected to come forward with the Plan period.

Strategic Policy SP5, and Site Allocation Policy H3 should both be amended in order to address these concerns, and ensure that it is capable of meeting the test of soundness.

...

Conclusion

As set out above, the St Albans' Regulation 19 Draft Local Plan 2041 does not meet the tests of soundness, as set out in the NPPF, for the following reasons:

- **Positively prepared** – the Plan does not state its employment need at all, nor its supply in any detail. It is therefore not possible to establish whether it meets, as a minimum, the area's objectively assessed needs. The Plan also claims to have an oversupply of employment land that can contribute to neighbouring unmet need, but precise figures are not provided, an approach which lacks clarity. Further, a review of the relevant evidence suggests that the Plan's claim that it meets its need is subject to challenge.
- **Justified** – the chosen strategy for employment land delivery is to allocate a single strategic site. This leaves no space for contingency in the event that this site doesn't come forward, and the site itself may not provide enough land to delivery the necessary level of B2/B8 floorspace over the Plan period. Aside from the quantitative need, there are concerns that this site will not meet the qualitative requirements of the area, which is characterised by micro, small, and medium sized business. The allocation also resists logistics development, which throws into further doubt the Plan's ability to meet anticipated needs.
- **Effective** – the Plan seemingly puts forward no timelines for site deliveries, and it is therefore unclear whether or not the needs of the area can be met over the course of the Plan, this is particularly pertinent for employment need, which is principally tied to a single strategic allocation.
- **Consistent with national policy** – key requirements of national planning policy, such as the need to make effective use of land, are not met by the Plan's strategy, which has systematically reduced the capacity of a large number of residential allocations for reasons that appear to have little to do with the site's themselves. Rather, it appears that this has been driven by the desire to reduce the housing requirement (and consequently the supply) as much as possible.

Beyond concerns with the Plan's broad strategy, the details of the allocation at Smallford Works does not meet the test of soundness either:

- **Positively prepared** – the site will not be providing housing on the site. This reduces the Plan's overall housing supply figure, risking its ability to meet, as a minimum, its objectively assessed need for residential development. The Plan and its evidence base also seems to ignore the fact that delivering employment on the site would reduce the stock of employment land within St Albans, which would need to be addressed through appropriate allocation of replacement land. For reasons stated above, the allocation at Hemel Hempstead (Central) may be both quantitatively and qualitatively unable to accommodate this;
- **Justified** – the allocated use is inconsistent with representations previously submitted, clearly stating the site is being promoted for employment use and not residential development. In this, the Plan fails to account for clearly stated evidence regarding the site allocation;

- **Effective** – whilst allocating the site for development is wholly supported, a far more appropriate strategy for redeveloping the site would be to identify it for intensifying employment development consider its current status as an employment site in active use;
- **Consistent with national policy** – the principle of the site's allocation is consistent with relevant national policy, but the details are not: the proposed loss of employment floorspace without appropriate replacement, and the inefficient reduction of the site's developable capacity do not accord with central tenants of national planning policy.

Evidently, the Plan requires significant alteration if it is to be found sound under examination, and this should include:

- A clearly stated employment land requirement;
- Clearly identify employment land supply (including the indicative hectarage of all proposed employment uses set against their requirements);
- Clear timeframes for site delivery;
- A greater range of employment sites in order to provide *inter* alia flexibility and contingency;
- Greater efficiency in the use of allocated land in order to ensure that this tenet of national planning policy is met; and
- Alteration site allocation P3 (Smallford Works) to identify the site for intensifying employment development.

Making these changes are necessary if the Plan is to be considered sound, and capable of progression through examination to formal adoption.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[Please see attachment for full submission]

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107~2.pdf

2. Smallford_Business_Park_Ltd_[R].pdf

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

Allocation H3 - East Hemel Hempstead (Central)

The delivery of land for the purposes of meeting need arising within St Albans' is therefore concentrated on a single site at East Hemel Hempstead. If this site does not come forward as envisaged, St Alban's will be unable not only to contribute to Dacorum's unmet need, but also to fulfil their own employment land requirements. It is considered that this strategy lacks flexibility and contingency, and is not sound in this regard. The fact that this site exceeds the employment need will count for nought if the site itself is not delivered.

Beyond the Plan's ability to deliver the quantitative need, attention should be made to the qualitative employment requirements. As set out in paragraph 5.6 of the Plan, St Albans has a high proportion of small businesses:

Figures for 2022 [show] that out of 8,675 enterprises 91.4% were micro-businesses (employing up to 9 people), 7.1% were small businesses (employing 10 to 49 people), 1.2% were medium sized organisations (employing 50 –49) and just 0.4% were large organisations (employing 250 plus).

Strategic employment sites, many of which promote large units for regionally and nationally significant occupiers, may not bring forward a sufficient range of premises **to accommodate St Albans'**smaller local businesses, for whose expansion and growth the Plan should be providing a suitable platform. Whilst allows states that 10% of any new development or redevelopment on site is required to contain units for Small Medium Enterprises and expansion / Grow-On units, it is not clear whether this will meet in full St Albans qualitative needs. It is also not clear that the concentration of land in a single area accommodates occupier requirements across the wider district. An approach that spreads development more widely is considered to be more justified in this regard.

Within the allocation policy, development across the 53ha site is apportioned as follows:

- Approximately 17ha of the site will promote high density, higher skilled employment uses to deliver a Business, Research and Development Park and explore opportunities for education; and
- Approximately 36ha to the north of the site will promote uses such as logistics and mixed industrial areas.

These figures do not square with the Site Viability Report prepared by BNP Paribas, dated September 2024, and published as part of the Regulation 19 evidence base, found the following capacity:

- Gross site: 58.40ha;
- Net site: 36.19ha;
- Industrial/logistics: 26.87ha; and
- Business/Research & Development Park: 9.32ha.

The allocation also states that 'an overconcentration of low employment generating logistics uses will not be permitted.'For the reasons stated above, the Radlett Aerodrome ought to be excluded from the local employment land supply, and East Hemel Hempstead (Central) is therefore the only allocated employment site in the local authority area. Placing restrictions on what kind of employment development will be permitted on site (especially for logistics, which has an identified requirement of c.22ha in the evidence base, by far the highest figure) is not a justified strategy.

Beyond concerns about restricting use, 17ha of the site has been set aside for office, and research & development (although the Site Viability Report found this to be only 9.32ha). Ambitious planning for high density, high skilled employment uses is to be supported, but this will not contribute to meeting the identified need of c.28.7ha identified in the **Hatch's September 2024 Employment Study.**

The site (and therefore the Plan as a whole) therefore puts forward a supply of 36ha to meet the 28.7ha requirement for B2/B8 Class uses as set out in the evidence base **–**and there is a clear policy restriction against logistics use. Further complicating the picture is the fact that the very recently prepared Site Viability Report relating to the allocation found that there was only 26.87ha for industrial and logistics development. This suggests that, far from an oversupply of land, the Plan could be short of its own requirement by c.1.83ha.

...

Concluding comments on Employment Strategy

The Council's strategy for delivering its employment requirements over the Plan period does not meet the test of soundness as set out in the NPPF for the following reasons:

- The Plan fails to identify the total employment need within St Albans over the Plan, as a result of which any claim of delivery cannot be verified within the Plan itself. The Plan states there is surplus land to meet unmet need elsewhere, but this is not quantified and a review of the evidence suggests that this could be an overestimate. This approach does not represent a positively prepared Plan as defined in national planning policy;
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Strategic Policy SP5, and Site Allocation Policy H3 should both be amended in order to address these concerns, and ensure that it is capable of meeting the test of soundness.

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Conclusion

As set out above, the St Albans' Regulation 19 Draft Local Plan 2041 does not meet the tests of soundness, as set out in the NPPF, for the following reasons:

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- **Justified** – the chosen strategy for employment land delivery is to allocate a single strategic site. This leaves no space for contingency in the event that this site doesn't come forward, and the site itself may not provide enough land to delivery the necessary level of B2/B8 floorspace over the Plan period. Aside from the quantitative need, there are concerns that this site will not meet the qualitative requirements of the area, which is characterised by micro, small, and medium sized business. The allocation also resists logistics development, which throws into further doubt the Plan's ability to meet anticipated needs.
- **Effective** – the Plan seemingly puts forward no timelines for site deliveries, and it is therefore unclear whether or not the needs of the area can be met over the course of the Plan, this is particularly pertinent for employment need, which is principally tied to a single strategic allocation.
- **Consistent with national policy** – key requirements of national planning policy, such as the need to make effective use of land, are not met by the Plan's strategy, which has systematically reduced the capacity of a large number of residential allocations for reasons that appear to have little to do with the site's themselves. Rather, it appears that this has been driven by the desire to reduce the housing requirement (and consequently the supply) as much as possible.

Beyond concerns with the Plan's broad strategy, the details of the allocation at Smallford Works does not meet the test of soundness either:

- **Positively prepared** – the site will not be providing housing on the site. This reduces the Plan's overall housing supply figure, risking its ability to meet, as a minimum, its objectively assessed need for residential development. The Plan and its evidence base also seems to ignore the fact that delivering employment on the site would reduce the stock of employment land within St Albans, which would need to be addressed through appropriate allocation of replacement land. For reasons stated above, the allocation at Hemel Hempstead (Central) may be both quantitatively and qualitatively unable to accommodate this;
- **Justified** – the allocated use is inconsistent with representations previously submitted, clearly stating the site is being promoted for employment use and not residential development. In this, the Plan fails to account for clearly stated evidence regarding the site allocation;
- **Effective** – whilst allocating the site for development is wholly supported, a far more appropriate strategy for redeveloping the site would be to identify it for intensifying employment development consider its current status as an employment site in active use;
- **Consistent with national policy** – the principle of the site's allocation is consistent with relevant national policy, but the details are not: the proposed loss of employment floorspace without appropriate replacement, and the inefficient reduction of the site's developable capacity do not accord with central tenants of national planning policy.

Evidently, the Plan requires significant alteration if it is to be found sound under examination, and this should include:

- A clearly stated employment land requirement;
- Clearly identify employment land supply (including the indicative hectarage of all proposed employment uses set against their requirements);
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[Please see attachment for full submission]

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P1 - Smallford Works, Smallford Lane, AL4 0SA

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

The Site

Smallford Works is a brownfield site, measuring approximately 3.34 ha (8.25 ac), currently in employment use. It is located to the west of Smallford Lane, three miles east of St Albans City Centre. The North Orbital Road (A414 dual carriageway) is access less than half a mile to the south. Smallford village is located on the other side of Smallford Lane, and extends to the A41.

Built development on the site comprises a complex of industrial uses and storage yards, partitioned and providing a variety of open storage type uses (Use Class B8). This includes the storage of construction materials, plant, portacabins, commercial vehicles, and other related items.

The site is designated within both the Metropolitan Green Belt and the Colney Heath Farmland Landscape Character Area.

The site is designated within the draft Plan as previously developed land within the Green Belt, and has an allocation for residential development, with an indicative capacity of 58 units. It is important to note that this is an unexplained reduction from the 80 unit capacity in the Regulation 18 draft, and appears to ignore previous representations to the Regulation 18 consultation, in which SBP clearly stated their intention to retain the site in its existing employment use with potential to deliver intensified employment development on the site in the future.

...

Site Allocation P1 - Smallford Works

Smallford Works is allocated in the Regulation 19 draft, and SBP are strongly supportive of the site's allocation, its proposed release from the Green Belt, and its identification as a site capable of sustainably contributing to St Albans' identified needs. However, the capacity and the proposed use are not in line with either the site's potential or its capacity, and the details of the allocation need to be changed to reflect this.

The draft allocation puts the site forward for residential, with an indicative capacity of 58 dwellings. As set out in our Regulation 18 consultation response, the site is being promoted for employment use only and will not be coming forward for residential. The Regulation 19 draft has not been changed to reflect this, which has implications not merely for the site, but also for the soundness of the Plan's housing strategy. As stated above, the Plan has reduced it supply in order to ensure that it tallies with the revised requirement, and provide no margin for contingency. As the site will not be delivering the 58 dwellings for which it has been identified, the Plan is now unable to meet its housing requirement in full, thereby failing a basic test of soundness – namely that it advances an effective, positively prepared strategy that is able, at a minimum, to meet the area's identified need.

The fact that the site is also in active employment use means that, even if it were to come forward for residential development, there would be a loss of 3.34ha from the current stock of employment land. Considering the apparent narrowness of the Plan's supply when set against its requirements, this loss could also have implications relating to the sufficiency of the Plan's supply of employment land.

Beyond the nature of the allocated use, there is also a concern around the site's development capacity. The allocation gives an indicative capacity of 58 dwellings, which is 22 units fewer than put forward by St Albans in the Regulation 18 draft of the Plan. This reduction has nothing to do with the site itself, or any perceived constraints. For reasons set out above, the reduction has been

driven entirely by the Council lowering its housing supply in order to tally with its reduced housing requirement. The reduction of the site's capacity is inconsistent with national planning policy, which clearly seeks to make the best and most efficient use of land.

The reduction of the site's indicative capacity is strongly resisted, and the proposed residential use is not being pursued by SBP. The site is a brownfield employment site, and it would be a far more efficient use of land to allocate it for intensifying redevelopment to increase the quantum of employment uses on site. It is capable of sustainably accommodating significantly more development than the Plan's indicative capacity of 58 dwellings, and both the site's development capacity and allocated use ought to be changed in order to represent the best possible use of the site, and ensure that Plan's soundness.

...

Conclusion

As set out above, the St Albans' Regulation 19 Draft Local Plan 2041 does not meet the tests of soundness, as set out in the NPPF, for the following reasons:

- **Positively prepared** – the Plan does not state its employment need at all, nor its supply in any detail. It is therefore not possible to establish whether it meets, as a minimum, the area's objectively assessed needs. The Plan also claims to have an oversupply of employment land that can contribute to neighbouring unmet need, but precise figures are not provided, an approach which lacks clarity. Further, a review of the relevant evidence suggests that the Plan's claim that it meets its need is subject to challenge.
- **Justified** – the chosen strategy for employment land delivery is to allocate a single strategic site. This leaves no space for contingency in the event that this site doesn't come forward, and the site itself may not provide enough land to delivery the necessary level of B2/B8 floorspace over the Plan period. Aside from the quantitative need, there are concerns that this site will not meet the qualitative requirements of the area, which is characterised by micro, small, and medium sized business. The allocation also resists logistics development, which throws into further doubt the Plan's ability to meet anticipated needs.
- **Effective** – the Plan seemingly puts forward no timelines for site deliveries, and it is therefore unclear whether or not the needs of the area can be met over the course of the Plan, this is particularly pertinent for employment need, which is principally tied to a single strategic allocation.
- **Consistent with national policy** – key requirements of national planning policy, such as the need to make effective use of land, are not met by the Plan's strategy, which has systematically reduced the capacity of a large number of residential allocations for reasons that appear to have little to do with the site's themselves. Rather, it appears that this has been driven by the desire to reduce the housing requirement (and consequently the supply) as much as possible.

Beyond concerns with the Plan's broad strategy, the details of the allocation at Smallford Works does not meet the test of soundness either:

- **Positively prepared** – the site will not be providing housing on the site. This reduces the Plan's overall housing supply figure, risking its ability to meet, as a minimum, its objectively assessed need for residential development. The Plan and its evidence base also seems to ignore the fact that delivering employment on the site would reduce the stock of employment land within St Albans, which would need to be addressed through appropriate allocation of replacement land. For reasons stated above, the allocation at Hemel Hempstead (Central) may be both quantitatively and qualitatively unable to accommodate this;
- **Justified** – the allocated use is inconsistent with representations previously submitted, clearly stating the site is being promoted for employment use and not residential development. In this, the Plan fails to account for clearly stated evidence regarding the site allocation;

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- Clearly identify employment land supply (including the indicative hectarage of all proposed employment uses set against their requirements);
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296 - Dr Robert Wareing

Submission Number: 296 Submission Date: 07/11/24 09:00

Respondent: Dr Robert Wareing

M3 - Bedmond Lane, St Albans, AL3 4AH

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I understand Regulation 19 Consultation only allows for public comment on the draft Local Plan's compliance and 'soundness' with national planning policies – not whether potential sites for infrastructure, employment and housing developments should or should not be included.

I make this submission as a resident of St Albans with no specialist knowledge in planning or legal matters. I also make it reluctantly because I am aware of the time, resources and effort that have gone into its preparation. And I appreciate that if my arguments are accepted and the Plan fails, St Albans may be in a very bad situation.

However, my submission relies on the presence of one potential site for development as an exemplar, a very powerful example of which I have extensive knowledge. That site is Bedmond Lane Wildlife Meadow (shown as M3 - Bedmond Lane, St Albans, AL3 4AH in the site allocations plan).

The inclusion of this meadow calls into question three specific grounds on which I challenge the validity of the Plan. These are:

(1) It is not consistent with national or local policy– enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy including those announced since the new government took office.

(2) It is not legally compliant– the draft Local Plan has not been prepared in accordance with the legal and procedural requirements for preparing Local Plans. Principally, I submit that consultation was more akin to pseudo consultation with representations from experts, local people and councillors disregarded.

(3) It is not justified as an appropriate strategy, because it fails to explain the reasons for criteria adopted for site selection and has failed to identify or use one other major policy constraint which is relevant to release of land from the Green Belt. This unsound assessment of the sites within the Green Belt with potential for development, means decisions in the Plan are fundamentally flawed and thus not justified.

The selection of sites proposed for release from the Green Belt is based upon the Ove Arup & Partners Limited report on the Green Belt Review June 2023 ("The Arup Report").

The evidence I cite to support my hypothesis is as follows, specifically in relation to identifying sites for potential development.

(1) <u>The Plan is not consistent with national or local policy.</u>

The Arup Report indicates at part 4 (page 18) the methodology which has been used in the review. This methodology included Step 1 (sub-area identification); Step 2 (Defining Sub-Area Boundaries); followed by Steps 3 to 7 (including site visits and recommendations).

At Step 1, Arup considered a buffer zone around existing settlement areas, and also considered specific sites which had been promoted for development. In considering the natural environment, in Para 4.2.3 of the report (page 24) Arup applied "*a filtering process to remove weakly performing areas or promoted sites, which were entirely or largely constrained by major policy constraints … (*precluding development*)*". Five "major policy constraints" were then identified – Flood zone 3b; SSSI; Scheduled Monuments; Registered Parks and Gardens; and Ancient Woodland. These were the only natural environment "major constraints" identified in preventing development.

Crucially, Arup has therefore failed to identify other major policy constraints (ie reasons preventing development) which are relevant to the release of land from the Green Belt.

(i) A fundamental policy constraint is the emphasis placed in the NPPF on the requirement to encourage biodiversity, green infrastructure and natural environment as fundamental to people's health. This is also consistent with identical aims promoted by the Environment Act 2021.

(ii) Further, the Government's Environmental Improvement Plan 2023 states *"We will halt the decline in our biodiversity so we can achieve thriving plants and wildlife … This goal is at the apex of our plan: all other goals will help us to achieve it."*The Government Plan has a commitment*"To restore or create more than 500,000 hectares of wildlife rich habitat by 2042."*This plan was presented to parliament pursuant to Section 10(6) of the Environment Act 2021.

(iii) In the Draft Local Plan 2041, Regulation 18 Public Consultation, SADC has made strong claims about its policy commitment to protect, maintain and enhance the natural environment. Specifically, Strategic Policy SP10 – Natural Environment and Biodiversity, claims *"The Council will protect and enhance Green Infrastructure for its role in combating Climate Change and supporting biodiversity, along with its value for recreation, health and wellbeing, and landscape value."*And the objective, shown in Chapter 10 of the Draft Plan, is to: "*Protect, maintain and enhance the natural environment, including biodiversity, the landscape, green infrastructure*…"

(iv) These failures of the Plan to conform to national and local policies are underlined by an independent expert Matthew Dodds, the Planning and Biodiversity Manager at Herts and Middlesex Wildlife Trust (HMWT), a registered charity in England and Wales (239863). In a scathing and compelling submission under Regulation 18, based on irrefutable evidence, he states the inclusion of Bedmond Lane Meadow, St Albans: "… *is totally in conflict with national planning policy, as set out in NPPF and the draft policies of the local plan, as set out in the regulation 18 consultation. To include this site would be to contradict the policies of the local plan and make a mockery of any environmental credentials the council professes to promote… It could not be more precious for people and wildlife … It is the epitome of the sort of site that should be protected in accordance with local and national policy.*

HMWT goes on to say "*By including this site, the Council will be endorsing the destruction of Green Infrastructure for its role in combating Climate Change and supporting biodiversity, along with its value for recreation, health and wellbeing, and landscape value."*And conclude: "*Categorically, for the avoidance of doubt, it will not be possible to deliver biodiversity net gain on this site, within the proposed plans."*

It should also be mentioned that a lead article in the St Albans Times on 27 July, headed *"Council ridiculed for ignoring own environmental policies by including wildlife site in Local Plan"*reflected the above arguments. An editorial also refers to: "*… the ludicrous decision to include Bedmond Lane Meadow as a potential housing site."*

Therefore, I would point to a significant disconnect between established national policies (and the policy claims of the Draft Local Plan) and the methodology used by the consultants (Ove Arup & Partners Limited) whom the council has relied upon to act on their behalf in order to identify potential sites for development. This is because the Arup Report singularly fails to use Biodiversity (see points (i) to (iv) above) as a criterion in differentiating between the Green Belt sites proposed.

The prime - and most obvious - example of this key criterion having been missed by the Arup Report relates to Site M3, Bedmond Lane Wildlife Meadow. This is not just an ordinary field in the Green Belt. It is extraordinary and very special both in terms of supporting a massive range of biodiversity and, as a former Asset of Community Value, the extent of its use by many local people for outdoor recreational, social, sporting and educational activities over five decades.

This wildflower and wildlife meadow has, in previous planning applications, been described by the Hertfordshire & Middlesex Wildlife Trust (HMWT) as "*Unique in St Albans and of significant ecological value and importance"*. It is one of the very rare examples of a true natural wildflower and wildlife meadow that remain in this county. I shall further develop this point in Section 2 below.

Nor should sight be lost of massively revised policy announced since the new government took office. It has set out plans for building on the Green Belt to boost housing supply while improving "green spaces".

Under new "golden rules," councils will be required to prioritise building on brownfield sites and poor-quality areas in the Green Belt, dubbed "grey belt".

Thus 'Greyfield' provides a third designation for types of land, as well as the familiar 'greenfield' and 'brownfield' categories. Unfortunately, 'Greyfield' has, at this stage, a less clear definition but, by implication, the meaning is clear.

The essence of my referring to this, is that it further reinforces the need - apparently absent from the St Albans Plan - to use Biodiversity as a criterion in differentiating between the Green Belt sites proposed.

(2) *It is not legally compliant*.

'To consult' is defined in the Oxford Dictionary of English as 'to seek information or advice from someone, especially an expert or professional … typically before undertaking a course of action'. It requires careful listening and consideration of views expressed.

Whilst I understand that SADC is under huge pressure to deliver a Plan, I would argue that this single imperative may be causing them to plough on regardless - apparently relying exclusively on the Arup Report - and without properly listening and considering views of residents, councillors and independent experts.

SADC's last Plan failed, at least in part, because the council failed to consult properly with neighbouring authorities. Failure to take account of this meadow's ecological value and wildlife status - as a crucial element of the holistic framework of the Plan - calls into question the validity of the consultation process and therefore the "soundness" of the whole of this latest Plan.

The Plan has not been prepared in accordance with the legal and procedural requirements for preparing Local Plans. Principally, I submit that the consultation process may have the appearance of conforming to procedural requirements but SADC has not listened to feedback. Thus, what is claimed to be consultation was more akin to pseudo consultation.

I am challenging the validity of the consultation carried out under Regulation 18 as it relates to site allocation, given the number of independent expert ecologists that have lined up over the years clearly stating that the meadow is a de facto wildlife meadow.

For instance, it should be noted that the issues raised by Matthew Dodds, an independent expert - see point (iv) above - along with similar views expressed by residents, were disregarded.

Also apparently disregarded was the unequivocal submission by HMWT stating: "*The site itself is a species rich mosaic of habitats including species rich chalk grassland, species rich neutral grassland and scrub. It easily qualifies as a local wildlife site and the only reason that it is not designated as such is because the landowner permission required to designate the site has not been given. It is a de-facto Local Wildlife Site and should be considered as such. St Albans District Council has been made aware of its value many times. Recent surveys conducted by the ecologist acting for the developer on another application to establish for horse grazing on the site confirmed its botanical value, despite failing to record its most spectacular species - Lizard Orchid, one of rarest plants in the county."*

The failure of SADC to act on, or to acknowledge, representations pointing to the ecological value of this wildflower and wildlife meadow is even more perplexing because SADC and councillors for Verulam Ward have stood shoulder to shoulder with local residents in fighting to preserve Bedmond Lane Wildlife Meadow over many years as a succession of planning applications to develop the land have been made by the owners. They are therefore fully aware of the biodiversity and value of this meadow.

Since its designation as an Asset of Community Value (ACV) in 2014, the meadow has been at the vortex of a tsunami of applications and appeals from Cala Homes. Time after time, time and time again, legal actions and challenges have been initiated by Cala Homes. And each time, SADC has stood strong in preserving the meadow.

No less than four formal applications have been made to change the use of the meadow to keep horses (or a horse). Up to 2020, all were rejected by SADC and Cala Homes have taken three of these to appeal and lost each time.

But planning application (5/2019/2892) was granted by SADC Planning Referrals Committee, albeit very reluctantly, because there were no legally defensible grounds to refuse under the NPPF.

In addition, and in parallel, Cala Homes have also vigorously pursued four separate legal challenges, at ever higher levels of tribunal and court, contesting the continuing status of Bedmond Lane Meadow being designated as an ACV. All these challenges by Cala Homes - including, ultimately, that heard by the Court of Appeal at the High Court in London - failed.

Thus, as is clear from history, SADC are alert to the intrinsic ecological value of this wildflower and wildlife meadow.

I refer to the minutes of the SADC Planning Meeting that discussed Application 5/2019/2892, Agenda Item 6v, that refers to Bedmond Lane Meadow. Please see page 181. In para 6.7.1 Hertfordshire County Council Ecology states "*The grassland has been shown to support sufficient indicator plants to meet Local Wildlife Status*." In para 6.7.2 HCC Ecology further states " ... *since the number of indicator species required for an area of neutral grassland to qualify as a Local Wildlife Site (LWS) is 8, I consider this grassland presently to be of LWS quality and floristically rich*. Consequently, the site is likely to be of at least District value."

Also on page 183 of this document, In para 6.8.1 Herts and Middlesex Wildlife Trust state "*This site remains one of the most ecologically valuable unimproved grassland, scrub mosaics in the St Albans area."* And in para 6.8.2 HMWT continues "*It has been established that it is of Local Wildlife Site quality* ..."

In the past few months, a number of ecologists - ranging from independent HMWT ecologists to Hertfordshire County Council ecologist – have lined up supporting the status of the meadow as a de facto wildlife site. Specifically, I have correspondence from:

(a) Leslie Davies, Chief Executive Officer of HMWT;

(b) Astrid Biddle, ecologist HMWT; (who states in an email to local MP, Daisey Cooper: "… it is immediately obvious that the site qualifies as a Local Wildlife Site" and interestingly refers to "classifying it as a LWS would highlight its particular value". And "More widely, it may bring to the attention the value of Local Wildlife Sites more generally within the local plan."

(c) Chloe Edwards, ecologist, Director of Nature Recovery, HMWT; and

(d)Simon Richards, Hertfordshire County Council Ecologist.

This correspondence is available, should you need to see it.

I will quote just one example in more detail. At my request (through County Councillor Sandy Walkington), HCC Ecologist, Simon Richards, carried out a critical evaluation of the National Vegetation Survey carried out by Ethos Environmental Planning Ltd (see below). Mr Richards described it as *"… a reliable review of the communities present for use in further understanding the site now and in the future … with results shown from quadrats … and confirmed our previous views of the site regarding its criteria as a Local Wildlife Site.* Initially saying*"The site is not listed as a Local Wildlife Site, although following our own survey, we have argued the flora is in places akin to that of a Local Wildlife Site."*

Furthermore - and of great significance, in my view - the National Vegetation survey carried out by Ethos Environmental Planning Ltd, on behalf of Cala, supported the priority, importance and value of the meadow. Below, I reproduce the Ethos Environmental Planning Ltd conclusion in full:

Para 5.1.1 "The habitats of the site were varied from grasslands, scrub, woodland and areas of bracken and rosebay willowherb

Para 5.1.2 *"The grasslands were divided into two areas north and south areas which were both distributed between areas of scrub habitat. The northern grassland was particularly species rich with up to 23 species in a quadrat and abundant invertebrate activity including butterflies and any hills associated with a mature grassland. The grassland was best characterised by MG1 grassland due to the abundance of false-oat grass but there were several species present that were associated with calcareous grassland such as pyramid orchids, greater knapweed and field scabious.*

Para 5.1.3 "Both chalk and neutral grasslands are listed as priority habitats under Hertfordshire's Local Biodiversity Action Plan and the chalk grassland is also listed within the National Biodiversity Action Plan. In addition, lowland calcareous grassland is also listed as a habitat of principal importance under Section 41 Natural Environment and Rural Communities (NERC) Act."

The diversity and rich mosaic of different forms of life this beautiful meadow sustains is huge and includes many mature trees (some with TPOs) and lots of saplings together with a vast array of self- seeded flora. I have identified more than 160 different species of wildflowers and have been unable to identify at least as many again. Especially prolific are oxeye daisies, rosebay willowherbs, wild daffodils, snowdrops, field scabious and primroses. They share this precious space with a variety of fauna (including deer, foxes, rabbits, squirrels and bats), many species of insects and a large range of birds (from red kites and kestrels to owls). Even pheasants and partridges are seen. And this is not to mention the huge range of invertebrates (especially lots of different kinds of butterflies).

The beauty of this wildlife meadow is like an ecological kaleidoscope, constantly changing through the seasons. And its value to the environment is immense. Even protected species of orchid can be found amongst a profusion of bee orchids and pyramidal orchids. It should also be noted that in one area covered by more than twenty ancient oak trees (known locally and affectionately as “The Oak Cathedral”) there is a turlow-like seasonal lake that forms.

And it should not be forgotten that it was designated as an Asset of Community Value (ACV) for five years.

It is said that a picture is worth a thousand words. I have taken many thousands of photographs of the meadow over 50 years which provide compelling evidence of its beauty, diversity and environmental value which I will submit separately in emails **(as Parts 2 and 3)** to enhance this submission.

It seems perverse that this wildlife meadow is likely to be destroyed at a time when we are looking to create such sites. It smacks of the left hand and right hand each not knowing what the other is doing.

(3) <u>It is not justified</u>

The Arup Report reasoning for the meadow's inclusion is not justified.

I am advised that it is an established principle of Public Law that a decision maker must take into account all relevant considerations in reaching a decision.

In Section 1 of this submission, I describe how Arup has specified five “major policy constraints” (precluding development) but has failed to identify one other major policy constraint which is relevant to release of land from the Green Belt. Arup does not explain why the emphasis placed in the NPPF on the requirement to encourage biodiversity, green infrastructure and natural environment does not form a policy constraint. The result is that some sites proposed for development - Site M3 Bedmond Lane Wildle Meadow, in particular – ought to have been excluded on the grounds that such sites conflict with national policy on the protection of the environment, both as a contributor to biodiversity and to local people’s health. This decision-making process is inconsistent with the guidance in the NPPF and the Environment Act 2021 as to the importance of the natural environment.

This unsound assessment of the sites within the Green Belt with potential for development, means decisions in the Plan are fundamentally flawed and thus not justified.

These photographs, all of which I have taken in Bedmond Lane Wildlife Meadow, support and reinforce its description by a number of independent ecologists as "*a de facto wildlife meadow*" and **"***Unique in St Albans and of significant ecological value and importance"***.**

And the photographs say much more than any written words. Thus my written description below pales into insignificance when compared to the rich vividness of my photographs.

"The diversity and rich mosaic of different forms of life this beautiful meadow sustains is huge and includes many mature trees (some with TPOs) and lots of saplings together with a vast array of self- seeded flora. I have identified more than 160 different species of wildflowers and have been unable to identify at least as many again. Especially prolific are oxeye daisies, rosebay willowherbs, wild daffodils, snowdrops and primroses. They share this precious space with a variety of fauna (including deer, foxes, rabbits, squirrels and bats), many species of insects and a large range of birds (from red kites and kestrels to owls). Even pheasants and partridges are seen. And this is not to mention the huge range of invertebrates (especially lots of different kinds of butterflies).

"The beauty of this wildlife meadow is like an ecological kaleidoscope, constantly changing through the seasons. And its value to the environment is immense. Even protected species of orchid can be found amongst a profusion of bee orchids and pyramidal orchids. It should also be noted that in one area covered by more than twenty ancient oak trees (known locally and affectionately as "The Oak Cathedral") there is a turlow-like seasonal lake that forms.

"And it should not be forgotten that it was designated as an Asset of Community Value (ACV) for five years."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Fwd Regulation 19 Response from Dr R Wareing_ Part 2 (Photographic evidence)_[R].pdf
2. R_Wareing_Photos_[R].pdf
3. Regulation 19 Response from Dr R Wareing_ Part 1 of 3__[R].pdf

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297 - Andrew Clark

Submission Number: 297 Submission Date: 07/11/24 09:00

Respondent: Andrew Clark

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I would like to formally in writing object to the building of 60 houses on M9 - Amwell Top Field, Wheathampstead.

There are several reasons, one of which being the main vehicle access to the site. If you were to drive down there today it is already an immensely narrow and tight road which even in it's current low traffic guise can still be dangerous and hazardous. If traffic down this route were to multiply significantly we would create consistent genuine access and safety risks for the local community. I would also question the surface water impact such a development would cause on the nearby sports field, houses and roads and the further additional pollution exposure.

I also have reviewed plans which have shown there to be a high pressure gasline to be present which absolutely should not have a housing estate built over this area- this again is a risk to the local community should these gas lines be damaged unnecessarily, which building and increased residing's in the local area promotes.

Finally, I despair at the fact a greenbelt field right on the border of the Amwell conservation areas is even coming into consideration, this is an area of natural beauty with a very unique wildlife profile (including bats seen at night time) and a key walking route to Nomansland which is one of the key draws for people to visit the local area and again fuel the local thriving economy.

I encourage you to come to this area on a summers day, when the wheat is readying for harvest and the birds are nestling in the heart of the land, these crops are used by local shops and vendors-meaning this estate could put local businesses "security of supply" at risk.

England's self sufficiency is declining year by year, our wildlife being forced to renavigate it's own natural habitat- it is truly an abomination that we have got ourselves whereby we need to challenge why this shouldn't happen, the question is why are we even having this conversation?

Wheathampstead is an area steeped in history, natural wildlife, local communities and it certainly of all places in the country does not require further building work right in the heart of it's natural forestry. I beg you to find reason and give no further thought or consideration to these plans.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I would like object to the building of 60 houses on M9 - Amwell Top Field, Wheathampstead.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Draft Local Plan - Representation_ M9 - Amwell Top Field Wheathampstead_[R].pdf

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298 - Paul Shelley

Submission Number: 298 Submission Date: 07/11/24 09:00

Respondent: Paul Shelley

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Objection to L2 West of Watling street

The council have by and large dismissed the objections and concerns that have been raised about the plan with a standard response of "noted" or “The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023”. Most of the concerns raised seemed to have been dismissed out of hand with no care or attention to the objections raised.

It seems the whole plan (L2 West of Watling street) has been driven by speculative developers via the various “call for sites” they see it purely as a money grabbing exercise with no thought given to the environment or the negative effect it will have on Park Street.

Having attended and seen the webcasts of the PP & CC meetings the planning department give the impression they are in the employ of the developers and dismiss the concerns of the local residents.

The Planning Officers continually respond to many objections with the standard phrase “The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration”. This is not accurate, Planning Officers have not scrutinised Arup’s Green Belt Review, so ignored comments in the Regulation 18 process. Flaws were pointed out in the Regulation 18 process, with the Arup Green Belt Review but none of these problems have been addressed.

L2 Watling Street should not be in the draft plan plan, a planning application to build houses on the Watling Street site L2 was rejected by the Planning Committee in January and the Council decided that L2 fulfils the purposes of Green Belt it is clear it should not be included in the Regulation 19 process.

And finally the whole question of additional traffic created by the rail freight terminal has been ignored, no traffic assessment has been undertaken that takes into account the new Rail Freight Terminal. It is reported that he building of the Rail Freight Terminal will generate over 10,000 vehicle movements per day and a large number of these will travel along Watling Street past L2 yet no traffic assessment has been undertaken.

I formally request that the council and planning office take my objections into consideration and remove L2 West of Watling street from the Regulation 19 process

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I formally request that the council and planning office take my objections into consideration and remove L2 West of Watling street from the Regulation 19 process

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Regulation 19 Consultation_[R].pdf

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299 - Roger Stokoe

Submission Number: 299 Submission Date: 07/11/24 09:00

Respondent: Roger Stokoe

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

To St Albans Planning Team and The Crown Estate

I am [redacted] years of age and unlikely to be directly affected by the proposal to cram thousand of houses on the well farmed fields , which lie between Westwick Row and the M1/A414 and close to the confluence of the M1 and M25. However, as a parent and grandparent, I am very concerned about the impact of cramming so many houses on public health, the environment, the motorway and road systems all evidenced by a lack of strategy and coordination with planning authorities to the north and south of the proposed developments. The whole plan seems to be predicated on an isolationist approach where obvious current and future problems are simply ignored. I am not against the need to provide houses opposite ,but deplore the lack of creativity and thoughtfulness which applies to the draft plan.

PUBLIC HEALTH

It is very disappointing that nothing has been learnt from the previous plan where criticism of siting schools close to the motorways have been ignored and, in fact made worse. The draft plan places a primary school close to junction 8 of the M1 where, in addition to pollution from thousands of vehicles, the noise, particularly when the wind blows from the east (very regularly) is deafening. This was raised at one of the exhibitions of the plan with a member of the Crown Estate whose response was irresponsible namely" the noise could be " mitigated" by acoustic barriers. The same person also decried the pollution from the motorway saying that the advent of electric cars would mitigate the problem, ignoring the fact that thousands of electric vehicles stil produce deafening noise- and pollution from tyres(A university of Plymouth study refers).

Similarly, when suggesting to another member of the Crown Estate that placing playing fields very close to the confluence of the M1/25 was not a good idea, defended it by asserting that in many places elsewhere in the country, such facilities were close to roads and M ways. A golden opportunity to be creative in the interests of public health will be lost- why not place playing fields further from the motorways on what is a huge site for housing?

Concerns about the Crown Estate's attitude to the site is that a decision has already been made (without any consultation) to close down and move Westwick Row farm, currently used as a well run stables.If the Crown Estate is serious about providing homes for the future and " green spaces" why not keep the the stables as a rural facility adding to the so called " Hemel Garden community. One can only guess that because of the size of the farm and the grazing fields they can instead be used to provide 2-300 hundred houses?

The farmland helps to provide a green lung for local people(despite a CE person decrying this) and is important given the state of the trees planted on the bund. When the bund was created 30+ years ago, local residents were told that planting trees would muffle the sound and help to counteract pollution . Sadly , this prediction was found wanting and, via an admission from the Environment Agency, the stunted trees and shrubs on the bund are a direct result of pollution and does not mitigate the noise from the motorways.

Given that the Buncefield pipeline runs alongside the bund, limiting the scope to increase its height, one solution might be to create a secondary set of woodland at the western edge ; a stretch of planted trees would help to mitigate noise and pollution, provide a corridor for wildlife and a pathway for cyclists and walkers and would protect the pipeline .

THE ENVIRONMENT

The draft local plan is subject to extant issues as far as the environment is concerned with 8 lanes of motorway running from north to south via the M1 and similarly with the confluence of the M 1/ M25 , the latter providing another 8 lanes from east to west, notwithstanding the A 414 abutting the local plan sites and adding 4 lanes to the M1. This major challenge can only be mitigated by planting many more trees (one per household according to the plan)and allowing more rewilding which, in turn encourages wildlife. This aspect gets short shrift in the plan and needs to be given a greater priority. Currently, the bund provides a safe haven for Roe deer, muntjacs, foxes and birdlife. The hedgerows and fields attract skylarks, starlings and sparrows are making a comeback and yellowhammers and other summer visitors use the wild aspects of the bund. How can this be protected and add to the so called garden community?

The concept of the garden community(used liberally as a platitude for promoting housebuilding across the country)is diminished by the building of huge warehouses adjacent to junction 8 of the M1 and abutting the A414. The planned housing opposite by Green Lane will be overshadowed by these huge warehouses , hardly promoting a garden community. Not encouraging.

THE MOTORWAYS AND ROAD NETWORK

The plan states that an infrastructure would be provided with roads, cycleways and footpaths , glossing over the fact that thousands of houses will mean many more cars on the roads and motorways. The current road and motorway network struggles to cope with the volume of traffic- is the aim to induce gridlock most of the working day? Ignoring the current expansion of thousands of houses north of Luton, proposals to build even more north of Harpenden, Chiswell Green and the construction of a rail freight terminal south of St Albans is irresponsible- to say the least. Those responsible for poor strategic planning will not be around to face the consequences 20 years hence.

A NEW AND AMBITIOUS PLAN?

The reality is, sadly rather different ,with the new local plan being remarkably similar to the previous local plan with the same layout; no doubt that as per the previous consultation, the planned number of houses will rise by over a thousand. Cramming seems to be the underlying plan rather than a great opportunity to do things differently and obtaining the support of all those affected by a new housing development.

It is worth quoting from one of the principals involved in the previous plan namely " it really does not matter about local objections because we will apply to the Secretary of State and they will find in our favour!" Arrogant and self-serving but correct given the recent decision to allow the building of over 700 homes at Chiswell Green.

A POSITIVE APPROACH

Not just my view but mirrored by the workshop held by TOWN on the 17th October, where it was clear that there was strong support for a greener environment from most of the attendees:

Useful exemplars of other green housing developments:

in the last 30 years the former hospitals in St Albans at Cell Barnes and Hill End are now the sites of pleasant housing developments largely built with the support of local people. The former Leavesden Airfield is another good exemplar with a mix of terraced, semi- detached and detached houses with small blocks of flats and plenty of green spaces- please take due notice.

Please retain the existing trees and hedgerows which support a returning of threatened species of birds , large areas of green spaces for skylarks and other bird and wildlife to thrive. Plant trees adjacent to the M1 and as a screen for the massive warehouses (are they green and sustainable with ground source heat pumps etc?) if the Hemel Garden community is a serious plan more account needs to be taken to keep trees, create more woodland and open spaces and avoid the cramming of houses seen in so many other new housing developments.

A golden opportunity to provide a modern and greener housing plan for the future - new and ambitious- is the rhetoric- what will be the reality?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Stokoe_R_[R].pdf

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300 - St Alban's City FC

Submission Number: 300 Submission Date: 07/11/24 09:00

Respondent: Pegasus Group Mr Gary Lees

On Behalf Of St Alban's City FC :

COM5 - St Albans City Football Club

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

Chapter 7 – Community Infrastructure Policy COM5
Statement by Lawrence Levy, Chairman of St Albans City FC:

'On behalf of everyone at the St Albans City FC, thank you for including the club in Policy COM5 which will help the club fulfil its long-term aspirations for the benefit of everyone in the community.

St Albans City FC is the primary sporting club within the City and District of St Albans and it is widely recognised that it cannot survive in the current outdated Clarence Park location. This is due to its crumbling infrastructure, limited footprint, short-term license conditions, and not having the ability to deliver the necessary revenues required to keep it afloat.

The club is not only a football club but also a destination for many inclusive groups within the District. As well as having over 17,500 unique visitors to matches last season alone in its current division (National League South), the club has already seen approximately 1,000 primary school aged children sign up to its 'Young Saints' scheme. The prospect of a new environmentally and economically sustainable stadium will be aspirational to all in the community. It will also secure the future of the club and allow it to deliver greater community outcomes as well as attract exponentially more visitors to the City each year'.

Whist the Football Club welcomes and is fully supportive of proposed Policy COM5 in the draft local plan, a few amendments would help clarify the policy and ensure it will be fit for purpose:

- To omit the words 'in principle' from the first line, to clarify the Council's full support

In roman numeral i, to add the word 'suitable' before 'alternative site' for clarity

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[Please see attachment for full submission]

Whist the Football Club welcomes and is fully supportive of proposed Policy COM5 in the draft local plan, a few amendments would help clarify the policy and ensure it will be fit for purpose:

- To omit the words ‘in principle’ from the first line, to clarify the Council’s full support

In roman numeral i, to add the word ‘suitable’ before ‘alternative site’ for clarity

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024 11 05 - GL - St Albans Local Plan (SACFC) Reg19_[R].pdf
2. St_Albans_City_FC_[R].pdf

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302 - McCarthy Stone and Churchill Living

Submission Number: 302 Submission Date: 07/11/24 09:00

Respondent: Jane Vlach

On Behalf Of McCarthy Stone and Churchill Living :

CE2 - Renewable and Low Carbon Energy

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

This policy seeks to increase the use of renewable and low carbon energy in the District. Whilst the Council's commitment to meeting both its and the UK Government's target of net zero carbon emissions is commendable, it appears that the Council is going to achieve this through having mandatory carbon and climate standards from adoption of the plan that may go beyond government targets. However, it is our view that any requirement should be 'stepped' in line with Government targets and the proposed changes to the building regulations.

This approach is confirmed within the Ministerial Statement (statement no : Statement UIN HCWS123 available from Written statements - Written questions, answers and statements - UK Parliament) released on 13th December 2023. The ministerial statement confirms that with respect to the net zero goal....

'*The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale'*and '*To be sound, local plans must be consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, including this one'*.

Further comments

We are disappointed to see that our recommendations to the Regulation 18 consultation in respect of the following policies have not been incorporated into the local plan. We therefore reiterate our comments to help ensure that the plan is deliverable and realistic.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Recommendation

b) Major development proposals must set out at the planning application stage how they will make use of renewable or low carbon energy within the site through submitting and agreeing an Energy Statement with the Council, ***in line with government targets****. Agreed measure will be secured through conditions.*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. MS CL response to St Albans LP Reg 19_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG4 - Large, Medium and Small Sites

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Point I requires proposals for Large, Medium and Small sites to '*Plant at least 1 semi-mature tree for each dwelling; for C2 accommodation* plant 1 semi-mature tree for each 2.5 dwelling equivalent bed spaces'. NPPF para 16. identifies that '*Plans should...b) be prepared positively, in a way that is aspirational but deliverable'*. Para 131 provides guidance specifically associated with trees and states '*Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained*

wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users'.

PPG with respect to viability states that '*The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan'*(Paragraph: 002 Reference ID: 10-002-20190509).

Requiring 1 new trees per new dwelling especially for small brownfield sites is not deliverable or realistic and could compromise sustainability development and is therefore contrary to NPPF. The requirement also goes beyond the requirements of the NPPF. Any requirement would need to be fully evidenced and the requirement incorporated into any forthcoming viability study.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Council should reconsider policy LG4 point I and ensure any such policy approach introduces more flexibility or is deleted.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU1 - Housing Mix

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy requires proposals of 10 or more dwellings to provide a housing mix as per Table 4.1.

The [housing mix in Table 4.1] relates to all housing developments of over 10 dwellings, yet this is clearly not appropriate for retirement living schemes. The subsequent text to the policy recognises that some adjustment may be needed for specialist housing schemes, but only in relation to Broad locations.

'*The delivery of specialist housing at Broad Locations could affect the housing mix by increasing the number of smaller units. Therefore the housing mix may be adjusted on sites that deliver specialist housing units to take account of an increased proportion of smaller units.'*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend the policy wording as follows:

*New residential development proposals (Use Class C3**, excluding specialist housing for older people**) should provide: ...*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. MS CL response to St Albans LP Reg 19_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The policy includes the following:

The Council will seek to meet the District's affordable housing needs by:

1. a) Requiring residential development proposals (Use Class C3) with a gain of 10 or more homes, or where the site has an area of 0.5 hectares or more, to provide:
2. 40% of homes as on-site affordable housing
3. Ensuring that development proposals which do not propose the full amount of required affordable housing must demonstrate the evidence on why this is the case, and to meet the full amount that is viable;
4. Only accepting a financial contribution for off-site affordable housing provision in exceptional circumstances where evidence demonstrates that on-site affordable housing provision would not be viable or feasible;

The policy applies to older persons' housing, as confirmed in Policy HOU3 – Specialist Housing, which states that '*The Council will support development proposals for specialist housing to meet the needs of older people and people with disabilities which are in accordance with the following requirements:*

1. *b) Provision of an appropriate proportion of affordable housing within the specialist housing development, in accordance with Policy HOU2 for proposals within Use Class C3 or C2;*

The policy does not elaborate on 'appropriate portion' but the supporting text introduces some flexibility when it says: "... *planning applications will need to take account of practical delivery arrangements, operator requirements and viability*."

Therefore, it is clear from both policies Hou2 and Hou3 that any proposal for specialist housing for older people would either need to deliver policy compliant affordable housing or to provide a viability assessment if policy compliant on-site affordable housing was not achievable.

The policies appear to be based on the BNG Paribas Viability Assessment September 2024 which concludes:

Our appraisals indicate for retirement living and extra care units that between 25% to 40% affordable housing and all policy requirements can be supported across the 4 value areas with the highest percentages applying in Harpenden and St Albans.

Firstly, we would comment that although the Appraisal results for all typologies have been published, the full appraisals have not been published so it is difficult to ascertain whether inputs used have been applied correctly. The council should note that Paragraph: 002 Reference ID: 10-002-20190509 of the PPG on Viability states that '*It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers.*' Without publication of the full appraisals, it is difficult to make an assessment as to whether the evidence that supports the policy requirements within the regulation 19 draft plan, especially with regard to specialist housing for older people, are correct and robust. These full appraisals must be published and consulted upon, and consideration be given to the responses prior to any plan being submitted to the Secretary of State for examination.

We would then direct the Council towards the Retirement Housing Consortium paper entitled 'A briefing note on viability' prepared for Retirement Housing Group by Three Dragons, May 2013 (updated February 2016 ('RHG Briefing Note'). The RHG Briefing Note establishes how sheltered

housing and extra care development differs from mainstream housing and looks at the key variables and assumptions that can affect the viability of specialist housing for older people. These key variables include unit size, unit numbers and GIA, non-saleable communal space, empty property costs, external build cost, sales values, build costs, marketing costs and sales periods and significantly variable benchmark land values. We are also aware that the RHG Briefing Note is being updated and indeed we are informing that process.

The published assumptions on which the BNG Viability Assessment is based are at variance with the RHG briefing note. We therefore have the following comments on the assumptions that should be used within the Viability Assessment with respect to extra care and sheltered housing, as defined by the PPG on housing for older and disabled people Paragraph: 010 Reference ID: 63-010-20190626.

If the Viability Assessment was re-run using these assumptions extra-care and sheltered housing would be likely to be shown as less viable in terms of delivering affordable housing and would result in the council needing to consider a variable affordable housing target for specialist housing for older people or exempting it from affordable housing altogether.

Point h of policy HOU 2

We are also disappointed that our earlier comments in respect to the above policy have not

been addressed and therefore we reiterate our comments from the Reg 18 consultation:

Point h of policy HOU 2 seeks an affordable housing review mechanism into planning permissions that may be delivering affordable housing below policy requirements. To burden

development which has already been found to be not viable with a review mechanism is wholly inappropriate and inflexible.

Housing for older people, being specialist in nature as defined by Paragraph: 010 Reference ID: 63-010-20190626 of the PPG on Housing for Older and Disabled people, is often delivered on small brownfield sites separate to housing allocations or other development sites of around 0.5 hectares. Schemes tend to be high-density flatted developments located near town centres that have around 35 to 40 units. They tend to be delivered as a single phase. Sheltered housing and extra care development differ from mainstream housing and there are a number of key variables that affect viability. These include unit size, unit numbers and GIA, non-saleable communal space, empty property costs, external build cost, sales values, build costs, marketing costs and sales periods.

Once planning permission for specialist housing for older people is granted given the small size and single phase of schemes the objective is to commence the build and complete all units within one single phase. The build period usually takes around 18 months. Older person's housing, given its specialist nature and being built in one phase, then has a much longer sales period often up to 36 Months with 50% of the scheme often not being sold until year 2 of sales, despite being completed some years earlier. Given the completion of the whole scheme on the first flat occupation, empty property costs are then charged on properties that have not yet sold, this includes costs such as council tax and service charges.

For a large or multi-phase development which will be delivered over a long period it makes sense to check whether the scheme's viability has changed with market movements. However, for a small single phased site the Inspectorate have repeatedly noted that review

mechanisms are unnecessary. For example, under Appeal decision reference APP/C4235/W/120/3256972 dated 1st April 2021, the Inspector noted in paragraph 17 that '*as the development would almost certainly be completed in a single phase with an estimated build time of 12-18 months, it is not the sort of large multi-phased scheme where stronger arguments for a review/clawback mechanism may otherwise exist'*.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We recommend that the Viability Report is run for sheltered and extra-care housing using the assumptions recommended below and the affordable housing policy amended accordingly.

Unit numbers / GIA / Density

We note that the Viability Assessment (Appendix 4) has modelled a unit density of 75 dwellings per hectare resulting in a 30-unit scheme being modelled on a 0.4 hectare site for the Retirement Housing typology, and a unit density of 75 dwellings per hectare resulting in a 80-unit scheme being modelled on a 1.1 hectare site for the Extra-Care typology.

However, we would question whether the densities used are correct given that para 4.16 of the viability study states '*As with retirement housing, Extra Care developments have significantly different viability considerations to standard residential dwellings. These arise due to an even lower gross to net ratio of such developments than retirement housing (due to the need for more communal facilities) as well as the additional time that it takes to sell the accommodation due to the restricted market for that type of unit. In our experience such units also achieve premium values*.'

In this regard, we would also question whether the Viability Assessment has in its consideration of density and facilities in effect incorporated flatted extra-care accommodation with integrated retirement communities given para 4.15 that states *'People who live in Extra Care Housing have their own self-contained homes and a legal right to occupy the property. It comes in many built forms, including blocks of flats, bungalow estates and retirement villages*.' Such developments are very different and need to be considered separately.

Sales and marketing costs

As detailed within the RHG Briefing Note sales and marketing costs for older persons housing schemes are typically 6% of GDV and this should be used within the older persons modelling rather than the 2.75% used.'

Sales periods

As discussed in the RHG Briefing Note, sales periods of older persons' housing schemes are typically longer for retirement and extra care housing than general needs housing. There is a typical 18 month build period before sales can commence. Sheltered and Extra care schemes cannot be phased but must be fully operational and completed from month 1 of sales / occupation. As detailed within the RHG Briefing Note, once sales commence a rough guide is that 40% of units will be sold at the end of the first year of sales, 30% during the second year of sales and 30% during the third period. This should be considered within the viability modelling and amended accordingly. These longer sales periods should therefore be incorporated into the Viability Assessment, especially for sheltered housing, rather than the 2 sales per month indicated which would for example show that the 30 unit scheme modelled would sell

out in just 15 months. A 40 month sales period for an extra care scheme is more appropriate and even ambitious in the current climate where average sales rates have fallen below 1 sale on average per month for the older person housing sector.

Empty property costs

It is recommended that a standard allowance of £5,000 per unit is assumed as a typical average empty property cost – to cover Council Tax liability on unsold units and service charges (which will be applicable to the whole building from day first resident moves in). This increases to £10,000 for extra care accommodation to reflect higher costs particularly in maintaining care, communal and catering facilities, staff, and services and reflecting a slower sales rate than Retirement Living. We note that no allowance for empty property costs appears to have been made in the report.

Developer Return

PPG sets out that 'For the purpose of plan making an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers. However, for specialist housing for older people there is a clear precedent for a return of not less than 20% of gross development value primarily because of the risks associated with such developments. This is consistent with the Inspector's conclusions for appeals such as McCarthy Stone proposal at Redditch (Appeal Ref: 3166677), Churchill Retirement Living proposal at Cheam (Appeal Ref: 3159137) and the Churchill Retirement Living scheme at West Bridgford (Appeal Ref: 3229412) in 2019. The most recent example is a McCarthy Stone appeal in Sale in 2023 for a smaller proposal of 25 units (Appeal Ref 3325034) where the inspector concluded that:

As the Council has failed to account for the particular risks associated with developing a retirement living scheme, I consider that its base line of 17.5% is unsound and the uplift of 1% to reflect 2023 market conditions is no antidote. I therefore agree with the Appellant that a profit of 20% of gross development value should apply (Paragraph 83)

20% profit should therefore be assumed for specialist housing for older people rather than the 17.5% base position used within the Report.

Sales Values

We note from Table 4.14.1 that the Viability Assessment has added a 10% premium over mainstream housing to average sales values that have been used for a number of geographic areas across the district for retirement housing. A 20% premium has been added for extra care housing, thus making an assumption that specialist housing for older people has a large premium over other housing. However, the council should note that the RHG briefing note has shown that the price of a 1 bed retirement living/sheltered property is approximately 75% of the price of an existing 3 bed semi-detached house and a 2-bed retirement living/sheltered property is approximately 100% of the price of an existing 3 bed semi-detached. An extra care property is then approximately 25% more expensive than a retirement living/sheltered property. It is therefore advocated that the premium added to the average sales values in the Viability Appraisal has over inflated sales values for

specialist housing for older people and the methodology for calculating sales values for older persons housing should be reconsidered. Pricing for affordability matters in respect of housing for older people given that to acquire such housing, no availability to mortgage lending will be available due to the age of purchasers. Instead, purchasers are entirely reliant upon the release of equity from existing housing. As a result, there is strong linkages between pricing of retirement housing and existing semi detached housing in an area (where purchasers will typically downsize from). Simply adding unchecked premiums to non-retirement comparable property is not appropriate.

Unit mix

Table 4.1.5 [of the Viability Assessment] shows the unit size that it assumes for older persons' housing.

However, a typical retirement living scheme provides 1 and 2 bedroomed apartments using a mix of 60% 1 bed and 40 % 2 bed units on a development. This is the case for both sheltered (retirement) and extra care (retirement living plus) schemes. Table 4.1.5 of the viability report shows a 50:50 split between one and two bedroomed apartments and should be amended accordingly.

Recommended Older Persons' Unit Mix:

Retirement living or Extra care: 1-bed flat - 60% / 2-bed flat - 40%

Unit Size

Table 4.1.5 above also shows the unit size that it assumes for older persons' housing. The unit sizes should be amended to the sizes below which have evolved in recent years with the National Space Standards and M4 (2) requirements, and allow for additional storage and circulation space to facilitate downsizing, particularly in relation to retirement living:

Recommended Older Persons' Unit Size

Typology	**1 Bed Flat**	**2 Bed flat**
Retirement Living	55 sqm	75 sqm
Extra care	60 sqm	80 sqm

Accessibility Standards M4 (3)

Despite the draft plan requiring 5% of older persons housing to be built for M4(3) places additional cost on retirement housing over general market housing as the fixtures and fittings, services and controls and increased room dimensions and layout include up to 30% more floorspace with corresponding reduction in density, sales values, and affordability of such housing. While some value may be secured for larger units this is unlikely to mitigate the overall loss of units across the proposal as a result of the requirement.

Biodiversity Net Gain

Paragraph 4.25 of the Viability Assessment states that it has tested the requirement for a 10% enhancement to biodiversity in perpetuity in greenfield sites based on the 2019 DEFRA report *'Biodiversity net gain and local nature recovery strategies impact assessment',* and given a lower build cost figure for brownfield sites *'as they typically have lower starting levels of biodiversity than greenfield sites'.* However, the Council should note that on 27th July 2023 the price of statutory biodiversity credits were published (available from . Statutory biodiversity credit prices - GOV.UK (www.gov.uk)).This has enabled it to be determined how much BNG may cost, and it is considered that the costs per dwelling put forward within the Viability Assessment have greatly underestimated the costs. In addition, brownfield site BNG costs are often more substantial than greenfield, but this very much depends on the site characteristics. For example, if an older persons' housing scheme consisting of 50 units on a 0.5 hectare site needed to purchase 1 off-site statutory credit, if this was for the cheapest low quality habitat type this would cost £42,000 or £840 per unit. Therefore, as a result of credit prices having been published, the Council should re-run the Viability Assessment that includes a realistic assessment of BNG costs and if necessary, reduce the BNG and affordable housing requirements accordingly.

Recommendation (point h of Policy HOU2):

The following text should be added to point g to incorporate flexibility for smaller single

phased schemes so such development is not subject to a review mechanism:

'The review mechanism does not apply to smaller single phased schemes of less than 100 units'.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. MS CL response to St Albans LP Reg 19_[R].pdf

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU3 - Specialist Housing

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As explained above, it is our contention that if the Viability Assessment is re-run with more accurate assumptions, it will become clear that the viability of retirement and extra care living is significantly more challenging than currently shown. It would than be appropriate to reflect this position in the policy wording to prevent unrealistic policy expectations. Without this amendment to policy wording Council Members, Officers and the general public will assume that applications for sheltered or extra care housing will be able to support a policy compliant level of affordable housing. Our extensive experience in dealing with site specific viability

discussions is that it is never appropriate to apply generic affordable housing requirements as this leads to confusion, misled expectations and delay.

Off-site contributions

The SW Herts LHNA Report update March 2024 Iceni at Para 9.64 says that "*Whilst recognising the benefits associated with mixed income/tenure development, in considering whether mixed tenure schemes can work it is important to consider the degree to which service charges will be affordable to those on lower incomes and whether Registered Providers will want or be able to support access to the range of services/facilities on site. In a range of instances, this has meant that authorities have accepted off-site contributions to affordable housing provision.'*

In light of the above, and our own experience, it is our contention that recognition of the appropriateness of off-site affordable housing provision for older persons' housing should be reflected in Policy HOU3.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be amended as follows:

The Council will support development proposals for specialist housing to meet the needs of older people and people with disabilities which are in accordance with the following requirements:

1. *b) Provision of an appropriate proportion of affordable housing, **which is likely to be significantly lower than for general market housing**, within the specialist housing development, in accordance with Policy HOU2 for proposals within Use Class C3 or C2; **This can be provided through off-site contributions in recognition of the exceptional circumstances for this type of specialist housing. Levels of commuted sum will take account the viability characteristics of specialist housing for older persons as well as the housing need specific to the typology.***

Please upload any supporting documents here. Do not include any signatures or other personal data.

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

COM1 - Education

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy COM 1 requires at point a) that '*Major residential development will be required to make appropriate provision for new schools and early years facilities either on-site or by making a suitable contribution towards the improvement or expansion of nearby existing facilities*.

To ensure the plan is in accordance with NPPF para 57 that states '*Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms, b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development'*, the policy should exempt all older people's housing from education contributions. Older People's housing by its very nature and age of residents does not create a demand for education.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the plan to be consistent with national policy and effective the following text should be added to policy COM 1:

'Older person's housing schemes are exempt from providing education contributions.'

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. MS CL response to St Albans LP Reg 19_[R].pdf

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

303 - Phil Escritt

Submission Number: 303 Submission Date: 07/11/24 09:00

Respondent: Open Space Society Phil Escritt

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Consultation Need to explicitly refer to the HCC Rights of Way improvement Plan (ROWIP)

The Open Spaces Society welcomes the emphasis in strategic policy SP1 - A Spatial Strategy for St Albans District, on the need for better accessibility by walking and cycling, better access to the countryside via new and improved rights of way and significantly improved infrastructure for walking and cycling. We also welcome the way in which these strategic requirements are reflected in subsequent policies.

We note the emphasis in policies LG1, LG4, SP8 and TRA1, and in the individual site requirements in Part B, on the Local Cycling and Walking Infrastructure Plan (LCWIP) as a vehicle for specifying detailed infrastructure requirements. The St Albans District LCWIP is almost exclusively concerned with the infrastructure required for utility journeys e.g. to shops, schools, transport hubs and places of work and leisure activity.

It does not cover the paths needed to enable the public to access the countryside and the existing rights of way network in order to walk and cycle as leisure activities in their own right. It does not cover the infrastructure needs of equestrians at all. It does not therefore meet the requirement in policy SP1 for better access to the country and does not adequately support the needs of policy SP13, Health and Wellbeing.

In addition the current edition of the LCWIP concentrates largely on existing urban areas, particularly central St Albans. It does not cover all of the allocated sites or many of the requirements of the smaller settlements in the district. In all these respects the plan is neither proportionate nor effective.

These gaps would be substantially filled by reference to the Herts County Council's Rights of Way improvement Plan (ROWIP). The ROWIP is a statutory requirement of the Countryside and Right of Way Act (CROW) 2000. The Hertfordshire ROWIP is in two parts. The first part, the policy

document, is an assessment of the current situation and a statement of action. It is supplemented by a database of “suggestions” for improvements. This database is a living document which is added to over time based on input from councillors, officers and members of the public.

The St Albans Access Forum which comprises representatives of walking, cycling and horse riding organisations has systematically reviewed the situation in the district’s parishes and submitted suggestions which have been included in the ROWIP database. The ROWIP suggestions now cover a large proportion of the selected sites in this plan.

The HCC ROWIP is a daughter document of the Local Transport Plan LTP4 and is therefore implicitly covered by paragraph a) of strategic policy SP8, Transport Strategy which requires alignment with the HCC “Local Transport Plan (LTP) and other evidence and supporting documents, as relevant.”

The Local Plan will be made more effective and proportionate by explicitly referencing the ROWIP in the following policies.

- Policy LG1 – Broad Locations. In paragraph l) after “LCWIP” add “and ROWIP”
- Policy LG4 – Large, Medium and Small Sites. In paragraph j) after “LCWIP” add “and ROWIP”
- Policy SP8 – Transport Strategy. In paragraph a) after “supporting documents as relevant” add “e.g the ROWIP”
- Policy TRA1 – Transport Considerations for New Development. In paragraph b) sub paragraph x) after “LCWIP” add “and ROWIP”

The Society strongly recommends that the district council should adopt these changes.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. OSS Reg 19 response[R].pdf

LG1 - Broad Locations

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Consultation Need to explicitly refer to the HCC Rights of Way improvement Plan (ROWIP)

These gaps would be substantially filled by reference to the Herts County Council's Rights of Way improvement Plan (ROWIP). The ROWIP is a statutory requirement of the Countryside and Right of Way Act (CROW) 2000. The Hertfordshire ROWIP is in two parts. The first part, the policy document, is an assessment of the current situation and a statement of action. It is supplemented by a database of "suggestions" for improvements. This database is a living document which is added to over time based on input from councillors, officers and members of the public.

The St Albans Access Forum which comprises representatives of walking, cycling and horse riding organisations has systematically reviewed the situation in the district's parishes and submitted suggestions which have been included in the ROWIP database. The ROWIP suggestions now cover a large proportion of the selected sites in this plan.

The HCC ROWIP is a daughter document of the Local Transport Plan LTP4 and is therefore implicitly covered by paragraph a) of strategic policy SP8, Transport Strategy which requires alignment with the HCC "Local Transport Plan (LTP) and other evidence and supporting documents, as relevant."

The Local Plan will be made more effective and proportionate by explicitly referencing the ROWIP in the following policies.

- Policy LG1 – Broad Locations. In paragraph l) after "LCWIP" add "and ROWIP"
- Policy LG4 – Large, Medium and Small Sites. In paragraph j) after "LCWIP" add "and ROWIP"
- Policy SP8 – Transport Strategy. In paragraph a) after "supporting documents as relevant" add "e.g the ROWIP"
- Policy TRA1 – Transport Considerations for New Development. In paragraph b) sub paragraph x) after "LCWIP" add "and ROWIP"

The Society strongly recommends that the district council should adopt these changes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. OSS Reg 19 response[R].pdf

LG4 - Large, Medium and Small Sites

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Consultation Need to explicitly refer to the HCC Rights of Way improvement Plan (ROWIP)

These gaps would be substantially filled by reference to the Herts County Council's Rights of Way improvement Plan (ROWIP). The ROWIP is a statutory requirement of the Countryside and Right of Way Act (CROW) 2000. The Hertfordshire ROWIP is in two parts. The first part, the policy document, is an assessment of the current situation and a statement of action. It is supplemented by a database of "suggestions" for improvements. This database is a living document which is added to over time based on input from councillors, officers and members of the public.

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- Policy TRA1 – Transport Considerations for New Development. In paragraph b) sub paragraph x) after "LCWIP" add "and ROWIP"

The Society strongly recommends that the district council should adopt these changes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Local Plan will be made more effective and proportionate by explicitly referencing the ROWIP in the following policies.

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1. OSS Reg 19 response[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Consultation Need to explicitly refer to the HCC Rights of Way improvement Plan (ROWIP)

The Open Spaces Society welcomes the emphasis in strategic policy SP1 - A Spatial Strategy for St Albans District, on the need for better accessibility by walking and cycling, better access to the countryside via new and improved rights of way and significantly improved infrastructure for walking and cycling. We also welcome the way in which these strategic requirements are reflected in subsequent policies.

We note the emphasis in policies LG1, LG4, SP8 and TRA1, and in the individual site requirements in Part B, on the Local Cycling and Walking Infrastructure Plan (LCWIP) as a vehicle for specifying detailed infrastructure requirements. The St Albans District LCWIP is almost exclusively concerned with the infrastructure required for utility journeys e.g. to shops, schools, transport hubs and places of work and leisure activity.

It does not cover the paths needed to enable the public to access the countryside and the existing rights of way network in order to walk and cycle as leisure activities in their own right. It does not cover the infrastructure needs of equestrians at all. It does not therefore meet the requirement in policy SP1 for better access to the country and does not adequately support the needs of policy SP13, Health and Wellbeing.

In addition the current edition of the LCWIP concentrates largely on existing urban areas, particularly central St Albans. It does not cover all of the allocated sites or many of the requirements of the smaller settlements in the district. In all these respects the plan is neither proportionate nor effective.

These gaps would be substantially filled by reference to the Herts County Council's Rights of Way improvement Plan (ROWIP). The ROWIP is a statutory requirement of the Countryside and Right of Way Act (CROW) 2000. The Hertfordshire ROWIP is in two parts. The first part, the policy document, is an assessment of the current situation and a statement of action. It is supplemented by a database of "suggestions" for improvements. This database is a living document which is added to over time based on input from councillors, officers and members of the public.

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- Policy TRA1 – Transport Considerations for New Development. In paragraph b) sub paragraph x) after "LCWIP" add "and ROWIP"

The Society strongly recommends that the district council should adopt these changes.

Need to ensure off-road links will be public rights of way

The Open Spaces Society strongly supports the policies in this plan which call for improved infrastructure for walkers, cyclists and equestrians. Examples include "new and improved rights of way"[1], "excellent walking and cycling links"[2], "new or enhanced walking, cycling or equestrian routes"[3], "appropriate local infrastructure..... to encourage cycling and walking"[4], "improvements to walking and cycle infrastructure"[5].

The developments which this infrastructure will serve will be permanent. The new infrastructure must be equally permanent and it must be available to everyone, not just the residents of the new development. Private streets may be difficult to close but permissive off road paths can be closed by the landowner with no notice and no redress.

The only way to guarantee permanent public access is for the routes to be adopted by the highway authority or dedicated as public rights of way. There is no policy which explicitly requires these guarantees and as the above examples demonstrate the existing policies are ambiguous. Although policy SP1 "supports" new and improved rights of way does this mean that the new and enhanced walking, cycling and equestrian routes of policy LG6 must be public rights of way or can they be permissive?

This ambiguity is recognised and clarified by the addition in parentheses of “public rights of way” in the specific requirements for the Hemel Hempstead Garden Communities sites H1[6], H2[7], H3[8] and H4[9] in the paragraphs which require “Improved and enhanced countryside access links and off-road paths **(Public Rights of Way)** in and adjacent to the site....” (emphasis added).

Without clarification of this issue for other policies and sites the plan is ambiguous. This is contrary to the requirement of NPPF paragraph 16 (d) which makes this version of the plan potentially unsound.

A simple solution would be to add a requirement to policy SP8 – Transport Strategy. This strategy begins by saying “The Council will prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways networks by:...”

To resolve the ambiguity a new sub paragraph could be added saying:

“Supporting the dedication of off-road paths as public rights of way”

The Society strongly recommends that the District Council should adopt this change.

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[1] SP1 – A Spatial Strategy for St Albans

[2] LG1 – Broad Location (para l) and LG4 –Large Medium and Small Sites (para j)

[3] LG6 – Green Belt Compensatory Improvements (para a iv)

[4] COM1 – Education (para d)iv)

[5] TRA2 – Major Transport Schemes (para a) i)

[6] H1 – North Hemel Hempstead para 3

[7] H2 – East Hemel Hempstead (North) para 3

[8] H3 – East Hemel Hempstead (Central) para 5

[9] H4 – East Hemel Hempstead (South) para 2

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To resolve the ambiguity a new sub paragraph could be added saying:

“Supporting the dedication of off-road paths as public rights of way”

..

The Local Plan will be made more effective and proportionate by explicitly referencing the ROWIP in the following policies.

Policy SP8 – Transport Strategy. In paragraph a) after “supporting documents as relevant” add “e.g the ROWIP”

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1. OSS Reg 19 response[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Consultation Need to explicitly refer to the HCC Rights of Way improvement Plan (ROWIP)

These gaps would be substantially filled by reference to the Herts County Council’s Rights of Way improvement Plan (ROWIP). The ROWIP is a statutory requirement of the Countryside and Right of Way Act (CROW) 2000. The Hertfordshire ROWIP is in two parts. The first part, the policy document, is an assessment of the current situation and a statement of action. It is supplemented by a database of “suggestions” for improvements. This database is a living document which is added to over time based on input from councillors, officers and members of the public.

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- Policy TRA1 – Transport Considerations for New Development. In paragraph b) sub paragraph x) after “LCWIP” add “and ROWIP”

The Society strongly recommends that the district council should adopt these changes.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. OSS Reg 19 response[R].pdf

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304 - EDIT Land Ltd

Submission Number: 304 Submission Date: 07/11/24 09:00

Respondent: EDIT Land Ltd

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future. However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough's historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated

for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing target.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

In summary, EDIT Land considers the plan fails on Paragraph 35 of the NPPF, and is fundamentally unsound. Reasons why the plan is not positively prepared and deliverable is discussed in this representation, yet is summarised as below (yet not limited to):

The baseline housing need figures cited in Table 3.2 and Policy SP1 and SP3 do not appear to be correct and directly contradict the housing need figures published in the AMR 2022, equating to a **shortfall of between 2,271 dwellings.**

Level of housing proposed (Standard Method) does not allow for contingency and is therefore not robust or positively prepared;

Lack of recent delivery, 5YHLS, and lack of contingency warrant a higher housing requirement;

Level of windfall sites anticipated is unachievable and speculative, most sites need to be formally allocated to be sure the level of housing proposed is achievable.

Green Belt Assessment is flawed due to it not being fine-grain, with no consideration to the need for natural growth of the washed over settlements within the green belt, which has been deemed to be unsound in the case of the Uttlesford BC Local Plan examination;

Further sites should therefore be **allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.** Reasonable alternative sites, such as Land at Burydell Lane, Park Street have been **discounted and assessed incorrectly;**

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

EDIT Land suggest that these significant changes are made to the emerging Local Plan, most notably:

Greater number of sites allocated, including allocation of a broader range of medium and large size green belt sites within the borough to provide contingency within the early stages of the Local Plan process.

Green Belt Review to review smaller parcels of land such as Land at Burydell Lane, Park Street

Less reliance on speculative windfall sites replaced with a mixture of housing allocations; and

Need for further Green Belt release to accommodate for the objectively assessed need (including Land at Burydell Lane, Park Street) to ensure the plan is positively prepared and ultimately sound in accordance with NPPF paragraph 35;

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future. However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough's historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing target.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

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SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

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1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

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Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

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HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

In summary, EDIT Land has strong concerns with draft Policy SP3. The crux of the objections are as follows:

Level of housing proposed (Standard Method) does not allow for contingency and is therefore not robust or positively prepared;

Lack of recent delivery, 5YHLS, and lack of contingency warrant a higher housing requirement;

Level of windfall sites anticipated is unachievable and speculative, most sites need to be formally allocated to be sure the level of housing proposed is achievable.

Green Belt Assessment is flawed due to it not being fine-grain, and no exceptional circumstances report published;

Further sites should therefore be **allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.**

In summary, EDIT Land considers the plan fails on Paragraph 35 of the NPPF, and is fundamentally unsound. Reasons why the plan is not positively prepared and deliverable is discussed in this representation, yet is summarised as below (yet not limited to):

The baseline housing need figures cited in Table 3.2 and Policy SP1 and SP3 do not appear to be correct and directly contradict the housing need figures published in the AMR 2022, equating to a **shortfall of between 2,271 dwellings.**

Level of housing proposed (Standard Method) does not allow for contingency and is therefore not robust or positively prepared;

Lack of recent delivery, 5YHLS, and lack of contingency warrant a higher housing requirement;

Level of windfall sites anticipated is unachievable and speculative, most sites need to be formally allocated to be sure the level of housing proposed is achievable.

Green Belt Assessment is flawed due to it not being fine-grain, with no consideration to the need for natural growth of the washed over settlements within the green belt, which has been deemed to be unsound in the case of the Uttlesford BC Local Plan examination;

Further sites should therefore be **allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.** Reasonable alternative sites, such as Land at Burydell Lane, Park Street have been **discounted and assessed incorrectly;**

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Greater number of sites allocated, including allocation of a broader range of medium and large size green belt sites within the borough to provide contingency within the early stages of the Local Plan process.

Green Belt Review to review smaller parcels of land such as Land at Burydell Lane, Park Street

Less reliance on speculative windfall sites replaced with a mixture of housing allocations; and

Need for further Green Belt release to accommodate for the objectively assessed need (including Land at Burydell Lane, Park Street) to ensure the plan is positively prepared and ultimately sound in accordance with NPPF paragraph 35

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

LG5 - Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

***Draft Policy LG5 - Green* Belt — Object**

EDIT Land understand the need and willingness for SADC to have a specific policy on Green Belt, given the large area of Green Belt within the authority boundary. Yet, currently the policy does not accurately reflect national policy, and wording can be amended as such.

Suggested wording is below — which reflects NPPF Chapter 13. An additional paragraph is suggested to reflect Very Special Circumstances:

"The Green Belt boundary is defined shown on the Policies *Map. In order to uphold* the *fundamental aims of the Green Belt* to *prevent urban sprawl and* to *keep land within its designation permanently open the five purposes as defined in NPPF Paragraph 138. Inappropriate development will / should not be approved unless except in very special circumstances can be demonstrated. Very special*

circumstances will not exist unless the potential harm to the *Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".*

"Very Special Circumstances are essentially the benefits that arise from the proposals *that can, collectively, be balanced against the identified harm* to the *Green Belt and other harm. There is no definition of what might or might not constitute VSC, and each proposal should be judged on their own merits and is a matter of judgement".*

EDIT Land also would suggest wording is amended in the supporting justification to also

better reflect national policy, particularly Paragraph 2 of the NPPF whereby planning policies should be read as a whole:

"Proposals within the Green Belt will also be expected to *comply with all other Local Plan policies when taken as a whole, particularly* those *that cover design,* amenity, *landscape, biodiversity and flooding".*

EDIT Land consider that the proposed modifications will deliver a policy which is positively framed which is implementable and sound. As outlined earlier in the representations, our client has concerns that the spatial strategy which is being implemented in the Local Plan will fail to deliver sufficient housing to meet the needs of the borough. Through the imposition of a moratorium on the release of green belt land outside of the Local Plan process this will exacerbate, not alleviate the housing crisis present in St Albans DC.

We would request that the council undertake an additional granular level green belt review prior to the progression of the Local Plan to examination stage. As outlined in the representations the team consider that there is scope for inclusion of a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

HOU1 - Housing Mix

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

Draft Policy HOW: Housing Mix - comment

EDIT Land largely support the intent of this policy, yet they consider that the framing of the policy is overly prescriptive and will hinder the ability to deliver an appropriate range of housing typologies to satisfy local demand.

It is considered that the percentages applied in Table 4.1 (Housing Mix by Size and Tenure) should be applied as indicative housing targets only, as this will provide a steer on the likely housing mix which could be supported. It should apply a range for each typology and dwelling size and the wording of the draft policy should make explicit reference to updated local evidence or market demand which will be published in the form of annual monitoring reports and updates to the Strategic Housing Market Assessment.

The wording of the policy should be drafted in a manner which allows for flexibility to encourage rather than unnecessarily hinder delivery of housing within the borough to meet identified need.

The framing of the draft policy is imprecise and requires modification to enable the policy to be deliverable.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

HOU2 - Affordable Housing

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

Draft Policy HOU2: Affordable Housing - comment

EDIT Land largely support this policy, yet offer some additional wording to add clarity. This is to meet NPPF Paragraph 16 (d), being that policies are clearly written and unambiguous.

The Draft Policy requires that residential development deliver a minimum of 40% affordable housing on site with a tenure mix of 30% social rented, 30% affordable rented and 40% home ownership, which includes 25% of all affordable housing as First Homes. The policy needs to clarify which element of the affordable housing tenure First Homes will be taken from to align with provisions set forth in the NPPF. This modification will provide greater clarity for applicants.

Importantly, the draft policy should clarify how affordable housing provision will be measured, be it in unit, or habitable room basis.

We note that Part G, of Policy HOU2 requires a late stage review to be imposed on developments which do not provide a policy compliant affordable housing offering.

"Ensuring that any *planning obligations for affordable housing provision or contributions* that *are agreed as an exception* to *full policy compliance (on the basis of viability at the time the permission is granted) must include a financial review mechanism* that *is based on actual* sales values at the time *that the development, or development phase, is 80% occupied. The review must allow for further provision, or financial contributions in lieu, when the outturn value of the development exceeds the initial viability assumptions or* other *circumstances enable increased viability* of the *scheme";*

We have concerns about the framing of the late stage review mechanism which as currently drafted is imprecise and does not provide sufficient comfort. It is considered that the following modifications should be made to the wording as drafted:

- Should refer to a review taking place at 80% of homes sold (or <u>at an appropriate point agreed with the LPA).</u>
- Needs to refer to the values achieved and costs incurred, and any additional contributions arising from the development.

- The outcome should result in a financial contribution and not onsite affordable housing. This should be made clear.
- Any surplus profit should be split between developer and the borough (50:50).

Further to the above, the wording of the policy does not refer to the recent issue of buying credits to achieve biodiversity net gain where onsite provision is not sufficient and off-site mitigation is not deliverable. It is noted that the requirement to purchase biodiversity credits is routinely impacting on scheme viability which in turn effects the deliverability of affordable housing. It is requested that appropriate provisions are considered in the framing of any late stage review mechanisms.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

HOU4 - Accessible and Adaptable Housing

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

Draft Policy HOU4: Accessible and Adaptable Housing - Comment.

EDIT Land welcomes the provisions under Policy HOU4 of the Draft Local Plan covering the delivery of a range of housing typologies that are adaptable and accessible to a range of users

However, we would question the inclusion of the following section within the draft policy, as summarised below:

For *all residential development (Use Class C3) achieve compliance with the required Building Regulations (Part M4(2)) except where this is not possible for viability or other reasons such* as *built form,* topography *and flooding; For residential development* proposals for *10* homes or more *(Use Class* C3) 5% *of market dwellings* comply *with Part M4(3)(a) of the Building Regulations and 10% of affordable* (rent *and home ownership) dwellings comply with Part M4(3)(b) (wheelchair user dwellings) of the Building Regulations; and d) For M4(2) and M4(3) housing are* located, *where possible, with good access* to *public transport and local facilities*

With regards to the requirement of M4(3) provision within the open market element, it is not clear from the supporting evidence base whether SADC is able to justify this requirement.

In the event the emerging Policy is pursued, it is suggested that a clause should be included making reference to provisions for the marketing of the open market wheelchair units and potential for reversion to conventional open market housing typologies, if there is a lack of demand for wheelchair user dwellings within this typology. This will remove onerous restrictions on the disposal of open market units, in the absence of identified need.

SADC and Affordable Registered providers will hold evidence relating to the need and demand for Part M4(3)(2)(a) for those on the housing register and so for the affordable housing element of this policy is supported by EDIT Land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

Policy *NEB 6 - Biodiversity and Biodiversity Net Gain - Comment*

EDIT Land are supportive of the overarching objective for delivery of tangible enhancements to biodiversity and ecology as part of new developments. However, we have comments on the framing of the part of the policy which refers to mandatory net gain as outlined below:

"i. Meet *a minimum 10% net gain in biodiversity that is calculated using* the latest *Biodiversity Metric from Government guidance and is approved via a Biodiversity Gain Plan.* Off-site habitat *creation and / or enhancement contributions will be allowed only where on-site is* not *possible or desirable and* these *should be within the District wherever possible. Payments in lieu* to *the national* statutory *biodiversity credit scheme will only be allowed in exceptional circumstances; and"*

It is accepted that under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% gain. Mandatory Net Gain took effect in the UK from February 2024. A **clause needs to be included within the supporting text to the draft policy outlining the exemptions from mandatory biodiversity net gain in line with the provisions of the planning practice guidance** as summarised below:

"While every grant of planning permission in England is deemed to have *been granted subject* to *the biodiversity gain condition, commencement and transitional arrangements,* as *well* as *exemptions, mean that certain permissions are not subject to biodiversity net gain.*

Biodiversity net gain has only been commenced for planning permissions granted in respect to *an application made* on or after 12 *February 2024. Permissions granted for applications made before this date are* not *subject to biodiversity net gain.*

Biodiversity net gain does not apply to:

retrospective planning permissions made under section 73A; and section *73 permissions where the original permission which the section* 73 relates to was *either granted before 12 February 2024 or the application for the original permission was made before* 12 *February 2024*

The approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission)".

The inclusion of this clause will provide sufficient comfort for developers that committed developments or other applications which predate mandatory net gain coming into effect, will not be retrospectively caught by the provisions of Policy NEB6.

Additionally, we would query the reference to onsite reprovision of all habitat types as outlined in the draft policy, *"Off-site habitat creation and/or enhancement contributions will be allowed only where on-site is* not *possible or desirable and these should be within the District wherever possible".*

In the decision to allocate housing sites, or consideration of applications for new housing the authority have to balance the inevitable loss of grassland habitats against the need to deliver new housing to meet the needs of the local community. The draft policy should acknowledge that losses to certain habitat typologies are necessary to delivery housing and development should be supported where it can be demonstrated that proposals will result in delivery of tangible gains to ecology.

It is not uncommon for developers to struggle to deliver a 10% on greenfield sites as they have a particularly high baseline. The BNG section of the above policy states that off-site contributions in the District will be allowed only where on-site is not possible or desirable.

In the first instance, it should be clarified what the Council deem to be 'not possible or desirable', for example an unavoidable loss of a high priority habitat or making a scheme financially unviable. Secondly, there is no statutory requirement for off-site contributions to be delivered within the District and as such this requirement should be removed from the policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Biodiversity net gain does not apply to:

retrospective planning permissions made under section 73A; and section *73 permissions where the original permission which the section* 73 relates to was *either granted before 12 February 2024 or the application for the original permission was made before* 12 *February 2024*

The approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission)".

The inclusion of this clause will provide sufficient comfort for developers that committed developments or other applications which predate mandatory net gain coming into effect, will not be retrospectively caught by the provisions of Policy NEB6.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

Draft Policy NEB12: Green Space Standards and New Green Space Provision

EDIT Land supports the framing of Policy NEB12 and the requirement for new residential development to provide onsite amenity green space and child play space to service the needs of the occupants of the development. We welcome the provisions in Table 10.2 that outline that residential development of less than 250 dwellings are only required to provide amenity space and child play facilities and financial contributions can be sourced to provide enhancements to sports and recreation facilities, in lieu of onsite provision.

Final details of the public open space and child play strategy will be secured at reserved matters stage.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

DES5 - Residential Amenity Standards

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

Draft Policy DES5 — Residential Amenity Standards — Comment

EDIT Land supports the framing of Policy DES5 (a), which states that new development should achieve a minimum separation distance between facing windows servicing habitable spaces of net. 22m.

In the instance that outline permission is granted, the detailed scheme at reserved matters stage will be designed to achieve conformity with the requirements of Policy DES5.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

Part B - Local Plan Sites

Comment Number: 8

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land to the south of Burydell Lane, Park Street” have been discounted incorrectly.

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future. However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough's historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing target.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

SP1: A Spatial Strategy for St Albans District

SP3 — Land and the Green Belt

HOU 1- Housing Mix

HOU 2 — Affordable Housing

SP2 — Responding to the Climate Emergency

NEB 6 - Biodiversity and Biodiversity Net Gain — Comment

LG5 — Green Belt — Object

EDIT Land considers that strong exceptional circumstances exist to justify the release of Land at Burydell Lane, Park Street. This is summarised as below:

The heavily constrained nature of the Borough (SPA, SSSI and flooding);

Housing need — need for open market housing and affordable housing to address significant historic shortfall in delivery which is cataclysmic; The unavailability of suitable brownfield sites and underutilised land within settlement boundaries (on the basis of SADC's own evidence), necessitating release

Moderate performing Green Belt when assessed in isolation, with limited contribution to the Green Belt when consider on the basis of the emerging proposals and controls by policy. The emerging proposals or the site have positive consequential effects on character and perceived openness; Provision of employment benefits;

- Opportunity for Sustainable Development well served by public transport;
- Surrounded by development on 3 sides, site is in a truly sustainable location.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

EDIT Land suggest that these significant changes are made to the emerging Local Plan, most notably:

Greater number of sites allocated, including allocation of a broader range of medium and large size green belt sites within the borough to provide contingency within the early stages of the Local Plan process.

Green Belt Review to review smaller parcels of land such as Land at Burydell Lane, Park Street

Less reliance on speculative windfall sites replaced with a mixture of housing allocations; and

Need for further Green Belt release to accommodate for the objectively assessed need (including Land at Burydell Lane, Park Street) to ensure the plan is positively prepared and ultimately sound in accordance with NPPF paragraph 35;

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land at Burydell Lane - Reg 19 Rep Rev a_[R].pdf

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306 - St ALbans and District Footpaths Society

Submission Number: 306 Submission Date: 07/11/24 09:00

Respondent: St ALbans and District Footpaths Society

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans and District Footpaths Society supports the provision, preservation and protection of public rights of way over footpaths in St Albans and adjoining areas. It also aims to preserve and enhance the beauty of the countryside for the benefit of the public.

We welcome the recognition in the Local Plan of the importance of enabling public access to the countryside. We support its commitment to improve the need for larger settlements to provide better accessibility and connectivity by walking, cycling and public transport (SP1).

And (also in SP1) its support for better access to the countryside via new and improved rights of way and improved infrastructure for walking, cycling and public transport).

We have seen the submission by the Open Spaces Society (OSS) and agree with their comments. In particular, we think it would strengthen the Plan if it explicitly references the Hertfordshire County Council's Rights of Way Improvement Plan in the policies set out by the OSS in their submission. We also support their view that new footpaths should be designated as public rights of way in order to ensure permanent public access.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. ST ALBANS AND DISTRICT FOOTPATHS SOCIETY_[R].pdf
2. OSS Reg 19 response[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans and District Footpaths Society supports the provision, preservation and protection of public rights of way over footpaths in St Albans and adjoining areas. It also aims to preserve and enhance the beauty of the countryside for the benefit of the public.

We welcome the recognition in the Local Plan of the importance of enabling public access to the countryside. We support its commitment to improve the need for larger settlements to provide better accessibility and connectivity by walking, cycling and public transport (SP1).

And (also in SP1) its support for better access to the countryside via new and improved rights of way and improved infrastructure for walking, cycling and public transport).

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1. ST ALBANS AND DISTRICT FOOTPATHS SOCIETY_[R].pdf
2. OSS Reg 19 response[R].pdf

307 - Samantha McManus

Submission Number: 307 Submission Date: 07/11/24 09:00

Respondent: Samantha McManus

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As a resident of High Ash road I wish to submit my objections to the planned development on Amwell top field M9, AL4 8dz.

Firstly as green belt land I believe building on it would destroy the feeling of this rural area and impact wildlife and the environment.

Secondly the field is only served by a narrow and uneven lane only and so access is already restricted and would not support the number of new vehicles or the construction.

Thirdly the utilities infrastructure is not set up to canter for the additional houses, with not even mains drainage in this area.

There is also a gas pipe running through this field being of utmost concern if building works were to happen here.

Moreover wheathampstead is a very small village with very limited transport links and services which would be overwhelmed by this influx and severely disrupted by the works.

I hope these comments will be considered.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. McManus_S_[R].pdf

308 - Look! St Albans

Submission Number: 308 Submission Date: 07/11/24 09:00

Respondent: Look! St Albans Look! St Albans

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 3

Type:

* Table

Number:

1.1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The Officers of Look! St Albans have wrestled with the question should we make a representation or not at this stage, given St Albans is in desperate need of an up-to-date Local Plan. The last being dated 1994. As that Local Plan ran its course St Albans District has undergone unprecedented development pressure and continues today to be subject of speculative development, including substantial changes of use to meet the demand for new homes. There are many within the wider community who naturally feel concerns at such rapid change and feel they have little control or say in these changes which have manifested into trenchant positions, by some, against any development. Local groups such as CLASH, STRIFE and RAGE have come together to oppose new development which we agree makes life even harder for our LPA.

However, this should not mean that we should not strive for quality community engagement. There should be a realization that step changes are needed to finally bring forward a Local Plan which the community can, in the main part, support. We know from experience that this is not naturally an easy road, however the rewards of the effort are incalculable.

Regulation 18 took place in high summer 2023. Apart from a report to the Planning and Climate Change Committee of selected salient comments from the community, were in the most part merely noted. There appear very few changes to the Local Plan policies before us today to those that went out to consultation at Regulation 18. *It was reported to Councillors that the Regulation 18 consultation produced no 'red flags' or 'showstoppers'. We cannot see any evidence that any community views were taken on board.*

Regrettably it appears and has been widely reported that this Local Plan has been accelerated from its previous timetable to try and beat the expected rise in number of new homes the Council will need to plan for within the Local Plan period.

This was a political decision and the LPA has acknowledged there are 'heightened risks' in submitting this Local Plan for examination now. However they are considered to be 'risks well worth taking'. We understand that the Council proposes a review of the Plan, if passed, in 5 years' time. However, given our history on this process we think it not unreasonable to have doubts on the Council's ability to stick to this timetable.

Our reason for submitting a representation at Regulation 19

Justified: There is insufficient evidence of participation or influence by the local community on matters of design post Consultation 18.

We cannot see material evidence that the participation of the community post Regulation 18 has been included and reflected in the Local Plan on design, which will be submitted for Examination immediately after the closure of the Regulation 19 Consultation.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Look!_St_Albans_Email_[R].pdf

Chapter 6 - City, Town and Village Centres and Retail

Comment Number: 1

Type:

* Paragraph

Number:

6.2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

In our submission at Regulation 18 Look! St Albanshttps://lookstalbans.org/ we took issue with the now 6.20 Chapter 6 City, Town and Village Centres and Retail “There have been successful recent buildings that had responded positively to the local heritage whilst providing modern architectural approaches and valued new facilities. There will continue to be change and growth most particularly in St Peters Street and its vicinity.” The Council has failed to back up this statement in our view.

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1. Look!_St_Albans_Email.pdf

Chapter 12 - High Quality Design

Comment Number: 2

Type:

* Policy

Number:

SP12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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The Officers of Look! St Albans have wrestled with the question should we make a representation or not at this stage, given St Albans is in desperate need of an up-to-date Local Plan. The last being dated 1994. As that Local Plan ran its course St Albans District has undergone unprecedented development pressure and continues today to be subject of speculative development, including substantial changes of use to meet the demand for new homes. There are many within the wider community who naturally feel concerns at such rapid change and feel they have little control or say in these changes which have manifested into trenchant positions, by some, against any development. Local groups such as CLASH, STRIFE and RAGE have come together to oppose new development which we agree makes life even harder for our LPA.

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This was a political decision and the LPA has acknowledged there are 'heightened risks' in submitting this Local Plan for examination now. However they are considered to be 'risks well worth taking'. We understand that the Council proposes a review of the Plan, if passed, in 5 years' time. However, given our history on this process we think it not unreasonable to have doubts on the Council's ability to stick to this timetable.

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We cannot see material evidence that the participation of the community post Regulation 18 has been included and reflected in the Local Plan on design, which will be submitted for Examination immediately after the closure of the Regulation 19 Consultation.

Who are we

Look! St Albans developed, with community support, from the City Centre Steering Group, formed from a wide range of community and business groups and individuals in 2012. This was set up, with the support and agreement of The Council and the Planning Department, *to enable the wider community in St Albans to work with The Prince's Foundation*. This followed the previous year's Coalition Government's 'Localism Act'. It was funded through a grant provided by the Department for Communities and Local Government. It was part of the *'Communities and Neighbourhoods in Planning'*programme and was supported with additional funds and 'in kind' contributions by a great number of local organisations, individuals and institutions, including St Albans City & District Council.

The brief endorsed by St Albans District Council was for The Foundation to initiate the development of design codes for the key areas of change within St Albans city centre through the facilitation of a three day community planning event. The Foundation set out to identify a range of architectural

and urban design characteristics that the community, landowners, officers and elected members agree represents an acceptable direction for contemporary design within the historic context of St Albans.

The workshop reporthttps://lookstalbans.org/what-have-look-st-albans-done/ gave three options to use the substantial work co-created with the community in St Albans.

At the meeting in January 2013 the Look! St Albans Steering Group members (including St Albans Local Planning Officer) considered a 3rd option, which did not preclude either route 1 or 2 as set out in the report. This 3rd option would be to extend an invitation to all prospective developers of areas within the city centre and their architects to work with the community to test and progress the design codes/guidance. In the spirit of neighbourhood planning this ensures the community is proactively and positively engaged in the design stage and not reactive to already shaped planning applications. Importantly this would not delay redevelopment, but ensure new buildings and spaces were, in part, designed with people who know St Albans well.

This was particularly pertinent in the light of the unfortunate delay in adopting the Strategic Local Plan and the mounting development pressures. (Note: The Council failed to endorse at a Full Council meeting at the end of 2012 to take forward the draft Strategic Local Plan prepared to The Inspection stage.)

The Look! ethos is to be proactive, collaborative, open, diverse, explorative and community rooted. In the future the group would like to become an important first port of call for developers wishing to invest in the city centre. Although members of the Representatives Group have their own views, these have not, and will not, override the views of the wider community. Every voice must and should be heard.

Since 2012 we have hosted two design charrettes using the draft design codes. Oak Tree Gardens in collaboration with The Council as owners' to produce with the community a concept plan. This development is now built and lived in, and has won acclaim locally, regionally and nationally. This has proven that people can and will support development within the city of St Albans. It is regrettable that our Masterplan charrette for the City Centre Opportunity Site which won RTPI acclaim never came to fruition, mainly due to political issues.

The Representatives Group of Look! St Albans always has a place for an LPA Officer responsible for design and it was hoped this would continue to foster a good relationship between the community and the LPA on design and eventually build on the work we started in 2012. Regrettably since the end of 2018 no Spatial Planning and Design Team Leader has been actively involved within the Representatives Group.

The lack of having a representative of a Spatial Planning and Design Officer seems all the more bewildering following the work of the report of the Building Better Building Beautiful Commission (Jan 2020) in which we participated which demonstrated momentum was gathering around the design agenda in the UK. The Planning for the Future white paper was issued in August 2020. It came to be that, just after the pandemic, the National Model Design Code was published which delighted us and gave us hope that finally design codes would come to St Albans, especially after our groundbreaking work began in 2012. Our workshop report is to be found on the Office of Place design code library https://www.gov.uk/guidance/design-code-library which is a selection of design codes, chosen by the advisory board to the Office for Place, that demonstrate good practice.

All the others in this Library have been embraced by their LPA, except ours!

We asked in part of our regulation 18 response that our workshop report be at least finally placed in St Albans Local Plan evidence base. We have received no communications or feedback from the LPA on this request. We note that it has not been placed in the evidence base.

The growth of developments and changes within the city of St Albans (which is unparished) has been unparalleled within the last 15 years and without a Local Plan with robust policies on design this has been to the detriment of our historic and cultural heritage. This added to the disempowerment and sometimes anger of the local community. Design codes greatly assist in ensuring local opposition is diminished by ensuring local views are incorporated by utilising a familiar pallet of materials and careful massing to ensure a stronger sense of place.

In our submission at Regulation 18 Look! St Albanshttps://lookstalbans.org/ we took issue with the now 6.20 Chapter 6 City, Town and Village Centres and Retail "There have been successful recent buildings that had responded positively to the local heritage whilst providing modern architectural approaches and valued new facilities. There will continue to be change and growth most particularly in St Peters Street and its vicinity." The Council has failed to back up this statement in our view.

In the St Albans Strategic Sites Design Guidance and Design Principles Strategic-scale sites are defined as 100+ homes or 10,000 square meters of commercial floorspace (retail, leisure and industrial), and reflect the Broad Locations and Large Sites identified in the Draft Local Plan. *However,* 'The principles may also be applicable to smaller-scale development.' In the document showing examples of good design only one appears that can be considered local, Park House, Harpenden. Were the LPA unable to find examples of new developments within St Albans as examples of good design to place in the Local Plan? If so, where are the policies to ensure design standards are raised and strengthened by community involvement in the production of Local Design Codes. After all, we have a starter pack already.

However should this Local Plan meet with Inspectors requirements, we ask that a recommendation is made to the LPA to build bridges with the community, not just local architects, to help wider acceptance of growth by co-creating design codes through an SPD within a set timeframe. We suggest with the help of external independent facilitators, this methodology has served Look! and the community well. We have worked with and are highly regarded by a number of these professionals. Some of whom have called on us to participate in giving presentations of our work and being on panels when discussing the value of community engagement with other professionals. In short we are taken seriously and we appreciate their faith in us.

An added benefit would be to the Local Development Management team which has been in special measures (for Householder applications) since the middle of the year. Design codes are widely known to speed up decision making if the design codes are clear and well produced. This would surely be welcome to both planners and applicants.

We thank you for taking the time in reading our representation and hopefully it is understood we wish to work constructively with our LPA. We have been recognised by the RTPI as worthy supporters of their 'It Takes Planners and You' campaign https://www.planningyourworld.org.uk/it-takes-planners-and-you/

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1. Look!_St_Albans_Email_[R].pdf

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309 - Kelly Brown

Submission Number: 309 Submission Date: 07/11/24 09:00

Respondent: Kelly Brown

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Number:

SP1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

I have a number of objections to the proposed local plan which I would like logged please.

- It doesn't appear like there has been any systematic process regrading the identification of green belt locations, they have just been selected at random.
- The regulation 18 consultation was snuck through during the summer last year where multiple residents, myself included, were on holiday, so had little opportunity to object.
- I've been informed that the council intend to go to Examination of the regulation 19 plan in 3 weeks time. How on earth are you intending to do a properly examination of the comments and objections to the plan in this time frame? As a resident of St Albans, it feels like this is another attempt to undermine residents and 'sneak the plan through' as quickly as possible. This is simply unacceptable.

Relating to site L2 - Watling Street

- Flaws around the Arup Green Belt review process - these have not been addressed, yet the proposals have been brought forward again in the Regulation 19 process.
- The Watling street site has received strong objection from many people, indeed the planning application was rejected in January(by the council). It is completely nonsensical that it is included in the regulation 19 process.

Thank you for taking these objections into account, and I look forward to you listening to the residents of St Albans as opposed to forcing this plan through.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Brown_K_[R].pdf

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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- It doesn't appear like there has been any systematic process regrading the identification of green belt locations, they have just been selected at random.
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1. Brown_K_[R].pdf

310 - David and Sue Smith

Submission Number: 310 Submission Date: 07/11/24 09:00

Respondent: David and Sue Smith

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please include these comments with our other comments made on 22nd of September 2023.

We strongly oppose the inclusion of the above site for development in the SAC&DC Draft Local Plan 2024.

We believe there is a compelling case for this site to be removed from the plan due to the following:

1. You have concluded in your key development requirements that Amwell Lane cannot serve as the access route to the development as the nature of the size of the lane and its technical barriers. Therefore you have no access into the site.
2. You also state that there is a pipeline running across the site. This is not any old pipeline it is a High Pressure steel Gas Pipeline with a diameter of 1.2 meters . This is owned by Cadent Gas Limited and they have placed it well away from all housing developments because of the dangerous nature of it. Cadent Gas have a Deed of Easement around it to safeguard it. Cadent state that periodically it has to be checked by a plane to inspect that it has no leaks. Their website also states that if it is damaged it will cost in excess of 15 million pounds.
3. You also state that there is an opportunity to connect footpaths 081 and 027 via a walking route across the site. I fail to understand why this would be a major requirement to giving consent to allow this development, as there is no reason why the land owner cannot give you permission to do so now. So therefore is not a valid reason to allow the development.
4. If access to the site is tried elsewhere then there are more problems to consider. (like crossing an ancient footpath and if there was the removal of a locked gateway this would remove any barrier that the public football pitches have[redacted]. This gate was installed by Wheathampstead Parish Council to safeguard the area[redacted]
5. Therefore we conclude that there is no access to the site & should be removed from the plan. We request that SAC& DC give our objections adequate consideration to remove this site from the Draft Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Therefore we conclude that there is no access to the site & should be removed from the plan. We request that SAC& DC give our objections adequate consideration to remove this site from the Draft Plan.

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1. Smith_D&S_[R].pdf

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311 - BP Oil UK Ltd

Submission Number: 311 Submission Date: 07/11/24 09:00

Respondent: BP Oil UK Ltd

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The draft allocation of primary interest to bp is H3, which includes the currently agricultural land located between Punchbowl Lane to the north, the M1 to the east, the A414 to the south and Green Lane (and the boundary of the site) to its west. This is because the allocation is immediately adjacent to the subject site. It is noted H3 proposes around 6,000 new jobs (point 21).

Whilst the majority of the development in allocations to H1-H4 inclusive is anticipated by the draft plan to be delivered by 2041, the draft Local Plan horizon, it identifies that some delivery is likely to
take place post-2041.

Impacts on bp's operations
It should be noted that bp does not object to the principle of major housing and employment designations. However, the effect of the allocations, if built out, will result in significantly greater levels of residents, works and visitors in closer proximity to the subject site.

This is the case both in the construction phase as the development and associated infrastructure works are built out, and once the allocated developments are operational. The health, safety and security of bp's workforce and the communities in which they operate is of critical importance to the business.

The draft Local Plan allocations H1-H4 inclusive may:
• increase the number of people in close proximity to a COMAH regulated site, particularly with development proposed for agricultural land to the east of the site
• limit bp's ability for any potential future expansion in relation to the site such as new fuel storage tanks and equipment
• potentially compromise the long-term viability of bp's operations from its Hemel Terminal site

bp do not object to the principles of the allocations relating to the HGC, however, we seek to highlight to SADC issues that need to be carefully considered as the draft plan progresses.

bp request that the importance of its Hemel Terminal is recognised and that draft site allocations H1-H4 are amended as required to ensure the continued safe and viable operation of its facility, both now and in the future.

We welcome a collaborative approach on the drafting of the policy wording with SADC officers/Members in order to achieve this objective.

We assume the views of the Health and Safety Executive (HSE) and the Environment Agency have been sought on the allocations - in particular given the subject site is regulated under the Control of Major Accident Hazards (COMAH) Regulations 2015 - and will be fully considered as the draft Local Plan moves forward. We also urge you to consider the views of the downstream oil team (energy security) at the Department for Energy Security and Net Zero.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241107_SADC Reg 19 Rep Cover Letter_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To expand upon our objection if the policy is not revised as proposed.

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Impacts on bp's operations
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1. 241107_SADC Reg 19 Rep Cover Letter_[R].pdf

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* Yes, I wish to participate in hearing session(s)

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To expand upon our objection if the policy is not revised as proposed.

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To expand upon our objection if the policy is not revised as proposed.

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The draft allocation of primary interest to bp is H3, which includes the currently agricultural land located between Punchbowl Lane to the north, the M1 to the east, the A414 to the south and Green Lane (and the boundary of the site) to its west. This is because the allocation is immediately adjacent to the subject site. It is noted H3 proposes around 6,000 new jobs (point 21).

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Impacts on bp's operations
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To expand upon our objection if the policy is not revised as proposed.

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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To expand upon our objection if the policy is not revised as proposed.

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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To expand upon our objection if the policy is not revised as proposed.

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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* Yes, I wish to participate in hearing session(s)

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To expand upon our objection if the policy is not revised as proposed.

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312 - Lucy Searle

Submission Number: 312 Submission Date: 07/11/24 09:00

Respondent: Lucy Searle

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I would like it noted that I object to the planning application to build houses on the Watling Street site L2.

I understood that this was rejected by the Planning Committee in January, so why has it been included in the Regulation 19 process?

As a local [redacted] resident, I am deeply concerned about the impact to the local traffic, especially at the already over congested Park Street roundabout. [redacted] who cycles himself to [redacted] school, and I worry about his safety and the pollution he encounters from so many vehicles as they queue for the roundabout. This traffic is so heavy already, and with the Rail Freight, this is set to worsen. It would be awful to have yet more traffic and pollution at this already busy junction.

I concerns me also [redacted] village will no longer be set apart from St Albans proper. We already have issues with strained GP, Dentists and schools. We should be protecting our environment, wildlife and the character of our village. This development seems to damage so much for the local residents and wildlife. It seems to me this plan, should it go forward, would only benefit already wealthy property developers.

I hope to hear that building work on this site will not be granted.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Searle_L_[R].pdf

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313 - Noriece Shelley

Submission Number: 313 Submission Date: 07/11/24 09:00

Respondent: Noriece Shelley

Part B - Local Plan Sites

Comment Number: 1

Type:

* Site

Number:

All

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

In the past year, I have followed the webcasts of PP&CC meetings and feel that there has been little consideration of issues pertaining to individual sites. Site-specific considerations are essential in encompassing a range of critical factors, such as the environmental impact unique to each location, the adequacy of existing infrastructure, traffic and accessibility concerns, as well as the potential strain on local services like schools and healthcare facilities. Additionally, the distinct character and heritage of each site, which contribute to community identity and cohesion, are at risk of being overlooked in the drive to meet strategic objectives.

Without proper consideration of these factors, plans risk failing to reflect the needs and challenges of the communities they are meant to serve. Lack of individualised scrutiny can lead to developments that do not align with local priorities and which cause potential long-term adverse effects, such as congestion, overburdened public resources, and environmental degradation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Shelley_N_[R].pdf

314 - Mrs Susan Taylor

Submission Number: 314 Submission Date: 07/11/24 09:00

Respondent: Mrs Susan Taylor

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I'm deeply concerned about the amount of greenbelt around Park Street going to development. We know the monstrous SRFI will have a significant impact on traffic levels on the A414, A405 and local roads in the area.

I'm staggered that you have allowed the greenbelt opposite the BP garage on Watling Street, adjacent to Park Street roundabout, to go to housing when the queues onto the roundabout from Park Street can stretch beyond Park Street bridge in the rush hours and school run time. Not only is it dangerous as locals will have to contend with thousands of extra HGV's and vehicles from the SRFI descending onto the roundabout on the A414, there'll be more vehicles entering and exiting the site opposite the BP garage that could have terrible consequences for vehicles entering and exiting Park Street.

I also see land is now up for auction alongside the A405 approaching Tippendell Lane roundabout, which is again, dangerous for vehicles entering and exiting the site. The queues on Tippendell Lane can already stretch back to Penn Road.

The whole area is lacking in road infrastructure to support this huge increase in traffic movements.

With possible housing developments in Chiswell Green and London Colney our roads will become gridlocked with all the burden on local roads.

Why is so much greenbelt going to inappropriately located developments?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Taylor_S_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Why is so much greenbelt going to inappropriately located developments?

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1. Taylor_S_[R].pdf

Chapter 5 - Economy and Employment

Comment Number: 6

Type:

* Table

Number:

5.1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Why is so much greenbelt going to inappropriately located developments?

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1. Taylor_S_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I'm deeply concerned about the amount of greenbelt around Park Street going to development. We know the monstrous SRFI will have a significant impact on traffic levels on the A414, A405 and local roads in the area.

I'm staggered that you have allowed the greenbelt opposite the BP garage on Watling Street, adjacent to Park Street roundabout, to go to housing when the queues onto the roundabout from Park Street can stretch beyond Park Street bridge in the rush hours and school run time. Not only is it dangerous as locals will have to contend with thousands of extra HGV's and vehicles from the SRFI descending onto the roundabout on the A414, there'll be more vehicles entering and exiting the site opposite the BP garage that could have terrible consequences for vehicles entering and exiting Park Street.

I also see land is now up for auction alongside the A405 approaching Tippendell Lane roundabout, which is again, dangerous for vehicles entering and exiting the site. The queues on Tippendell Lane can already stretch back to Penn Road.

The whole area is lacking in road infrastructure to support this huge increase in traffic movements.

With possible housing developments in Chiswell Green and London Colney our roads will become gridlocked with all the burden on local roads.

Why is so much greenbelt going to inappropriately located developments?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Taylor_S_[R].pdf

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I'm deeply concerned about the amount of greenbelt around Park Street going to development. We know the monstrous SRFI will have a significant impact on traffic levels on the A414, A405 and local roads in the area.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Taylor_S_[R].pdf

M10 - Tippendell Lane and Orchard Drive, How Wood, AL2 2QF

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I'm deeply concerned about the amount of greenbelt around Park Street going to development. We know the monstrous SRFI will have a significant impact on traffic levels on the A414, A405 and local roads in the area.

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Why is so much greenbelt going to inappropriately located developments?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Taylor_S_[R].pdf

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315 - Bloor Homes and Department of Health & Social Care

Submission Number: 315 Submission Date: 07/11/24 09:00

Respondent: Pegasus Group Sarah Hamilton-Foyn

On Behalf Of Bloor Homes and Department of Health & Social Care :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Paragraph

Number:

1.9 and 1.16

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Duty to Cooperate Paragraph 1.9

There is at this stage no documentation in terms of the evidence base of any discussions that have taken place with neighbouring authorities or statutory consultees, although we understand that discussions have taken place with Dacorum in respect of the HGC.

The Duty to Co-operate is a legal requirement on submission of the Plan. The lack of any evidence was an issue at the Reg 18 of the Local Plan in September 2023 upon which we submitted representations.

Paragraph 24 of the NPPF (December 2023) states that local authorities and councils are under a duty to cooperate with each other and with other prescribed bodies on strategic matters that cross administrative boundaries. Furthermore, this duty to be effective requires on-going joint working between strategic policy making authorities and relevant bodies, this is considered to be integral to the production of a positively prepared and justified strategy.

Paragraph 26 states:

"In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere."

Paragraph 27 states:

"In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency."(my emphasis)

The Statements of Common Ground and evidence of the Duty to Cooperate should be produced by the time the Draft Plan is published so that it can provide stakeholders and the community with a transparent picture of how they have collaborated. The PPG Plan Making states:

"Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working, and not deferred them to subsequent plan updates..."Paragraph: 022 Reference ID: 61-022-20190315 Revision date: 15 03 2019

The only available document at the Reg 19 consultation stage is a Statement of Common Ground (S of CG) which is based on a template produced by the Planning Advisory Service. This S of CG acknowledges that more evidence is required and states:

"***More detailed matters specific to SADC and individual Duty to Co-operate partner organisations will be covered by individual Statements of Common Ground between SADC and the relevant organisation****."*

Once again, the Council is failing to demonstrate that it is fulfilling the Duty to Cooperate, this one of the key issues the Inspector's identified previously in their letter of 14th April 2020.

It is noted in the document "*New SADC Local Plan – Responding to Issues Raised by Inspectors in 2020 – Evidence Paper" that reference is made to "during Reg 19 DtC Councillor meetings are proposed for October 2024*". However, this is taking place during the current Reg 19 consultation, so the outcome is unknown, but the document simply states, *"will update further at submission stage".* Consequently, there is no transparency in the preparation of the Plan in respect of the legal Duty to Cooperate being fulfilled.

Without any evidence as to the discussions between the authorities as to their position with regard to housing supply against identified needs it is not possible to say whether or not the Council has met the Duty to Cooperate. Before the Plan is submitted in December 2024 the evidence will need to have been prepared so that it can be submitted with the Plan for examination.

The PPG Plan Making sets out at paragraph 011 Reference ID: 61-011-20190315 what is expected to be included in the Statement of Common Ground: in particular, "*a record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and"*

Most recently this has been raised as in issue in Inspectors preliminary questions to Bristol City Council (18th July 2024) the Council has not submitted a specific 'Duty to Cooperate' statement as advocated by paragraph 1.15 of the Local Plan Procedure Guide. The Inspectors state:

"***PQ1. It would be helpful if the Council could provide, or point us to, specific***

evidence relating to when and how the Council engaged constructively, actively and on an on-going basis with other local authorities on strategic matters, including but not limited to the matter of unmet housing need? In responding, the Council should clearly set out the timing and chronology of engagement, the main mechanisms used and what matters are

outstanding, if any, and what the latest position is on these. PQ2. Could the Council also provide, or point us to, evidence relating to how the requirements of the Duty have been met with respect to prescribed bodies other than local authorities? Any response should also include details of the strategic matters the Council needed to address, what was done to discharge the Duty, what was agreed and what matters, if any, are outstanding*."*

This was also raised again in the Inspectors Supplementary Questions in October 2024. The Inspectors have specifically requested that in order to:

"***assist in our consideration of this issue, we would benefit from a specific Duty to Cooperate Topic Paper or Statement, which provides a more detailed and structured account of how the Council has engaged constructively, actively and on an on-going basis to maximise the effectiveness of the Plan. We would again draw your attention to paragraph 1.15 of the Local Plan Procedure Guide for advice on what such a statement should include."***

At present the SADC have not provided the appropriate evidence. There is a concern that this will be retrofitted in order to make the submission in advance of the publication of the new NPPF and in order to take advantage of the proposed transition arrangements.

It is acknowledged that there is an urgent need to progress a new Local Plan, given the Council's history of being unable to prepare and adopt a Plan since 1994. In this context the Council received from the Secretary of State for Housing Communities and Local Government in December 2023 a letter directing the Council to revise its LDS within 12 weeks of the publication of the revised NPPF.

The Council revised the LDS with a date of March 2025 for submission of the Local Plan for examination.

It is evident that since the publication of the NPPF for consultation in July 2024 which proposed a number of significant changes and the proposed changes to the Standard Method (SM) which increases the housing requirement from 885 dwellings per annum to 1,544 dwellings per annum i.e. a 75% increase, that the Council have decided to bring forward the consultation and submission of the local plan in order to take advantage of the transition arrangements. The transition arrangements as currently proposed enable a Council to submit its Local Plan for examination within one month of the date of the publication of the NPPF. (The NPPF is expected to be published before the end of 2024).

The proposed revisions will make significant changes to the current NPPF and there is a strong possibility that many of St Albans District Council (SADC) neighbours, will be required to prepare plans that are consistent with the changes being proposed to the NPPF, should they be adopted.

The report to Full Council on 16th October outlines the implications of the proposed changes to the SM:

"***Of all the authorities in Hertfordshire SADC is the most affected by the housing***

numbers

change:

- ***St Albans +75%***
- ***Hertsmere +31%***
- ***Dacorum +29%***
- ***Broxbourne +16%***
- ***Three Rivers +15%***
- ***East Herts +13%***
- ***North Herts +9%***
- ***Stevenage +6%***

- ***Watford -6%***
- ***Welwyn Hatfield -8%"***

As stated in paragraph 3.18 of the report to Full Council, "This would mean an extra 11,220 homes in the District to 2041, all in the Green Belt."

It is noted that the Council have already pre-approved the Local Plan for submission to the Secretary of State at its meeting of Full Council on 16th October 2024, which at this stage was only three weeks into the consultation on the Reg 19 Plan and three weeks prior to the end of the consultation period on the 8th November. This is somewhat unusual for a Council to give approval of a local plan for submission prior to the end of the consultation period and with no consideration of the comments that have been put forward by all members of the Council and without consideration of the representations from statutory consultees, organisations and the local community submitted during the Reg 19 consultation.

While the paper to Full Council states that should a "show stopper" emerge from the consultation then the decision will return to full Council, the approach taken by the Council would suggest that the Council will submit regardless of the comments made by representors and as such they have predetermined the outcome of the Reg 19 consultation. As set out in the representations submitted by the HBF the approach taken by the Council runs a high risk of legal challenge.

The risks of accelerated submission of the Local Plan are set out in the report to Full Council on 16th October at paragraph 3.3.1:

- Less time to undertake work to support the submission of the plan and examination, which raises the risk of having to withdraw the Plan at examination
- Realistically be fewer agreed and signed Statements of Common Ground (at the time of the Reg 19 consultation there are none)
- Realistically there will be fewer and fewer and less extensive Topic Papers to assist the Inspectors.
- there will realistically be less time to prepare extensive responses to Objections or concerns raised at Regulation 19 stage to assist the Inspectors.

It should also be noted that since the publication of the proposed changes to the NPPF in July 2024, that the Minister State wrote to the Planning Inspectorate regarding the process of examining local plans and the role of the planning inspectors and highlighting that "*an authority should not be submitting ·tor examination a deficient plan believing the Inspector will use significant time and resource during the examination to 'fix' it*."

It is clear that if the Local Plan is submitted under the proposed transitional arrangements the Council cannot just disregard all of the proposed changes. For example, the Council will need to consider and take into account the impact of any changes from the NPPF on

plan making in neighbouring areas as part of its Duty to Cooperate. As set out above this work must be done prior to submission for the Council to show that they have fulfilled their Duty to Cooperate.

While the proposed amendments to the NPPF can only be given limited weight with regard to the Local Plan at this point in time, it is important to note that Inspectors are already asking local plans at examination for comment on the proposed changes and the Written Ministerial Statement 'Building the Homes We Need' (30th July 2024 Deputy Prime Minster and Secretary of State for Housing, Communities and Local Government)

- ***"For plans at examination, allowing them to continue, although where there is a significant gap between the plan and the new local housing need figure, we will expect authorities to begin a plan immediately in the new system;***

- ***for plans at an advanced stage of preparation (Regulation 19), allowing them to continue to examination unless there is a significant gap between the plan and the new local housing need figure, in which case we propose to ask authorities to rework their plans to take account of the higher figure; and***
- ***areas at an earlier stage of plan development should prepare plans against the revised version of the National Planning Policy Framework and progress as quickly as possible.*"**

If the Local Plan is submitted under the proposed transition arrangement it will be necessary for SADC to consider the need for an immediate review.

Paragraph 227 in the draft NPPF which states:

"***Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.*"**

However, immediate reviews of recently adopted Local Plans are rarely undertaken. It is therefore considered that if this situation transpires then there is a need for a review policy which is effective and includes clearly set out dates as to when a new plan should be submitted and particularly sets out the consequences should that plan not come forward in the agreed timescale.

In these circumstances we support the HBF submission that a policy should be included in the Local Plan that specifically addresses the need for an immediate review. The adopted Bedford Local Plan 2030 includes such a policy, (in this case it was included when the NPPF was amended in 2018 requiring the use of the SM to assess housing need).

Sustainability Appraisal

Reference is made to paragraph 1.16 of the Local Plan Reg 19 which refers to the Sustainability Appraisal and Habitats Regulation Assessment.

The SA (September 2024) considers the LHN and whether a higher or lower figure should be included in the Plan.

The SA paragraph 2.2.13 states that:

"***Essentially, there is a need to positively strike a balance between development needs and constraints to development. Also, as part of this process of striking a balance, <u>there is a need to consider the implications of any unmet housing need that might be generated</u> (by setting the housing requirement at a figure below defined need) and any unmet need not provided for (noting that two or three neighbouring local authorities in South West Hertfordshire are proposing to generate significant unmet need). In order to strike a balance there is a need to explore reasonable alternatives, and that is the focus of Part* 1"**

The SA finds at paragraph 5.2.8 that:

"***When affordable housing provision is overlaid... it is clear that there is a very substantial need for affordable housing... land] there would be clear adverse consequences on affordable delivery from reducing overall housing need below the standard method levels... We do not therefore find that the evidence points towards... deviation from the standard method as a means of assessing housing need.***"

The SA paragraph 5.2.10 considers SADC is heavily constrained by NPPF policies that protect areas of particular importance and that this provides a "strong reason" for restricting the overall scale, type and distribution of development. The Green Belt is seen as a key constraint.

The SA acknowledges that there is a strong argument for ruling out very low growth, given the extent of housing need locally and in respect of the need for affordable housing.

Unmet need is considered to be an issue, paragraph 5.2.15 of the SA (September 2024). "***The fact that St Albans sits within a constrained sub-region where unmet housing need is already an issue,... Neighbouring local authorities have objected to past versions of the St Albans Local Plan (pre-2023; i.e. versions that failed and were not progressed) due to concerns around generation of unmet housing need. Furthermore, the situation in respect of unmet need within the sub-region has worsened since 2023***."

The SA considers whether it is reasonable to set the housing requirement above the LHN, having considered the SM, affordable housing need and wider arguments about unmet need from neighbouring areas, the SA concludes at paragraph 5.2.25:

*"**there is a high level case for exploring growth scenarios involving setting the housing requirement above LHN, particularly given latest understanding of unmet housing need within the subregion. A high level case was similarly acknowledged in 2023, but then higher growth scenarios were ultimately judged to be unreasonable in light of wider factors Section 5.5 of the ISA Report). At the current time there is an opportunity to revisit wider factors (see below) and, in turn, the conclusion (Section 5.5)."***(my emphasis)

Box 5.1 provides a discussion of unmet housing need.

Reference is made to the SW Herts Joint Strategic Plan, which is being prepared, however it is fair to say that progress on this plan has stalled and it was only ever intended to meet longer term development needs post the current round of local plan preparation. The SA correctly acknowledges that there is a risk of the SW Herts JSP facing unforeseen issues, given that the JSP is being prepared voluntarily (and noting recent examples of JSPs elsewhere failing), so this cannot be relied upon as a vehicle to address unmet needs and longer term needs.

Unmet need risk typically emanates outwards from London, and the current situation for the St Albans Local Plan is no exception. There is a risk of unmet need arising from the south of the district, from Three Rivers District. The information in the SA needs to be updated and the risks are unknown since the preparation of the Reg 19 Local Plan has been delayed (this was agreed at the Council meeting on 17th October).

Previously*"**in 2023 the Council published a consultation document proposing that central to the Local Plan should be a strategy described as "Low Housing Growth and Green Belt Restraint". The consultation document identifies supply totalling -4,850 homes, which is -6,600 homes short of LHN (which is understood from the standard method). However, it could transpire that there is a need to set the housing requirement below 4,850, such that there is a supply buffer, hence unmet need could easily be -7,000 homes."***

At a recent meeting of the Three Rivers Council on 17th October 2024, the Council agreed to delay the publication of the Reg 19 Local Plan. They noted that there was a significant gap over a 200 dwellings per annum between the LPA's revised LHN figure and its proposed housing requirement. Similar to SADC's previous LDS, the Council's LDS set out that the emerging Local Plan would be submitted for examination by the end of March. Councillors at Three Rivers agreed instead of continuing with the Reg 19 consultation:

"As part of an ongoing effort to protect the local green belt whilst building an appropriate number of homes, Three Rivers District councillors have agreed to delay

publishing its final Local Plan in order to gather more evidence to protect the area's green belt."

"We have agreed to pause the current plan in order to get more evidence to back up our claims of the harmful effect of releasing large acres of green belt. The new government planning regulations say we must now provide clear evidence that allowing the release of

a lot of our green belt for development will fundamentally undermine its function in Three Rivers. We need to get expert evidence to support our case. We want to prevent merging communities and protect areas but need thus extra work is needed to show that. We also now have to do further work updating our sustainability appraisal, open space study and other background work. This also gives us the opportunity to again look at and call for more brownfield sites to be released for development and reassess housing needs*."*

Whilst the SA assumed an unmet need of about 7,000 dwellings from Three Rivers Council against the current Standard Method of 640 dwellings per annum, the delay to the Local Plan will mean that the Council will need to prepare the Local Plan in line with the new NPPF and new Standard Method, the new SM proposes a higher figure of 739 dwellings per annum for Three Rivers DC. The issue of the extent of unmet need, from Three Rivers therefore remains uncertain.

Whilst there appears to be no unmet need arising from the recently adopted Watford Local Plan, the SA reports that the recent AMR Nov 2024 reports that delivery is challenging and only 12% of homes delivered in the last year were affordable.

Hertsmere Borough Council published a Reg 18 consultation April 2024, with a supply of approximately 9,400 homes, which is a shortfall of about 2,200 homes. This could well increase since the Local Plan as proposed relies on a new settlement which would deliver late in the plan period increasing the amount of unmet need.

There is the unmet need of the London Boroughs, which the SA acknowledges may have worsened since the London Plan was adopted.

Dacorum Council have recently agreed the Reg 19 Local Plan for consultation commencing on 4th November until 17th December and are making provision to meet the housing needs in full based on the current Standard Method of 1,016 dwellings per annum.

Welwyn Hatfield Borough Local Plan, although recently adopted includes a supply of 13,400 homes which is below the LHN (not calculated using the SM which generates a significantly higher figure) and the plan runs only to 2036.

As the evidence in respect the Duty to Cooperate is at this stage is absent, it is not clear how the issue of unmet need is to be addressed. The SA correctly states that waiting for the outcome of the South West Herts JSP is not a realistic option, particularly as this Plan has been delayed and elsewhere JSPs have failed to come forward.

An objection is made to the conclusion in the SA (paragraph 5.2.28 that the strategic arguments for the housing requirement being above and below the LHN assessment ultimately cancel each other out and lead to a strategic argument for settling the housing requirement at precisely the LHN).

There are sound arguments for supporting a higher level of growth as set out in both the Interim SA paragraph 5.2.16 and the SA in September 2024 and also as the most recent SA states at paragraph 5.2.28 that:

*"**With regards to higher growth, the conclusion here is that whilst such scenarios were ultimately ruled out as unreasonable in 2023, there is now increased strategic argument, particularly given unmet need, but also noting the Government's direction of travel at the time of writing (August 2024)."**(my emphasis)*

Also at paragraph 5.2.32 *"It is also prudent to remain open to higher growth scenarios in light of the volume of calls for this from the development industry."*

Despite these issues being raised in the SA and that housing affordability is a major issue locally (paragraph 2.3.7 of the SA), there is no evidence of the Duty to Cooperate or the quantum of unmet need.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Paragraph 1.9

If no evidence is provided that the Duty to Cooperate has been undertaken in accordance with the NPPF and policy guidance, then non-compliance with the Duty to Cooperate is incapable of modification at examination.

In accordance with the Procedural Guide for Local Plan Examinations (August 2024) para 1.15

"In order to demonstrate compliance with the duty to co-operate (section 33A of the PCPA), the most helpful approach is for the LPA to submit a statement of compliance with the duty. The statement of compliance should identify any relevant strategic matters and how they have been resolved – or if they have not, why not. It should detail who the LPA has co-operated with and on which strategic matter(s), the nature and timing of the co-operation (e.g. by including meeting notes), and the outcomes of the co-operation, including how it has influenced the plan. As part of this process, NPPF paragraph 27 advises that the LPA should prepare one or more statements of common ground with relevant bodies."

If however, the plan proceeds then a policy needs to be included that that specifically addresses the need for an immediate review and we recommend the inclusion of a Policy similar to the Bedford Local Plan above.

Paragraph 1.16

Our main concern relates to the Duty to Cooperate and that there is no evidence to support the Reg 19 consultation that demonstrates how the Council has worked on an ongoing basis with neighbouring authorities to address housing needs across the sub region and reflect this in the SA.

The Council must provide evidence as to when SADC has engaged with its neighbours with regard to housing needs during the period covered by this local plan and, if necessary, how any unmet needs could be addressed. Without this evidence the Plan is therefore not effective, neither is it consistent with national policy and as such does not satisfy the test of soundness.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form para 1_9 Duty to Cooperate FINAL 5_11_2024_[R].pdf
2. Representation_Form para 1_16 SA unmet needs FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation of the Local Plan.

The issues we have raised are fundamental to the consideration of the strategy in the Local Plan.

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP1: A Spatial Strategy for St Albans

Policy SP1 is in part supported although the housing provision provides the minimum housing need, it does not address the unmet needs of neighbouring authorities and given the application of a stepped housing trajectory it does not seek to significantly boost housing supply.

The NPPF clearly articulates the Governments objective that Local Plans should provide a framework to significantly boost housing supply, using the figure provided by the LHN Standard Method as a minimum.

There are some key factors which should be noted in St Albans DC:

- In 2021, the majority of households own their home either outright or with a mortgage. However, between 2011 and 2023, there has been a decline in the proportion of households that own their own home outright or with a mortgage and an increase in the proportion of households that are renting.

- Between 2013 and 2023, the median affordability ratio in St Albans increased from 13.92 to 17.61. The affordability ratio in the LPA is currently above the ratio in the East of England (9.76) and England and Wales (8.14).
- change in dwelling stock between 2011 and 2021 across all SW Herts local

authorities. In St Albans, the dwelling stock increased from 57,891 to 62,022, a rise of 6.7%. This increase was below the increase seen in the whole SW Herts Housing Market Area (HMA) which saw dwelling stock increase by 7.3%, the East of England where there was an increase of 8.3% and England where dwelling stock increased by 7.8%

- Between 2001/02 and 2022/23, the average net additional dwellings per annum in St Albans was 367 dpa. This was below the standard method housing need figure set for St Albans (885). The number of net additional dwellings delivered in St Albans over more recent years has remained well below this target.

- In terms of population, between 2013 and 2023, the population of St Albans increased at a slower rate than regional and national comparators with the majority of this increase accounted for by an increase in people aged 65 and over. This trend of an ageing population in projected to continue between 2024 and 2041, with the number of people aged 65 and over projected to increase by 39.1% in this time.
- As of 2022, there were around 65,000 jobs in St Albans. This is a decrease of 16.7% since 2015.
- As of August 2024, the claimant count rate in St Albans was 2.6% which was below the rate in the East of England (3.4%) and England (4.3%).

Paragraph 61 of the NPPF states that "

"***To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below). There may be exceptional circumstances, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*"**(my emphasis)

The National Planning Practice Guidance (PPG) provides guidance upon the interpretation of the NPPF. It currently sets a four-stage process to identifying the LHN for an area.

The current minimum local housing need for St Albans based on 2023 affordability ratios is 885 dwellings per annum (dpa), this equates to 14,603 dwellings over the plan period (1st October 2024 to 31st March 2041). In accordance with the NPPF, the 885dpa target should be met, as a minimum, in St Albans, unless exceptional circumstances dictate otherwise. The figure of 14,603 dwellings is as a result of the cap being applied.

Under the current NPPF and PPG the cap is not intended to be a permanent fixture of the LHN calculation as it is not considered a true reflection of the need within an area. The National Planning Practice Guidance identifies that:

"The cap reduces the minimum number generated by the standard method but does not reduce housing need itself. Therefore, strategic policies adopted with a cap applied may require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible.

Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered. This may help prevent authorities from having to undertake an early review of the relevant policies."(ID 2a-007-20190220, our emphasis).

Removal of the cap significantly increases the housing need. In the case of SADC, the uncapped figure is 1,169 dwellings per annum (Table 5.2 South West Herts LHNA March 2024). This is 284dpa greater than the capped figure and in accordance with the PPG represents the true need as calculated via the standard method.

Whilst it is noted that in the proposed reforms to the NPPF and other changes to the planning system (July 2024) the proposed changes to the SM remove the cap. "***the new standard method does not have a cap applied to limit the level of increase for individual authorities. Under the current method, numbers are capped at 40% above either the previous local plan figure or the projection-derived baseline. To significantly boost the supply of homes and address the past undersupply as quickly as possible, a significant change of approach is needed.***

An artificial cap of the levels of housing need does not align with these ambitions. In no longer applying a cap, the resultant housing need is the level of need that authorities should be planning to release land for, according to their specific circumstances." (paragraph 17 of the Proposed reforms to the National Planning Policy Framework and other changes to the planning system – July 2024).

Under the proposed Standard Method, the housing need for St Albans DC increase to 1,544 dwellings per annum.

However, it is noted that the intention of the Council it progress the SADC LP based upon the current NPPF (December 2023) and the current SM, therefore the reference to the PPG above is relevant in terms of the uncapped figure. The Council assume that they will fulfil paragraph 226 c for the purposes of transition i.e. "*the local plan is or has been submitted for examination under Reg 22 on or before the publication date of the NPPF plus one month*."

If the Council pursues the current plan to adoption, it will in accordance with the currently proposed transition arrangements (paragraph 227) with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure and will therefore be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.

In this context we would suggest that the plan needs to include a policy for the review of the plan with trigger mechanisms to ensure that an early review does take place. The adopted Bedford Local Plan 2030 includes such a Policy - Policy 1.

Paragraph 67 of the NPPF provides examples of circumstances where a housing

requirement figure may be greater than the identified LHN. This includes, but is not limited to:

- provision for neighbouring areas,
- reflects growth ambitions linked to economic development, or
- infrastructure investment.

These examples are replicated and expanded upon within the PPG (ID: 2a-010-20201216). Other situations identified within the PPG include previous levels of housing delivery in an area, or previous assessments of need (such as a recently produced SHMA). The PPG also notes (ID: 2a-024-20190220) that:

"...***An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."***

Both the NPPF and PPG identify that the local housing need calculated via the standard method is a minimum requirement. Housing requirements set below the minimum requirement will require exceptional circumstances to be demonstrated. The PPG (ID: 2a010-20201216 and 67-008-20190722) also identifies a non-exhaustive list of instances where the minimum requirement should be exceeded. These include:

- Growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g., Housing Deals).
- Strategic infrastructure improvements that are likely to drive an increase in the homes needed locally.
- An authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground.
- Past levels of delivery or previous assessments of need; or
- To assist in meeting the need for affordable housing

The PPG (2a-024) identifies that where an increase in the overall figure could help to meet affordable housing needs, consideration will need to be given to increasing the housing requirement.

Both the NPPF and PPG are, therefore, clear that the LHN calculated via the standard method is the advisory minimum housing requirement for an area.

Therefore, the LHN calculated using the standard method represents the minimum advisory starting point for identifying the housing requirement for St Albans providing this does not conflict with other policies within the NPPF.

The Standard Method identifies a minimum annual housing need figure, it does not produce a housing requirement. As stated in the NPPF (December 2023) paragraph 11,

"b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas[6], unless:

1. ***the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area[7]; or***
2. ***any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."***

Sustainability Appraisal and LHNA

The SA reviews the housing need and refers to the LHNA which found that the actual household growth had been lower than projected by the 2014 household projections. This is not surprising given that there has been an absence of an adopted Local Plan in the district since 1994. Paragraph 6.39 of the LHNA states that there is a correlation between lower relative delivery and the progress of development plans.

In terms of housing growth over the last few years St Albans has delivered an average of just 458 homes per year between 2018/19 and 2022/23. This is just 51.6% of the capped need identified by the standard method and less than 43.0% of the uncapped need. Over the longer timeframe of 2001-02 to 2022/23, this falls to an average of 367 homes per annum. This is woefully below the minimum local housing need requirement of 885 dwellings per annum.

This is evidenced by the results from the 2022 Housing Delivery Test for SACD28 (published in December 2023) indicated a HDT measurement of 55%. This result was calculated for the period 2019/20 to 2021/22, with 1,273 net homes delivered against the HDT housing requirement of 2,307 dwellings. Consequently, the Council are required to produce an Action Plan to address the underperformance and to identify measures that the Council will undertake to increase/maintain delivery of new housing in the district. An Action Plan was produced in 2022. However, since then the Minister of State for Housing on 6th March 2024 designated St Albans and City District Council under the powers conferred by section 62A of the Town and Country Planning Act 1990 because of its poor performance in determining planning applications.

The LHNA concludes that there has been below average growth in SW Herts and over the period 2011-2021 **housing affordability has deteriorated which has contributed to a decline in home ownership from 66% to 69%.**

The LHNA (March 2024) found that affordable housing need in SADC is the highest in the SW Herts area (Table 1.2) LHNA at 802 dwellings per annum. The PPG states that

"An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes." Paragraph: 024 Reference ID: 2a-024-20190220***.***

It is noted that the South West Herts Local Housing Needs Assessment (LHNA, March 2024) identifies a need for 449 affordable homes to rent per annum plus a need for 353 per annum affordable home ownership. The combined figure is very high in comparison to LHN, particularly given that market-housing led schemes typically deliver affordable housing at a rate of up to ~40%.

Analysis of affordable housing delivery in St Albans identifies that this level of delivery has not been achieved since 1994/95. Indeed, the highest recorded level of affordable housing delivery was 243 dwellings in 2004/05 and an average since 1994/95 of just 72 affordable dwellings per annum. Whilst this has increased to an average of 84 affordable dwellings per annum over the last 5 monitoring years, it remains nowhere near short of the identified need for affordable dwellings.

Delivery of affordable housing has not met the target (AMR 2023 Table 6 Target: 200 affordable dwellings per annum / 35% of gross dwellings completed as affordable, 68 gross affordable dwellings completed / 15% of gross dwellings completed as affordable). This is less than in the AMR 2022.

In terms of economic growth, the 2024 SW Herts LHNA recommends that: *"**Having regard to the balance between jobs and homes, the analysis does not therefore identify specific considerations which have an immediate bearing on conclusions on the overall need for homes in SW Herts.**"*However, if left unchecked without additional migration it is anticipated by the population projections that there will be a significant ageing of the population in St Albans. This will reduce the labour supply within the area and could have a destabilising impact upon economic growth. To ensure economic growth will, therefore, require an increase in the resident working age population.

The delivery of housing over the recent and distant past has been significantly below the capped requirement set by the LHN standard method (885dpa). This lack of delivery averaging just 458dpa over the last 5-years and 367 since 2001/02 has created significant pressures within the housing market leading to St Albans having some of the worst median and lower-quartile workplace-based affordability ratios of anywhere in the country.

The affordability issues are exacerbated by the high level of affordable housing need within the area, representing circa 50% of the overall LHN. Once again delivery of affordable housing has fallen woefully short of the identified need.

Furthermore, there is a clear ageing of the population within St Albans which if left unchecked will have impacts upon the size of the working age-population and potential for economic growth.

In 2015 St Albans accounted for 23.7% of total employment in the South West Hertfordshire area (which includes Dacorum, Hertsmere, St Albans, Three Rivers and Watford). By 2023 this had declined to 17.8%. The BRES data highlights the need for St Albans to improve its labour market performance (as identified in the SW Herts Economic Study) and to create new jobs, which in turn will help to attract more working age people to the area and help to address the issue of an ageing population. If more people are attracted to St Albans, it follows that more homes will need to be built to accommodate them.

Job numbers in St Albans declined over the period 2015-23, which starkly contrasts with the growth experienced at a regional and national level. Taking the data analysis into account and along with the visions of Hertfordshire Futures and additional supporting documents to make Hertfordshire one of the UK's leading economics, more jobs need to be created in St Albans, as identified in the SW Herts Economic Study. This can help attract more working age people to the area and address the issue of an ageing population. If more people are attracted to St Albans, more homes will need to be built to accommodate them.

These indicators provide a clear rationale for St Albans to plan beyond the capped LHN requirement of 885dpa. This would not be contrary to policy, as set out within the PPG. It must also be recognised that this capped requirement does not reduce housing need itself. The PPG is clear that where the cap is applied an early review may be required to ensure housing need is being met.

Appendix 1: Economic Overview and Housing Need provides a socio-economic review of the St Albans economy and reviews the evidence bas that has been used to inform the Local Plan Reg 19 and its housing target.

Plan period – it is noted that this is 16.5 years i.e. from 1st Oct 2024 to 31st March 2041, (the information required for the HDT will need to be adjusted), however, this assumes that the plan is submitted before the end of December 2024 and moves swiftly into examination in 2025. As alluded to in representations on paragraph 1.9 Duty to Cooperate if there is insufficient evidence submitted with the Plan to the Secretary of State this will lead the Inspectors to question the Plan and request the evidence, therefore protracting the period of examination. Even on the Council's anticipated timescale for adoption at March 2026 this provides the absolute minimum of 15 years post adoption.

The NPPF is clear at paragraph 22 that "***strategic policies should look ahead over a minimum 15 year period from adoption to anticipate and respond to long term requirements and opportunities***." It is considered the Plan Period should be extended and kept under review in order to ensure that there is a minimum 15-year period post adoption of the Plan. It is considered that the extended Plan period will alone necessitate the identification of additional sites for housing and to recognise the unmet need in neighbouring authorities as discussed in our representations to the SA.

In summary, to meet the housing needs of the local population and ensure housing is affordable to more households within St Albans, more homes need to be delivered above the annual housing target of 885 dpa. An increase above the capped method would not only be consistent with national policy and guidance but would also assist in remedying the acute issues of affordability, affordable housing need, ageing population and economic growth with St Albans. The delivery of 885 dpa over the 16.5-year plan period would deliver a total of 14,603 dwellings. The uncapped figure of 1,169dpa over the 16.5 years would deliver a total of 19,289 dwellings. However, the direction of travel in terms of the proposed new standard method would require the delivery of 1,544 dpa and would deliver 25,476 dwellings over the plan period, which is an additional 10,873 dwellings over what is currently proposed. Based on the average household size in St Albans from the 2021 Census of 2.5, this would increase the population by an additional 27,086 people. A proportion of this number would likely be people of working age which will help towards ensuring sustainable population growth in St Albans.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The District Council Plan 2024-2029 sets out five key priorities, which includes delivery more social housing and supporting the local economy. Policy SP1 includes a housing requirement of at least 14,603 dwellings based on the current Standard Method for St Albans DC i.e. a minimum of 885 dwellings per annum and over the plan period of 16.5 years.

As proposed the Plan provides a minimum housing need but this has not been informed by agreements with neighbouring authorities, so it is not clear what the level of unmet need is and whether it is possible for St Albans to accommodate some of the unmet needs, as a consequence the Plan is neither effective or consistent with national policy and therefore it is considered to be unsound.

Furthermore, given the true scale of need identified is 1,169 dwellings per annum (with the cap removed) and the proposed new standard method calculation increasing the minimum housing need to 1,544 dwellings per annum, and provision of significant new employment space; it is considered that it is incumbent upon the Council to consider if a further increase above the capped requirement to address local or sub-regional issues, including issues such as affordability and the ageing nature of the population and meeting some of the unmet need from neighbouring authorities. **It is therefore not unreasonable that the housing target in St Albans should be more in line with the proposed standard method figure of 1,544 dpa.**

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Economics Overview and Housing Need_[R].pdf
2. Representation_Form Policy SP1 Spatial Strategy FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation and soundness of the Local Plan.

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 6

Type:

* Table

Number:

3.1 and 3.2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Table 3.1 Broad Locations

An objection is made to Broad Location B8 Harper Lane, Radlett, which is proposed for 274 dwellings as part of a mixed-use development.

Broad Location B8 Harper Lane, near Radlett

Paragraph 5.4.146 considers the Broad Location B8 North of Radlett – it is noted that the appraisal concludes from a transport perspective that:

"the site does not relate very well to the edge of Radlett, and the nearest primary school would be some way distant, but Radlett Station (with a good service to London St. Pancras) would be ~ 2km distant. There is already a good footpath. footpath along Watling Street into Radlett, and there is an opportunity to enhance this as a cycle route; however, the issue is that access to Watling Street would be at the northern extent of the site (via Harper Lane), which is the part of the site most distant from Radlett."

Paragraph 9.2.3 states

"**At Harper Lane there is a need to closely consider school capacity, as discussed in Section 5, but otherwise the site benefits from reasonable accessibility to Radlett, where there is a very good offer."**

It is not clear why Broad Location B8 has been proposed over and above Land at Harper Green, particularly given all the evidence supplied to the Council in respect of promoting a scheme at Harper Green. It is noted that the SA under the Transport heading on page 47 previously referred to concerns being raised about safety at the adjacent Watling Street/Harper Lane Junction for Broad Location B8.

The SA in acknowledges that the proposed Broad Location B8 Harper Lane, near Radlett, does not relate well to the edge of Radlett and the nearest primary school is some distance away, but then states that Radlett station is under 2km away –"with a good service to London St Pancras". The site would not contribute to the settlement of Radlett and thus build upon the existing community. Unlike land at Harper Green which would provide a new primary school and provide the opportunity to build upon the permitted development of the former Harperbury Hospital site which is under construction.

The Broad Location B8 is a site included in the HELAA and appears to have come forward as a result of the Green Belt review (part of the site is a storage and parking of vehicles, plant and machinery and storage equipment formerly part of a waste transfer station and in the SA referred to as comprising light industrial area/trading estate, whilst the southern part of the site is greenfield), however, we consider that the Green Belt Review is fundamentally flawed for reasons outlined below in respect of land at Harper Green. There is no other evidence to support the proposed allocation and indeed the SA acknowledges the site is associated with a certain number of drawbacks/challenges. These are set out in the Broad Locations Sites – Recommended to Progress:

"Part of the site is within flood zones, 3, 3a, 3a + 35% climate change and 3a + 70% climate change. The Strategic Flood Risk Assessment Level 2 requires this site to pass the exception test.

The site contains an area of Ancient Woodland, which is also designated as a County Wildlife Site and a deciduous woodland Priority Habitat. The site is adjacent to other deciduous woodland Priority Habitats and an archaeological area subject to recording conditions. The site contains a listed building and is within the 100 metres buffer of another.

The site contains two areas of contaminated land and an Existing Safeguarded Site. Some of site lies within the buffer zone of a Rail Aggregates Depot."

It appears to have been considered as it is within the Green Belt buffer of Radlett (400m buffer) and adjoins the settlement which provides a wide range of economic and social benefits. However, the SA concludes that the proposed Broad Location B8 Harper Lane, near Radlett, does not relate well to the edge of Radlett and the nearest primary school is some distance away (paragraph 5.4.147 of the SA September 2024),

The inclusion of Broad Location B8 (HELAA ref STS-51-23 below) is unsound.

Harper Green HELAA reference is STS-34-18 and STS-33-18. The SA has not considered a smaller option at Harper Green which has been promoted to the Council, a reduced option showing concept plan for approximately 200 dwellings has recently been prepared which builds on the already completed scheme on the former Harperbury Hospital site.

The SA at paragraph 5.4.150 dismisses the location of Harper Green adjacent to the former Harperbury Hospital as poorly connected in transport terms, yet this location is approximately 4mins by cycle and 17 minutes walking distance from the proposed location B8 North of Radlett. There is already a bus service from Harper Green that connects to Radlett railway station and also to Colney Fields Retail Park and a solution to the Harper Lane/Watling Street has been proposed.

Bloor Homes has provided a thorough evidence-led promotion of the Harper Green site. In transport terms, this has included formal document submissions as part of their Local Plan Promotion Transport Strategies to St Albans and Hertsmere in October 2018 and February 2020 respectively. These have demonstrated the credentials of the site considered for a range of prospective housing levels with supporting infrastructure.

Attached at **Appendix 7 to our Reg 18 reps provided** an update of the report we submitted to Hertsmere Council in response to the Reg 18 consultation in November 2021, importantly this report addresses concerns raised by Hertfordshire County Council following a meeting they had with Hertsmere Borough Council and St Albans City and District Council.

Harper Green –alternative site to Broad Location B8

The St Albans SA has only considered a new settlement as an option adjacent to the former Harperbury Hospital despite previous submissions for a smaller scheme located within St Albans.

We have previously submitted a proposal for development at Land at Harper Green comprises approximately 470 dwellings and would provide a 2 FE primary school. The primary school not only benefits the new residents in terms of being able to walk to school, but also the existing residents (children would be able to walk to school instead of being transported to London

Colney) The proposal provides an opportunity to build and consolidate on existing and committed development. We have since revised the proposal to a smaller scheme of 200 dwellings. Development at Harper Green would further support the new public transport service to the area implemented in September 2020 as part of the planning permission for the first scheme for 206 dwellings. This service carries 11 years of guaranteed subsidy through to towards the end of 2030 and hence plenty of time to grow within the context of further development. The service will also enable those travelling to and from the adjacent Healthcare site to use public transport. (The vehicle size has been chosen to allow for steadily growing patronage.)

There is an existing direct walking route via a Public Right of Way and quiet neighbourhood streets from the site to Radlett town centre and the rail station. As part of the proposals, the existing footpath along Harper Lane have taken place, providing a dedicated footpath / cycle path to Radlett. The new proposals would build on that and deliver improvements to Watling Street.

On foot this journey takes about 20 minutes, and to cycle about 10 minutes.

There may be other sites within the locality which would also benefit from and support the facilities and services provided at Harper Green. The proposed development will be set within large areas of green infrastructure, for informal and formal recreation and will provide benefits for the wider community, with enhanced facilities and services.

Conceptually the approach adopted to assess the propensity to travel by active travel and passenger transport modes as presented by WSP is valuable but in the context of a workplace travel plan where the home and workplace trips ends are fixed and mode choice is the only variable. In the consideration of a development plan, however, the home and workplace trip ends are not fixed and indeed their spatial distributions are being directly assessed. In this respect the evidence basis is incomplete in three important respects.

1. The methodology promotes locations where car trips could be made by active or passenger travel modes but are not, over locations where car trips are already lower than average. Several communities, such as Radlett and adjacent villages, already show very high rail passenger travel mode shares (2011 Census) largely by virtue of being served by trains on the Thameslink route which provides direct access across London including to the City. Such communities should perform better than is reported particularly over other communities either without access to a nearby station or on other railway lines which run only to a terminus station in London. Demonstrable opportunities to support sustainable travel are therefore not being identified.
2. The methodology does not consider differences in infrastructure provision including the existing quality of active travel routes and the nature and extent of public transport services. In practice the provision of infrastructure is uneven but in locations such as Harper Green there has already been investment in dedicated active travel routes including along Harper Lane that can support further development within the community. With respect to passenger transport, the methodology is weakened by being based on existing service levels, as is acknowledged in the reporting, but again in respect to rail services does not differentiate the geography of the network. This is compounded by a generalised cost proxy of travel time which does not consider end constraints such as the ability/cost to park.
3. The methodology is overly focused on the peak hours periods as reported in the COMET model and therefore will not be balanced in terms of journey purposes. Journey-to-work trips are likely to be dominant but in practice only represent 20% of trips overall. By not addressing the 80% of trips, the benefits of allowing communities to growth in a proportionate manner will not be identified.

In summary from a highways/infrastructure perspective the site is characterised by:

- Comprehensive on-site permeable footway/cycleway routes;
- Continuous footway and cycle route facilities between site and Radlett;
- Provision off site for a separate bridge on Harper Lane over the railway line;
- Proposed Harper Lane footway widening to link with B5378 bus stops;
- On-site bus service linking Radlett, including rail station throughout the day and Colney Fields Retail Park off-peak (including weekends);
- Link to frequent rail services to London and other commuting destinations;
- Reasonable walking distance to frequent further bus services linking site to St Albans, Hatfield and Watford;
- On-site primary school facility; and
- Linkage to off-site rural PROW network

Land at Harper Green will provide a wide range of high-quality housing, including affordable housing.

The development will provide benefits for the wider community, with enhanced facilities and services, parkland and green infrastructure opportunities.

The location is well located with ready access to services and best able to support economic objectives.

There are local school, sports clubs and residential development along Harper Lane.

There are existing employment opportunities at the adjacent Kingsley Green Hospital, at the Hertfordshire Business Centre, London Colney. The National Autistic Society - Radlett Lodge School is located nearby. There is also a Veterinary Practice, Houndswood Care Home, Stage School Business, and further along Harper Lane is Radlett Golf Centre and Ivory's Trading Estate leading to Watling Street and the Radlett and Colney Industrial Estates.

The site is located within the Green Belt – but the extensive landownership provides the opportunity to create a new definitive permanent boundary for the Green Belt and preserves the gap between existing settlements.

With either proposal because of the land ownership there is an opportunity to design into the proposals a permanent "stop" in the form of a well-defined green edge to protect the setting of Shenley and Radlett and prevent any potential for future coalescence.

Such an approach meets the requirements of the PPG Green Belt (December 2023) as the impact of removing land from the Green Belt will be offset by compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land, for example given the extensive land ownership provides an opportunity for new and enhanced infrastructure, new or enhanced walking and cycling routes, and improved access to new and enhanced or existing recreational and playing field provision e.g. the relocation of the Bowls club and the relocation of the football pitches.

This approach is also consistent with the NPPF in particular paragraph 74c where the emphasis is on the quality of place making and creating well designed and beautiful homes to meet different needs of the community and providing a genuine choice of transport modes. Paragraph 96b refers to the need to create attractive, clear and legible pedestrian and cycle routes. The proposed development at Harper Green is also consistent with NPPF (paragraph 102) as the scheme will deliver wider benefits for nature and address climate change, given the large areas of public open space and green infrastructure. This is also consistent with paragraph 180, with retained areas of woodland and new areas created including new community parkland, including areas of tree planting.

Bloor Homes controls wider land holdings in both St Albans and Hertsmere. The land controlled by the company amounts to some 83 hectares and is adjacent to land in public sector ownership. Bloor Homes have indicated in their response to the Hertsmere consultation that the nature of their arrangements with the former owners (Department of Health and Social Care) means that the proceeds would be reinvested in the National Health Service, as supported in previous Government statements.

Table 3.2 Housing Trajectory

Table 3.2 sets out a housing trajectory over the plan period commencing in year 1 post adoption i.e., 2026/27, however, there is no detailed breakdown year by year of anticipated delivery for the proposed allocations.

Paragraph 75 of the NPPF (December 2023) states that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period. The specific sites that make up the trajectory are not identified as required by paragraph 75 of the NPPF. The five-year tranches identified in the trajectory do not provide sufficient detail to enable fair and open consideration of the delivery anticipated from each site as a total figure for each category of development e.g., the

individual Broad Locations are not included for each year. Sites will come forward at different rates, depending on local circumstances etc and deliverability, such information is important to understanding the trajectory.

As the Council has provided the supply in broad categories of site, they must have the information readily available. This information is necessary for all parties to understand and consider the assumptions that have been made for each site in respect to the rate of delivery and to consider whether this is justified.

Inspectors at Local Plan examinations have requested such information, most recently (18th July 2024) the Inspectors for the Bristol Local Plan examination have requested:

"...to assist in our preparation and subsequent discussions at hearings, we ask that the Council provide us with a detailed spreadsheet setting out how many dwellings each committed and allocated site is expected to deliver in each year of the plan period,.. This should look back to the start of the plan period and include data on completions. The spreadsheet should also include evidence to justify the delivery information it contains. Appendix 1 to this letter sets out the minimum information we expect to see in this schedule."

The latest housing delivery test for St Albans (published December 2023) shows that the Council has failed to deliver the housing requirement, in fact the situation has deteriorated from the previous year where 69% was delivered in the years 2018-2021 to 55% being delivered in the years 2019-2022. Consequently, there is a presumption in favour of sustainable development.

The PPG *Housing Supply and Delivery* (February 2024) states that:

"In plan-making, strategic policies should identify a 5-year housing land supply from the intended date of adoption of the plan."

Paragraph: 004 Reference ID: 68-004-20190722. The evidence needs to be tested at examination to ensure that there is a 5-year housing land supply when the Plan is adopted.

Paragraph 76 of the NPPF states:

"***Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met[40]:***

1. ***their adopted plan is less than five years old; and***
2. ***that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded."***

The PPG provides advice on how the 5 year housing land supply can be identified as part of the examination of plan policies:

"In accordance with paragraph 69(a) of the National Planning Policy Framework, planning policies should identify a supply of specific, deliverable sites for five years following the intended date of adoption.

A 5 year supply of specific, deliverable sites at the time of the conclusion of its examination is one of the criteria under paragraph 76 of the National Planning Policy Framework which a plan must meet in order for a local authority to not be required to demonstrate a 5 year housing land supply for the purposes of decision-making.

When identifying a supply of sites through this process, local planning authorities will need to apply a 20% buffer where the Housing Delivery Test indicates that delivery has fallen below 85% of the requirement."

Paragraph: 059 Reference ID: 68-058-20240205

Consequently, in order to demonstrate 5 years' worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions which requires detailed information to be included in the trajectory.

Table 3.2 indicates a stepped trajectory, assuming that on adoption of the Plan an annual requirement of 485 dwellings per annum for the first five years (this is considerable less than in the Reg 18 version of the Local Plan which envisaged 710 dwellings per annum and considerable less than the current Standard Method 885 dwellings per annum). The trajectory increases to 1,255 dwellings per annum in years 2031/32 to 2035/36, then reduces to 1,025 dwellings per annum for the last five years of the Plan.

However, an average of 395 net dwellings per year have been completed in the District between 1994/95 and 2022/23 (AMR March 2023). The average delivery over the past 5 years (between 2018/19 and 2022/23) has been 458 net dwellings per year.

Currently from the last AMR 2022/23 a total of 401 net dwellings were completed in 2022/23. This is a shortfall on the stepped trajectory in the early years of the Plan, in fact it is not until 2029/30 that the total supply including the 20% buffer in years 1 – 5 is exceeded (when 822 dwellings are anticipated).

The PPG Housing Supply provides guidance on a stepped trajectory and when it is appropriate.

"Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.

Where there is evidence to support a prioritisation of sites, local authorities may wish to identify priority sites which can be delivered earlier in the plan period, such as those on brownfield land and where there is supporting infrastructure in place e.g. transport hubs. These sites will provide additional flexibility and more certainty that authorities will be able to demonstrate a sufficient supply of deliverable sites against the housing requirement."

Paragraph: 021 Reference ID: 68-021-20190722
Revision date: 22 July 2019

Given the Council's record of housing completions in the last 20 years averaging only 395 dwellings per annum it is not clear how the Council envisage that the delivery will increase, even to the supressed figure of 485 dwellings per annum in the stepped trajectory. The highest number of completions according to the Council's AMR in 2018/19 was 624 dwellings (Table 2) which although is above the stepped trajectory in the first five years of the plan period, it is significantly below the dwellings anticipated in years 6-10.

There are lead in times to housing delivery and whilst these vary according to the size of the site, the national research documented in Lichfields (Start to Finish Second Edition March 2024) provides robust evidence on typical lead-in times and build-rate, based on approximately 179 sites of over 500 dwellings.

Average time from obtaining outline permission on sites of 500+ homes is 3.4 years.

"***On the average time taken from gaining outline permission to the completion of the first dwelling on site. This indicates that it takes on average around 3 - 4.6 years from the grant of outline planning permission to deliver the first dwelling*.**"

"The average time from validation of an outline application to the delivery of the first dwelling for large sites of 500 dwellings or more ranges from 4.9 to 6.7 years depending on site size, i.e. beyond an immediate five-year period for land supply calculations.

When combining the planning approval period and planning to delivery period only sites comprising 99 dwellings or less will – on average – deliver anything within an immediate five-year period"

One of the key findings from the latest Lichfield report is that "*only site below 100 dwellings on average begin to deliver within a five year period from validation of an outline application with delivery of the first dwelling on average taking 3.8 years."*

Large scale brownfield sites deliver at a slower rate than their greenfield equivalents: the average rate of build out for greenfield sites in the Lichfield research is 34% greater than the equivalent brownfield.

There is a concern that if brownfield sites deliver at a slower rate and there is a stepped trajectory then the housing need will not be met in a timely manner. Furthermore, it is not clear in the trajectory which sites are brownfield. It is noted that the Housing Delivery Test Action Plan 2022 paragraph 4.2.2 acknowledges that "*Redeveloping brownfield sites provides its own challenges, such as clearance/ demolition and remediation costs which can make development less attractive to developers."*

Table 3.2 indicates that the broad locations are not envisaged to deliver until 2031/32 i.e., in years 6-10, and a figure of 240 dwellings is included for that year. None of the Broad Location sites are included in the five-year supply and as they are over 250 dwellings it would be difficult to justify any delivery from this source of supply.

It is not clear if the Broad Locations have reasonable trajectories and are deliverable in the plan period.

Given delivery of housing over the recent and distant past has been significantly below the capped requirement set by the LHN standard method (885dpa) there is a clear need to provide a range and choice of sites to meet needs as the over reliance on strategic sites will result in less needs being met. There is a concern that the use of a stepped trajectory should not seek to unnecessarily delay meeting identified development needs. As set out in paragraph 68-021 of PPG the Council need to provide evidence as to why they consider the use of a stepped trajectory is necessary and that the proposed trajectory does not seek to unnecessarily delay meeting identified development needs.

It is noted in Table 3.2 that over the plan period the Plan expects 14,989 dwellings to be delivered, giving a buffer between needs and supply of just under 400 homes, i.e., 2.6%. This buffer is less than included in the Reg 18 version of the Local Plan. It is considered to be insufficient to take into account the risks that some of the larger allocations will not come forward as expected.

Whilst there is no guidance on what the buffer should be over the whole plan period, a buffer of at least 10% to 15% would be effective (in accordance with paragraph 35 c) of the NPPF December 2023) and provide the necessary certainty that the Plan will meet its objectives over the plan period and also provide some headroom for changes in assumptions about delivery which will undoubtedly occur over the plan period.

It is noted that the SA Appraisal Summary Section 6.15 paragraph 6.15.10 concludes:

"–there is a need to factor-in not only total growth quantum, but also the mix of sites, particularly with a focus on minimising the need for a stepped requirement. Ensuring a good supply of smaller sites is very important from a housing perspective, and there is also a case to be made for the higher growth scenarios that could potentially (subject to

consideration of an appropriate supply buffer) allow for the housing requirement to be set modestly above LHN as a response to levels of affordable housing need locally and/or in order to make modest provision for unmet need from elsewhere."

Paragraph 9.10.1 of the SA

"*..A stepped requirement is not supported from a pure 'housing' perspective, because providing for housing needs is an immediate priority (e.g. given a very high affordability ratio and very high need for affordable housing). However, there is a clear case for a stepped requirement given reliance on HGC and limited realistic small site options, particularly on the basis of the evidence provided by the HELAA, Green Belt Review and the Urban Capacity Study."*In order to avoid a stepped trajectory, it is necessary to allocate more sites below the threshold of 250 dwellings to ensure delivery.

Overall, the buffer is only 2.6%, the boost supply does not occur until years 6 -10 and falls in the latter years of the plan, such that the plan is reliant upon a review to boost supply.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Table 3.1

Broad Location B8 is not justified.

In recognition of the unmet needs and the trajectory for the early years of the plan additional sites should be included which can deliver in the timescale. Land at Harper Green has been promoted to the Council in various options and can deliver a range and choice of housing to meet needs.

Table 3.2

The approach the Council have included in the Plan is not consistent with the NPPF (Dec 2023) and the Government's objective to significantly boost the supply of housing. The housing trajectory provides a stepped trajectory for the first 5 years of only 485 dwellings per annum, when average dwelling completions over the last 20 yrs have been 395 dpa, and over the last 5yrs the average has been 458 dwellings per annum. The figure of 485 dwellings per annum is only 27 dwellings more per annum, this is not boosting the supply of housing in the district as required by the NPPF paragraph 61.

The justification for the stepped trajectory appears to be "*to allow sufficient time for the significant uplift in housing delivery to be realistically achieved."*

In order to deliver more dwellings a greater range and choice of sites should be included in the Plan; this would assist in meeting housing needs including much needed affordable housing. (Between 2013 and 2023 the median affordability ratio in St Albans increased from 13.92 to 17.61. The affordability ratio in the LPA is currently above the ratio in the East of England (9.76) and England and Wales (8.14)).

The housing trajectory provides insufficient information as there is no detailed breakdown year by year of anticipated delivery for the proposed allocations. Therefore, the Plan is not justified and effective and neither is it consistent with national policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Economics Overview and Housing Need_[R].pdf
2. Representation_Form Table 3_2 housing trajectory FINAL 5_11_2024_[R].pdf
3. Representation_Form Table 31_ Broad Locations inc objection to B8 FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation and soundness of the plan.

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP3 – Land and the Green Belt

The first paragraph of the policy simply sets out the minimum housing requirement which is already in Policy SP1. It is unnecessary to repeat the housing requirement that has already been stated in SP1, instead reference should be confined to the supporting text. However, if the Council retain the reference to the housing requirement it should be prefaced by the words **"at least"**in order to be consistent with SP1.

The Policy SP3 should set out the Council's approach to the Green Belt, both in terms of maintaining the Green Belt and the proposed changes to the Green Belt. The Policy should state that in order to meet the housing needs in full, it is necessary to amend the boundaries of the Green Belt. Policy SP3 and LG5 should be combined.

It is noted that since the Reg 18 consultation the Council have set out in the supporting documentation (not in the supporting text to the policy) the exceptional circumstances they consider in order to justify proposing amendments to the Green Belt boundaries for the Broad Locations.

Pegasus consider that exceptional circumstances exist and that changes are required to the Green Belt, the significant shortfall in housing supply that would occur if boundaries were not amended, the backlog in the supply of affordable housing and the associated affordability issues in St Albans all contribute to the need to amend the boundaries of the Green Belt.

Whilst the Council's strategy should be, to make as much use as possible (paragraph 123 of the NPPF) of brownfield land, there are other factors to be considered and the NPPF must be read as whole.

In undertaking a review of the Green Belt, this should be done having regards to the longer term. Paragraph 145 of the NPPF (December 2023) states:

"*Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.*"

Paragraph 148 states that:

"When defining Green Belt boundaries, plans should:

1. ***ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;***
2. ***not include land which it is unnecessary to keep permanently open;***
3. ***where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;***
4. ***make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;***

- ***) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and***

1. ***define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."***

It is considered that the Green Belt Review only has regard to the needs of this plan rather than looking to the longer term (3 of the Broad Locations state that some dwellings will take place in the next plan period, but this only amounts to approximately 1,200 dwellings.

Given the increase in the Standard Method and given the unmet needs in the area, it is considered that the Green Belt Review should have considered other areas where sustainable development could be accommodated in the long term so that the changes in this plan period can endure beyond 2041 in accordance with the NPPF paragraphs 145 and 148. The Council should not rely on the Joint Strategic Plan as this may not be realised as acknowledged in the SA (Box 5.1 page 19) and addressing unmet housing need as close to source as possible, and in a timely fashion, is a key issue for any local plan.

Paragraph 147 of the NPPF states that:

"When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is

well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land."*(my emphasis)*

It should be noted that paragraph 147 states that plans should give first consideration to land which has been previously developed and/or is well served by public transport.

Land at Harper Green includes some previously developed land, as it is part of the former Harperbury Hospital which is currently being developed. Land at Harper Green together with the existing facilities and services locally and with additional facilities commensurate with further development, the site can provide the opportunity to further support public transport and the existing community.

We do not support the changes to the Green Belt in respect of Broad Location B8, the proposal for 274 dwellings as part of mixed-use development at Harper Lane, Radlett (see representations to Broad Location B8). The Council have not set out the site-specific circumstances that support the allocation, the site is not justified, as no evidence has been produced to justify why some sites have been taken forward and others have been rejected. As referred to above there is no clear audit trail to justify Broad Location 8 and no assessment of any reasonable alternatives to this location, have been considered. An objection is made to the site selection process.

Given our objections to Policy SP1, it is considered that this necessitates further releases of land from the Green Belt to address some of the unmet needs in neighbouring areas and provide a more significant buffer between the housing needs and housing supply and to seek to address some of highest affordable housing needs in the country

The assessment we have undertaken at Appendix 1: Economic Overview and Housing Need provides a clear rationale for the St Albans Local Plan Review to go beyond the capped housing requirement (885) identified by the standard method for determining local housing need. An increase above the capped method would not only be consistent with national policy and guidance but would also assist in remedying the acute issues of affordability, affordable housing need, ageing population and economic growth with St Albans. It is therefore not unreasonable that the housing target in St Albans should be more in line with the proposed standard method figure of 1,544 dpa.

Categorisation of Sites

Table 3.1 sets out the Broad Locations, the minimum capacity and the main land uses. There are no specific policies for the individual broad locations to set out the policy requirements for each location. Instead, the Plan refers to Part B Local Plan Sites which contains the site allocations for the Local Plan –

"Planning proposals are required to deliver the requirements set out in the schedules below, as well as conforming to the policies in the rest of the document and national policy."

It is considered that in order for the plan to be found sound then clear policies allocating the sites and setting out the policy requirement should be included in the Plan as set out in the NPPF paragraphs 17- 23.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Changes required to the Policy:

- housing requirement should be prefaced by the words “at least” in order to be consistent with SP1
- The Policy SP3 should set out the Council’s approach to the Green Belt, both in terms of maintaining the Green Belt and the proposed changes to the Green Belt policy should be redrafted and combined with LG5
- Supporting text to the policy should explain the exceptional circumstances for removing land from the Green Belt.
- The Green Belt review should have considered the long term needs (in accordance with paragraphs 145 and 148 of the NPPF)
- It is considered that in order for the plan to be found sound then clear policies allocating the sites and setting out the policy requirement should be included in the Plan.
- Further sites should be removed from the Green Belt given our representations to the plan in respect of Policy SP1 and the Duty to Co-operate.
- An objection is made to the site selection process and the proposed Broad Location B8. The Council have not set out the site-specific circumstances that support the allocation, the site is not justified, as no evidence has been produced to justify why some sites have been taken forward and others have been rejected.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Economics Overview and Housing Need_[R].pdf
2. Representation_Form Policy SP3 Green Belt FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation and soundness of the Local Plan.

LG1 - Broad Locations

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG1 –Broad Locations

Policy LG1 applies to all the broad locations, i.e., sites of 250 dwellings plus, while Policy LG4 sets out the requirements for large, medium and small sites.

The Policy requires a minimum overall net density of 40 dwellings per hectare.

Policy LG1 applies to 8 Broad Locations. It is not clear how Policy LG1 can be effective, it remains to be justified when all the evidence has been prepared to support the proposed allocations.

The PPG Plan Making (October 2021) states:

"Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development. Where a local plan contains both strategic and non-strategic policies, the non-strategic policies should be clearly distinguished from the strategic policies". Paragraph: 002 Reference ID: 61-002-20190315

Revision date: 15 03 2019

It is considered that Part B Local Plan Sites, which are included in a separate document should be absorbed into one document to form the Plan and that individual policies should be included for each of the proposed allocations in order to provide clarity for developers and local communities etc in terms of what is proposed and expected in terms of contributions for each of the proposed sites.

The NPPF is clear on what is expected in local plans in terms of strategic and non-strategic policies - this should be reflected in the Local Plan for St Albans – i.e. the Broad Locations are the allocated strategic sites and there each requires a strategic policy to be included in the Plan.

Since the Reg 18 version of the policy was prepared further clauses have been included in the policy – with references to the need for sites to be informed by an LVIA, Heritage Impact Assessment and Archaeological Desk -Based Assessment as such the policy is duplicating what should already be included in the Council's Validation Check list.

There are references to other Council documents such as the District Strategic Sites Design Guidance, and for proposals to be in general conformity with the Council's latest evidence base. It is not clear how this policy is capable of being implemented and furthermore monitored against the objectives of the Plan.

As outlined in relation to Table 3.1 and Part B Local Plan sites an objection is made to the Broad Location of Harper Lane, Radlett for 274 dwellings (mixed use, green infrastructure and transport infrastructure).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order for the plan to be positively prepared (paragraph 16 of the NPPF and paragraph 35 to be effective and therefore sound), policies need to be clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.

As such Policy LG1 as drafted is misleading, the broad locations are in effect strategic sites and as such the Plan should include a policy for each of the strategic sites in order to provide clarity for developers and local communities etc in terms of what is proposed and expected in terms of contributions for each of the proposed sites.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form Policy LG1 Broad Locations FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation and soundness of the Local Plan.

LG4 - Large, Medium and Small Sites

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG4 – Large Medium and Small Sites

This policy covers all those sites from 9 – 249 dwellings.

Table A1.1 in Part B- Local Plan Sites provides a schedule of the allocations included in the Reg 19 Local Plan, there are no individual site policies, so similar to the points made in respect of Policy LG1 Broad Locations (which are in effect the strategic sites) it is considered that there should be policies included in the plan for the proposed site allocations rather than relying on a schedule in Part B.

In accordance with the NPPF (December 2023) paragraph 28:

"Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies."

Individual policies for each of the proposed allocations should be included in order to provide clarity for developers and local communities etc in terms of what is proposed and expected in terms of contributions for each of the proposed sites.

Criteria a) states that "*large sites should have masterplans agreed with the Council before developing detailed design details*..." It is noted that according to Part B there are only 3 large sites (i.e., 100 – 249 dwellings)., however, it is not clear what the process is for agreeing a masterplan with the Council. This could be a formal or informal process and if the Council were required to approve each masterplan, it is considered that this could lead to a delay in the preparation of planning applications, resulting in an unnecessary slowing down of the delivery and undermining the housing trajectory.

It is considered that the Council should consider a similar approach to North Hertfordshire's adopted Local Plan 2011-2031 (adopted in 2022) and refer to Policy SP9 Design and Sustainability and also Policy SP19 as an exampled for a sites East of Luton.

"*Policy SP9 sets out the strategic design and masterplanning expectations of the Council for the Strategic Housing Sites and other significant development. The policy has to apply to a wide range of developments in terms of quantum, scale and complexity. The policy should be applied in its entirety to the Strategic Housing Sites but for other significant development a tailored and case-by-case approach will be required to identify a proportionate level of masterplan and design detail to secure design quality dependant on site specific issues and the level of detail submitted with any planning application."*

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Criteria a of the policy should be amended to remove the reference to masterplans being agreed with the Council before developing detailed designs. Instead, consideration should be given to a policy similar to the North Hertfordshire adopted Local Plan ref Policy SP9 and also Policy SP19.

Individual policies should be included in the Plan for each of the allocations. NPPF (December 2023) paragraph 16 d) states that "*contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;" As referred to above paragraph 28 of the NPPF is also relevant.*

In order for the plan to be sound it must be positively prepared, justified i.e. an appropriate strategy, effective and consistent with national policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form Policy LG4 Large, Medium & Sm Sites FINAL 5,11,2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation and soundness of the Local Plan.

LG6 - Green Belt Compensatory Improvements

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG6 –Green Belt Compensatory Improvements

Paragraph 147 states that Plans should set out ways in which the impact of removing land from the green belt can be off set through compensatory improvements to the environmental quality and accessibility of the remaining Green Belt. This could include new or enhanced green infrastructure, woodland planting, improvements to biodiversity and new or enhanced walking and cycling routes, improved access to new/enhanced or existing recreational provision.

PPG Green Belts (updated 19th December 2023) provides guidance on compensatory improvements if land is removed from the Green Belt. Policy LG6 replicates the guidance in Paragraph: 002 Reference ID: 64-002-20190722

Throughout the preparation of the Local Plan Pegasus has promoted land at Harper Green (within St Albans), a number of options have been promoted from a new community, the most recent proposal was for approximately 470 dwellings set within extensive green infrastructure (64.06 hectares as illustrated in the Green Infrastructure Plan), adjacent to the Kingfisher Court Hospital and the former Harperbury Hospital. We are now proposing a smaller scheme of approximately 200 dwellings which would assist in meeting the shortfall in housing land supply in the early years of the plan.

The illustrative masterplan for the larger scheme and the concept plan for the smaller scheme has demonstrated delivery of a sustainable and healthy community. Both have been informed by the NHS Healthy Towns Initiative, Watling Chase Community Forest SPG and Greenways Strategy as well as Garden Village principles.

The various schemes each provide for a walkable neighbourhood with access to community facilities and supported by a new bus service.

There will be wider benefits to the existing local community in terms of the parkland and open space and green infrastructure.

The site is located in the Green Belt – but the extensive land ownership provides the opportunity to create a new definitive permanent boundary for the Green Belt and at the same time recognises the need to preserve the gap between existing settlements. The site provides the opportunity to contribute to the existing pattern of small settlements located in the Green Belt, whilst still maintaining the separation between settlements.

Bloor Homes and the Department of Health are committed to building homes and communities of the highest quality and believe they have the track record and experience to demonstrate this.

Through the technical work undertaken it has been demonstrated that the Harper Green proposal presents a highly sustainable option for development that follows the principles of the NHS Healthy Towns Initiative. The site should be considered through the Local Plan now as a 'reasonable alternative' for assisting in addressing housing need in St Albans. Furthermore, the site is available now and is capable of being delivered within the Local Plan period.

We have demonstrated through our evidence submitted to the Council that development at Harper Green adjacent to the former Harperbury Hospital site will enable housing needs to be met in a sustainable location and at the same time a substantial amount of community gain will be achieved. A settlement in this part of the district would contribute to the existing pattern of small settlements located in the Green Belt, whilst still maintaining the separation between settlements.

The landownerships provide the opportunity to create a new, well-defined and permanent green edge to the new community to ensure that the new community is well contained and that the physical separation with Radlett and Shenleybury is protected. There are opportunities to create a natural defensible boundary that could be enhanced through strategic landscaping.

Overall, it is considered that the location compares favourably against alternative growth locations of a scale that will allow Harper Green and the facilities and services it supports to thrive.

Appendix 2: Concept Plan for Harper Green, adjacent to the former Harperbury Hospital.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Policy LG6 is in principle supported. The site that we have been promoting at Harper Green provides an alternative to the Broad Location B8 or given the shortfall in the early part of the plan period an additional site.

Furthermore, it is considered that there is a clear rationale for the St Albans Local Plan Review to go beyond the capped housing requirement (885) identified by the standard method for determining local housing need. An increase above the capped method would not only be consistent with national policy and guidance but would also assist in remedying the acute issues of affordability, affordable housing need, ageing population and economic growth with St Albans. **It is therefore not unreasonable that the housing target in St Albans should be more in line with the proposed standard method figure of 1,544 dpa.**

We have demonstrated in previous submissions to the Council how land at Harper Green would provide suitable compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 2 Concept Materplan 5_11_2024_[R].pdf
2. Representation_Form Policy LG6 GB Compensatory Improvements FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation and soundness of the Local Plan.

Strategic Policy SP4 - Housing

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP4 –Housing

It is inevitable that in areas that have failed to build sufficient homes to meet identified needs will in future have lower levels of housing growth as the ability of households to form in those areas has been restricted.

It is noted (paragraphs 1.24 and 4.8 of the Reg 19 Plan and paragraph 2.3.7 of the SA) that the District's house prices are amongst the highest not only in Hertfordshire, but across the country, consequently the provision of affordable housing is a very significant issue.

Strategic Policy SP4 duplicates issues that are subsequently covered in non- strategic policy, it is not a strategic policy as set out in the NPPF paragraph 20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision. Consequently, the matters in Policy SP4 should be addressed by the non- strategic policies in the Plan. It is, therefore, unclear as to the role and purpose of the policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be deleted as it is covered by policies in Chapter 4 of the Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form Policy SP4 Housing FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation of the Local Plan.

HOU2 - Affordable Housing

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU2 –Affordable Housing.

It is noted that since we submitted representations to the Reg 18 Local Plan and in principle supported this policy, the LHNA has been prepared and also Viability evidence.

The policy states that all development of 10 or more homes, or where the site area is 0.5 hectares or more, it to provide 40% of the homes as on site affordable housing. The preceding paragraph to the policy refers to viability research being undertaken to inform the policy and establish a realistic level at which affordable housing can be delivered.

However, it is noted that the Viability Research under the heading key findings has concluded that there is some variation in the percentages of affordable homes that can be provided, depending on the private sales values, scheme composition and benchmark land value. The Viability Report recommends:

"***that the emerging target of 40% is adopted and applied on a 'maximum reasonable proportion' basis taking site-specific circumstances into account."***

Furthermore, the Viability Report does not take into account the Future Homes Standard which will potentially increase costs – therefore the report should have addressed this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be amended to reflect the conclusions of the Viability report, so that some flexibility is included to take into account site specific circumstances.

The effect of the introduction of the Future Home Standard should also be reflected in the wording of the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form Poliicy HOU2 Affordable Housing FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

he issues raised are fundamental to the preparation and soundness of the Local Plan.

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP5 – Employment and the Local Economy

On of the key priorities of the Council Plan 2024-2029 is to "support our local economy".

The district is reported to be "*an attractive location for businesses*" paragraph 5.1. "*The District is generally wealthy and a highly desirable residential location, reflected in the high average salaries of residents and high house prices."*paragraph 5.2. *"There is a low rate of unemployment in the District, ... A large portion of the well-paid jobs for the District's workforce are dependent on London, with above-average salaries compared to residents who work in the District. This leads to a relatively high level of daily out-commuting to London, largely using the fast Thameslink rail service..." paragraph 5.3*

However, paragraph 5.7 states:

"*Despite these strengths, there was almost no growth in jobs in the District between 2016 and 2021, while employment growth was stronger in the other South West Hertfordshire local authorities during this period."*

Paragraph 5.10 states:

"The Council supports the wider economic and employment aspirations of the Hertfordshire Growth Board and Hertfordshire Economic Board 'Hertfordshire Futures' with regard to South West Herts."

From our analysis reported in **Appendix 1: Economic Overview and Housing Need,** in 2015 St Albans accounted for 23.7% of total employment in the South West Hertfordshire area (which includes Dacorum, Hertsmere, St Albans, Three Rivers and Watford). By 2022 this had declined to 18.4%.

Job numbers in St Albans declined over the period 2015-22, which starkly contrasts with the growth experienced at a regional and national level and in contrast to the aims of the Hertfordshire Futures – Hertfordshire's Inward Investment Plan which aims to shift the county from a reactive, district-by-district investment response to a proactive, coordinated and highly strategic response. The well-established knowledge of Hertfordshire's key sectors and investment opportunities will be utilised to develop closer

ties with within industries and with key stakeholders. Alongside the expansion of

Hertfordshire's business opportunities, existing thriving businesses will be retained.

Key focus areas include expanding on Hertfordshire's strongest sectors, innovation and inward investment. Furthermore, significance will be placed on improving employment opportunities by enhancing employability skills and expanding the number of future jobs. Finally, Smaller businesses (including social enterprises) will be supported across Hertfordshire.

The BRES data highlights the need for St Albans to improve its labour market performance (as identified in the SW Herts Economic Study) and to create new jobs, which in turn will help to attract more working age people to the area and help to address the issue of an ageing population.

Taking the data analysis into account and along with the visions of Hertfordshire Futures and additional supporting documents to make Hertfordshire one of the UK's leading economics, more jobs need to be created in St Albans, as identified in the SW Herts Economic Study. This can help attract more working age people to the area and address the issue of an ageing population. If more people are attracted to St Albans, more homes will need to be built to accommodate them.

Policy SP5 states that the Council will deliver an oversupply of new industrial and business units for St Albans needs, in which case the policy states that this oversupply can assist in meeting some of the employment needs of Dacorum Borough Council and potentially other South West Herts local authorities.

The consequence of this is that unless corresponding housing provision is proposed in the Plan then the surplus employment opportunities could generate more commuting from outside the district which is not sustainable and/or pressure on the housing market. It is considered that the Council should be planning for a higher figure than 885 dwellings per annum and that there is clear justification for exceeding this figure and applying the uncapped figure of 1,169dpa.

Land at Harper Green is well placed to meet housing needs in the south of the authority, as an alternative or in addition to some of the proposed Broad Locations/sites and in close proximity to the Strategic Rail Freight Interchange on the former Radlett aerodrome.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst we do not necessarily seek a modification to this policy – the point is that the surplus of locations providing employment needs could generate more commuting from outside the district and/or pressure on the housing market unless provision of housing is made commensurate with the employment opportunities in the district.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Economics Overview and Housing Need_[R].pdf
2. Representation Form Policy SP5 Employment & the Local Economy FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues we have raised are interrelated with the provision of housing and as such are fundamental to the delivery of a sound plan.

Part B - Local Plan Sites

Comment Number: 3

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Sustainability Process

A Sustainability Appraisal is integral to the preparation and development of the local plan. The SA must inform and influence the Plan at the earliest possible stage and in that process consultation responses must be effective to help shape the options considered.

The PPG provides guidance on the preparation of the SA.

"The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004;

as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;

provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives." Paragraph: 018 Reference ID: 11-018-20140306

The LGA states:

"The sustainability appraisal is integral to the plan making process. It should perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. It should be transparent and open to public participation. The sustainability appraisal should inform the decision making process to facilitate the evaluation of alternatives. It should also help demonstrate that the plan is the most appropriate given the reasonable alternatives."

The Sustainability Appraisal must address the legal requirements of the EU Directive (2001/42/EC) known as the Strategic Environmental Assessment (or SEA) Directive. The Environmental Assessment of Plans and Programmes Regulations 2004 give effect to this Directive and set out specific, legal, requirements for each stage of the sustainability appraisal process. Failure to carry out the sustainability appraisal process properly can expose the plan to legal challenge.

The SA should ensure that potentially environmentally preferable alternatives are not discarded as part of the process of approving plans without proper consideration of the environmental impacts of the various options.

Paragraph 4.1.7 of the SA states that individual site options are not considered to be reasonable alternatives, instead a package of sites to meet needs and wider objectives is assessed.

Consequently, there is no audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites. Whilst it is acknowledged that the SA findings are not the only factors to be taken into account by a local planning authority when selecting options to take forward in a plan; factors such as public opinion, deliverability and conformity with national policy are also to be taken into account by plan-makers when selecting options for their plan.

As the SA is an integral part of plan preparation this assessment should be undertaken, the process needs to be transparent in order for the plan to be justified and found sound as set out in paragraph 35 of the NPPF (2023).

Paragraph 35 states:

"...Plans are sound if they are:

1. ***b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;"***

It is considered that there needs to be an audit trail to support the justification of the sites proposed in the Plan; on the basis of the current evidence the Plan would be unsound.

The PPG Plan Making states that:

"The evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively. Strategic policy-making authorities may wish to consider ensuring that their assessment of and strategies for housing, employment and other uses are integrated, and that they take account of relevant market signals." Paragraph: 038 Reference ID: 61038-20190315

Revision date: 15 03 2019

We have made separate objections to the SA Section 5.3 Site Options.

Levels of Growth

The SA at paragraph 5.2.26 concludes that "***there are strategic arguments for setting the housing requirement at a figure above and below the LHN***"in the absence of higher level plan to distribute growth across the sub-region; but in paragraph 5.2.28 then concludes that "***the arguments in both directions ultimately they cancel each other out***".

The difference in the SA in 2024 is that in paragraph 5.2.31 it is acknowledged that there is more pressure for higher levels of growth:

"***With regards to higher growth, the conclusion here is that whilst such scenarios were ultimately ruled out as unreasonable in 2023, there is now increased strategic argument, particularly given unmet need, but also noting the Government's direction of travel at the time of writing (August 2024)."***

Appendix 1: Economic Overview and Housing Need (attached to our representations) provides a clear rationale for the St Albans Local Plan Review to go beyond the capped housing requirement (885) identified by the standard method for determining local housing need. An increase above the capped method would not only be more consistent with national policy and guidance, (in terms of significantly boosting the supply of housing); but would also assist in remedying the acute issues of affordability, affordable housing need, ageing population and economic growth with St Albans. Furthermore, given the evidence, It is therefore not unreasonable that the housing target in St Albans should be more in line with the proposed standard method figure of 1,544 dpa.

Site Selection

At the time of the Reg 18 Local Plan consultation reference was made to an officer led assessment, paragraph 5.3.12 of the 2023 SA refers to an officer led assessment - a 10 stage site selection methodology was presented to LPAG in June 2022; however, this site assessment did not appear in the evidence base during Reg 18 consultation. Consequently, at that stage it was unclear how the sites had been assessed and how these have influenced the sub – area scenarios included in the Reg 19 Plan. The SA fails to provide an assessment of reasonable alternative sites.

The Local Plan Evidence - Site Selection Methodology Outcomes and Site Allocations states in paragraph 3.14 under the heading: Site Selection Proformas for Green Belt Sites

"3*.14. In some locations there is more than one HELAA site due to multiple submissions over the course of several Call for Sites between 2016 to 2021. In these cases the most recent submission was considered in the site selection process and included within the Proforma."*

However, in relation to land at Harperbury Hospital, Harper Green (HELAA sites ref Annex 15 St Stephen the site is referenced STS- 33 -18 and STS-34-18), this is NOT the case as explained to the Council in our representations to the Reg 18 Plan.

The issue is that the site options have not been considered for the site. **See separate representation form on Section 5.3 Site Options Section 4 Sub -Area Scenarios**

Section 5.4 covers the sub-area scenarios - it is noted that the sub areas take into account the settlement pattern, parish boundaries and the distribution of “realistic site options”. However, there is no map defining the sub-areas, so it is impossible to see how sites relate to the sub-areas, without reference to Appendix VI, where the parishes included in each of the sub-areas are listed.

It is noted (paragraph 5.4.10) that the aim is not to present a formal appraisal of reasonable alternatives and to discuss all site options in the same level of detail.

Most Sustainability Appriasls appraise sites being considered in order to form the options so that there is a transparent assessment of how the sites have been considered and which sites are then “taken forward” into the Plan as proposed allocations.

There are 9 sub-areas (paragraph 5.4.2) one of which is “Edge of Radlett”, and a link is provide to the map of the HELAA sites in the parish of St Stephen. The settlement of Radlett is within Hertsmere BC. Reference is made to Hertsmere Local Plan Reg 18 consultation in April 2024; however, the Plan proposed a shortfall against the current SM. The key issues for Radlett are described as: “*Existing pressures on key services... affordable housing [including because of housing growth coming forward from small schemes]... absence of a secondary school and congestion on Watling Street.”*

The Council should consider with Hertsmere BC (through the Duty to Cooperate to meet the unmet needs) the future needs of the area and not be artificially constrained by administrative boundaries.

The site proposed in the SADC Reg 19 Local Plan as one of the Broad Locations is B8 land at Harper Lane, however this site would not address any of the unmet needs of Hertsmere and does not relate well to the edge of Radlett and does not relate well to the edge of Radlett (paragraph 5.4.145 of the SA Sept 2024)

It is not clear why Broad Location B8 has been proposed over and above Land at Harper Green, particularly given all the evidence supplied to the Council in respect of promoting a scheme at Harper Green adjacent to the already recently completed housing completed on the former Harperbury Hospital site, (see representations to Broad Location B8). “*The northern half of the site (adjacent to Harper Lane) comprises a light industrial area / trading estate (fully operational), and within this the northern part of the estate is a protected rail depot (important for minerals). The southern half of the site (adjacent to Radlett) them comprises greenfield land. An area of parkland / former parkland associated with Grade II listed Harper House is located to the east.”*It is not clear what benefits this site would bring over and above land at Harper Green.

Paragraph 5.4.150 makes reference to our previous earlier submission of a new settlement at Harper Green, however despite the evidence and plans submitted the smaller proposal for about 470 dwellings has not been considered. This proposal would have “built on” to the approved, now built redevelopment of the former Harperbury Hospital site of 206 dwellings adjacent to the Kingsley Green Hospital. A smaller, more contained proposal is submitted to the Council –**see Appendix 2 Concept Plan.**

Section 5 Reasonable Growth Scenarios

It is noted in Section 5.5 that the SA considers 8 growth scenarios (as opposed to 4 that were considered in the Interim SA in 2023):

- Lower growth by removing either East St Albans or small sites (Scenarios 1 and 2)
- The emerging preferred option (PO, Scenario 3)
- Remove small sites and replace with one or both of the St Albans omission sites (Scenarios 4, 5, 6).

- Higher growth by additional allocation of one of the St Albans omission sites (Scenarios 7 and 8).

It is not necessarily clear which sites have been included in the 8 reasonable scenarios – the process is simply not transparent, and it is not clear how these scenarios contribute to meeting the SA topics/ objectives of the Plan.

The 8 reasonable scenarios are then appraised using 13 headings (one for each of the topics/objectives that comprise the SA framework), this does not constitute an appraisal of the sites under each of the scenarios. Under the Transport heading paragraph 6.13.1 it is acknowledged that transport objectives are centrally important to the local plan spatial strategy /site selection and there is a need to minimise the need to travel, support modal shift away from the private car towards public and active transport etc. "*Support for the achievement of transport objectives will have wide-ranging benefits in respect of other key objectives for the Local Plan, including decarbonisation." (my emphasis).*

Sustainability Appraisal - Section 5.3 Site Options

Whilst this heading implies consideration of Site Options, this is not the case. **It is not clear which sites from the HELAA assessment have been carried forward into the SA and which sites form the options in the sub areas**. There is no SA of individual sites so that they can be compared. Instead, the HELAA is the starting point as stated in paragraph 5.3.3 of the SA,

"*The effect is to sift out a small number of sites, leading to an initial shortlist of 354 site options with a total capacity of 58,175 homes). In addition, a further 215 sites are shortlisted on the basis of an Urban Capacity Study, although for many of these sites availability was subsequently established as an issue such that the site did not warrant further consideration. Finally, all shortlisted site options are assessed using under a standard set of criteria across a series of site 'proformas', informed by the Green Belt Review and consultation (2023*)"

The Local Plan Site Selection -Proforma Methodology Paper (September 2024) states that the site selection work is set out in Proformas which have been used to assess each site for suitability (paragraph 1.3). However, these proforma do not assess the sites against the sustainability objectives of the Plan.

Our objections focus on the Site Selection and the also the Green Belt Review.

Site Selection

Paragraph 1.9 of the Site Selection Proforma Methodology Paper acknowledges that:

"*These recommendations for further consideration are important in site selection and are key elements that inform the proformas. The GBR Level 2, however, is not the only consideration for site selection and other criteria for suitability for the selection of sites in the Green Belt are part of the process that is set out in the proformas*."

However, Green Belt sites identified in the HELAA, but outside of the GB buffers were not considered to be suitable due to their less sustainable location and because development on such sites would create holes in the Green Belt, leading to fragmentation.

Paragraph 1.15 of the Site Selection Proforma Methodology Paper states:

"*In some locations there is more than one HELAA site due to multiple submissions over the course of several Call for Sites between 2016 to 2021. In these cases the most recent submission was considered in the site selection process and included within the proforma*."

However, in relation to land at Harperbury Hospital, Harper Green (HELAA sites ref Annex 15 St Stephen the site is referenced STS- 33 -18 and STS-34-18), this is NOT the case as explained to the Council in our representations to the Reg 18 Plan. (Land at Harper Green was submitted to the SHLAA in 2018 and again in 2021.) For Harper Green there have been several submissions, but despite the most recent submissions illustrating a smaller

development of about 400 dwellings the Council appear to have only assessed the original proposal for a garden village.

In response to the Call for Sites in March 2021, the forms were submitted and a site location plan together with an updated Vision document promoting Harper Green was submitted (February 2021) and set out the two options.

There are several references in the HELAA, but essentially the land is within STS-34-18 and STS-33-18. The sites in the HELAA 2021 report Annex 15 St Stephen and were *"considered to be potentially suitable subject to absolute and non-absolute constraints being reasonably mitigated. Evidence base work, including a Green Belt Review, is underway and may change the site suitability in the future.*" The overall conclusion was that:

"The site is considered be potentially suitable, available and achievable subject to further assessment as part of the site selection process." Annex 15 in respect of STS-33-17, STS-33-18, STS-34-18, and STS-34-21.

The site is adjacent to the former Harperbury Hospital site granted (5/15/0990) for 206 dwellings (SHLAA ref 254). The area of land promoted expands upon the site for 206 dwellings and can deliver a smaller development of approximately 470 dwellings supporting existing facilities. Since the Reg 18 Local Plan consultation further technical work has been undertaken to confine the area to a more limited extent of new development

Given further work that has been undertaken we are proposing an option of approximately 200 dwellings in addition to the 206 dwellings that have recently been completed on the former Harperbury Hospital site, which would assist in meeting the housing shortfall in the early part of the plan period. The proposal straddles the St Albans /Hertsmere district boundary however, this artificial boundary should not prevent the delivery of sustainable development, it should be noted that Hertsmere BC are not planning to meet their housing needs at the recent Reg 18 consultation in May 2024.

In our previous representations we submitted that the number of dwellings is not fixed and as such the proposal could accommodate a scheme of between 400 and 1,400 dwellings. The revised scheme proposes approximately 200 dwellings, relocated football pitches, playing fields, relocated bowls club, proposed community building, there is however potential for more development within Hertsmere. **Appendix 2 provides an updated concept plan for land at Harper Green for the revised proposal which is appended to the representations.**

Previously, land at Harper Green has been promoted as a cross-boundary site to both St Albans City and District Council and to Hertsmere Borough Council, although an option has been promoted for approximately 470 dwellings solely located within St Albans District and immediately adjacent to and enclosing the former hospital redevelopment for 206 dwellings (ref 5/2015/0990 granted planning permission by your Council in May 2017). The 2016 SHLAA site is SHLAA ref 254. The wider cross boundary site is SHLAA ref 539 submitted in 2018, and the smaller area ref 540 submitted in 2018. The HELAA references are STS-34-18 and STS-33-18.

Bloor Homes controls wider land holdings in both St Albans and Hertsmere. The land controlled by the company amounts to some 81.30 hectares and is adjacent to land in

public sector ownership. Bloor Homes have previously indicated to both Councils that the nature of their arrangements with the former owners (Department of Health and Social Care) means that the proceeds would be reinvested in the National Health Service. It is considered that the use of public sector land, i.e., its disposal and subsequent development is encouraged and supported by national policy in the NPPF (2023) paragraph 125.

"Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes."*(my emphasis)*

Relating to the point made earlier whilst the proforma have been prepared for the sites considered they are not assessed against the sustainability objectives of the Plan.

Paragraph 1.20 states:

Each site is then assessed in terms of its sustainable development potential which is considered in detail in the next section of this Report and Table 1.

However, **this is not against the sustainability objectives of the plan instead this assessment is made against the following in Table 1:**

- Whether the site is located within the Green Belt Buffer or settlement areas
- Located on PDL
- Located within GB Study weakly performing area
- Located within GB Study less important area
- Located within GB Study recommended for further consideration area

The sites have not been assessed against the SA objectives.

As referred to above we have promoted land at Harper Green for some time, throughout the preparation of the previously withdrawn St Albans Local Plan (we responded to the Call for Sites and submitted representations to the Reg 19 Local Plan and subsequently submitted Hearing Statements and attended the Local Plan Examination in 2020).

In March 2021 in response to the St Albans Call for Sites the submission was supported by a Vision document. The 2021 Vision document outlined the 2 options:

- a new Garden Village of approximately 1,400 dwellings in addition to the 206 dwellings at the Harperbury Hospital site.

1. 400 dwellings sustainable community - this is in addition to the 206 currently being built on the former Harperbury Hospital site and included land within Hertsmere Borough Council which contributes to the extensive amount of Green Infrastructure.

Both of these options above are cross boundary and provide a package of benefits. We indicated that the number of dwellings was not fixed and as such the proposal could

accommodate a scheme of between 400 and 1,400 dwellings and include significant planning advantages.

The Call for Sites submission in March 2021 included a plan showing the red line boundary of the entire site and indicated the location of the district boundary, indicating the respective areas within St Albans and within Hertsmere.

In January 2022 we proposed to your Council a scheme where the residential element (approximately 470 dwellings) is solely located in St Albans, **the proposal included the provision of Green Infrastructure (GI) in St Albans (approximately 25.48ha).** This would again expand upon the development of Harper Green (i.e., adjacent to the former Harperbury Hospital site) thus providing the opportunity to consolidate the existing development pattern to establish a balanced community. The plan indicated the land within St Albans which comprises approximately 39 hectares which included land for Green Infrastructure. Additional land in Hertsmere Borough Council provides a further 44.54 ha. of Green Infrastructure. To be clear at the time a red line plans showing the land within St Albans was submitted and also a red line plan to show the land with St Albans and Hertsmere was submitted. A concept plan was also submitted which illustrated the significant benefits on the land under control.

In March 2023 we also submitted two plans which drew attention to the significant amount of Green Infrastructure that can be provided within the various options that we are promoting, whether entirely within St Albans or whether it is a cross-boundary site with Hertsmere BC.

The two plans illustrated the extent of GI and the opportunities that this would provide:

- The smaller option for approximately 470 dwellings (solely located within St Albans) would include approximately 64 hectares of GI (including natural and semi-natural and amenity space) in addition to the existing vegetation, buffer planting and re-located football club.
- The slightly larger option for approximately 575 dwellings (including land within Hertsmere) would include approximately 62 hectares of GI. In each case a primary school is proposed.

This approach is consistent with the NPPF insofar as if land is removed from the Green Belt for development, improvements to the environmental quality and accessibility of the remaining Green Belt land can be made in accordance with paragraph 141 of the NPPF (2023).

However, as reported in the Local Plan Interim Sustainability Appraisal July 2023, only the larger proposal of a new settlement has been considered (Paragraph 5.3.13 which has a link to part of the vision document we submitted in 2021 (page 10 onwards)). Unfortunately, the pages in the Vision Document which clearly outlined the proposals for both options i.e., approximately 400 dwellings (which would be in addition to the 206 dwellings built on the

former Harperbury Hospital site) and alternatively a new Garden village of approximately 1,400 additional dwellings are missing (in particular page 9).

Irrespective of the fact that the pages are missing in the link in the SA, given the Council had the information for both options in response to the Call for Sites in March 2021, and further information was submitted supporting a scheme solely in St Albans in January 2022 and March 2023, it is not clear why both options have not been considered by the Council.

When all factors are taken into account in accordance with the NPPF, it is considered that further development around the former Harperbury Hospital on land at Harper Green is a more sustainable location than Broad Location B8 and should be included as a proposed allocation to meet the needs of St Albans. It is acknowledged that it would result in land being removed from the Green Belt, however, exceptional circumstances can be justified and land at Harper Green includes some previously developed land, it is well served by public transport (new services are already benefiting the wider community e.g., Kingsley Green Hospital) and it is adjacent to development that has recently been completed on the former hospital site. Land at Harper Green formed part of the NHS Estate and importantly, as referred to above the nature of their arrangements with the former owners (Department of Health and Social Care) means that the proceeds would be reinvested in the National Health Service. Such a proposal therefore accords with the NPPF. This site and the options should have been appraised against the SA objectives.

Appendix 3: Appraisal of the Harper Green site against the SA Objectives of the Reg 19 Local Plan.

Appendix 4: Policy Compliance Assessment for Harper Green

Transport is but one of the factors considered in promoting a sustainable development. As set out in the NPPF, achieving sustainable development means ensuring that the three overarching objectives, economic, social and environmental are considered in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives.

As part of the original planning of the ongoing development of Harper Green, a strategy was put in place to ensure that sustainable travel patterns would be generated by the new housing. Improved foot and cycle provision have been provided. A new bus service has been provided to connect to Radlett railway station and Colney Fields Retail Park. The sustainable travel credentials of the location have therefore been scrutinised only very recently.

An additional appraisal has therefore been undertaken to understand how the location performs within this wider context, what are the constraints in this location and what improvements over and above those that have already been implemented are required to maximise its performance.

Our report concluded that there are opportunities to develop the local transport system to maximise the outcomes for existing and future residents; staff and visitors to the Kingsley Green Healthcare facility; and other premises on Harper Lane and beyond. Further improvements are proposed to the walking and cycling network and the public rights of

way network to improve connectivity between local communities and to the railway station.

The link in the SA at paragraph 5.3.13 is to an extract of the Vision Document submitted in 2021 and the pages that set out the two options for the site (i.e., 1,400 dwellings and 400 dwellings) have not been included in the extract. Consequently, it appears that the smaller scheme of approximately 400 dwellings has been ignored. The smaller scheme is a viable site and includes extensive areas of Green Infrastructure (GI) and provides pedestrian and cycle links to Radlett station.

A considerable amount of technical work has been undertaken across the site within the landownership, which can support a sustainable community and reinforcing the settlement pattern of the area. As part of the representations to the previous St Albans Local Plan Reg 19 consultation in October 2018 our submission included the following:

Appendix 1: Harper Green Garden Village

Appendix 2: Sustainability Appraisal Land at Harper Lane, Radlett.

This SA included the following appendices:

Site Location Plan

Transport Appraisal (covering 500 – 1400 dw)

Ecological Constraints baseline report

Phase 1 Geo-environmental Assessment

Agricultural Land Classification Report

Flood Risk and Surface Water Drainage Note

Heritage Desk based assessment.

Landscape and Visual appraisal

The site is 81.0 hectares (approximately 39ha in St. Albans and 42.0ha in Hertsmere). It lies immediately adjacent to, and encloses, the Harperbury Hospital which has permission for 206 dwellings which are currently under construction. There is an opportunity to build and consolidate on existing and committed development. It is within this context that a scheme for approximately 470 dwellings was proposed as an alternative to Broad Location B8.

The proposal located entirely within St Albans provides for:

- circa 470 dwellings,
- 2FE primary school,
- local centre to include medical facilities if required, provides for the opportunity to relocate the Bowling Club (Bloor Homes already have permission to do this in association with the Harperbury Hospital scheme) and includes the relocation of the football pitches under the existing lease terms.
- Further supports the new public transport service to the area implemented in September 2020 as part of the planning permission for the first scheme for 206 dwellings. This service carries 11 years of guaranteed subsidy through to towards

  the end of 2030 and hence plenty of time to grow within the context of further development. The service will also enable those travelling to and from the adjacent Healthcare site to use public transport. (The vehicle size has been chosen to allow for steadily growing patronage.)

  - There is an existing direct walking route via a Public Right of Way and quiet neighbourhood streets from the site to Radlett town centre and the rail station. As part of the proposals, the existing footpath along Harper Lane have taken place, providing a dedicated footpath / cycle path to Radlett. The new proposals would build on that and deliver improvements to Watling Street.
  - On foot this journey takes about 20 minutes, and to cycle about 10 minutes.
  - Land at Harper Green can contribute significantly to the delivery of new strategic walking and cycling infrastructure in line with the priorities set out within the St Albans Local Cycling and Walking Implementation Plan which is a key consideration as noted in para 6.2.3 of the SA.
  - Figure 5.6 in the SA states that it shows several recent sub-divisions of HELAA sites (made post the publication of the HELAA in 2021, however the smaller site at Harper Green which was promoted to the HELAA is not included).

  The revised scheme proposes approximately 200 dwellings, relocated football pitches, playing fields, relocated bowls club, proposed community building, there is however potential for more development within Hertsmere.

Our objection to the Site Options is that the SA has failed to consider the options for Harper Green, despite submissions which clearly explained that there are two options, and that the scheme could vary between 400 – 1,400 dwellings.

Green Belt Review

We agreed that there are exceptional circumstances to justify removing land from the Green Belt, however, we have consistently maintained objections to the methodology and site selection process that the Council has applied.

In order to alter the boundaries of the green belt, exceptional circumstances should be fully evidenced and justified. The NPPF states that strategic policies should establish the need for any changes to the Green Belt boundaries, having regard to the intended permanence in the long term, "*so that they can endure beyond the plan period". (paragraph 145 NPPF 2023)*

Importantly any changes therefore need to endure beyond the plan period rather than making a whole series of small-scale changes which do not secure any of the community and wider benefits and do not endure for the long term.

"Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development..."

Paragraph 5.3.4 refers to the Green Belt review, that Stage 1 was published in 2013 and that concerns about the Stage 2 report led to a new Green Belt Review Stage 2 being published in June 2023.

We have previously commented on the Green Belt Review and note that the Stage 1 report (undertaken in 2013), although it assessed the entirety of the Green Belt in St Albans against the NPPF purposes, the Council still consider it to be relevant despite criticisms of the approach in the last local plan review. The issue with the Green Belt Review Stage 1 is that it reached high level conclusions, if the very broad areas were ruled out at this stage, then smaller areas within were not taken forward.

The new Stage 2 Green Belt has been undertaken by ARUP (published June 2023) "builds upon" the SKM Stage 1 (2013) report which assessed the entire Green Belt. The Council consider that this assessment provides robust evidence base and have taken the findings of the Stage 1 GBR on the weakest performing GB and used these to form the sub- areas for the Stage 2 study. Consequently, any areas which were not considered favourable then (some 10 years ago) continue to be discounted no matter how marginal and whether the assessment was considered to be well founded or not. The new Stage 2 report now has been prepared by ARUP for the Council to address the concerns raised by the Inspectors.

The Stage 2 assessment only considered those sites that fell within the settlement boundary buffer. The area of search was thus limited by applying a buffer around each settlement inset from the Green Belt. The intention *was:*

*"***encouraging a sustainable pattern of development accessible to existing settlements and maintain the integrity of the Green Belt (as supported by the NPPF). The GBR Stage 2 (2023) assessed sub-areas, with these sub-areas driven by the sites promoted and considered through the HELAA process, along with small sites identified in the previous GBR Stage 2 of 2013."**(paragraph 1.7 of the Site Selection Proforma Methodology Paper (September 2024)

In our reps to the previous Local Plan, we criticised the Stage 1 assessment. The Stage 1 assessment stated: "***To achieve 'further consideration for development' the site must be evaluated as lower or medium impact (Green or Amber). Any Red rating (higher impact) will rule a site out for further consideration."***This is a "policy on" assessment.

Land at Harper Green is within Green Belt Parcel 31, overall, the parcel was assessed to contribute significantly to only 1 of the purposes of the Green Belt, yet it was scored "Red" in Table 1 of the Councils assessment attached to the Planning Policy Committee Papers of 22nd May 2018. At the time Pegasus objected to the Council's assessment of land at Harper Green adjacent to the former Harperbury Hospital as the evidence did not support the Council's assessment. **We provided our assessment of the Parcel against the 5 purposes of the Green Belt - this was submitted with our representations in 2018.**

At that time, it appeared that Harper Green Garden Village was dismissed not only because it was located in the Green Belt, but also because the Council's assessment of capacity was such that they concluded that less than 500 dwellings could be accommodated in St Albans as the site straddles the boundary with Hertsmere Borough.

From the Stage 1 report only strategic sub area SA-S7 - south and west of London Colney was considered to go forward into the next stage review even though the main contribution

of Parcel GB31 to the Green Belt purposes is stated to be the contribution to the maintenance of the existing settlement pattern, particularly on the secondary local gap between London Colney, Frogmore and Radlett Road. While any reduction in these gaps could compromise the separation of settlements in physical, visual, or openness terms, it affirms the suitability of considering the Harperbury site when it states that a limited

reduction in the size of the strategic parcel would not significantly compromise the physical

separation of any settlements or primary role of the Green Belt.

In our submission to the St Albans Local Plan in 2018 we responded to the SKM Stage 1 and 2 reports and provided a detailed assessment of the land parcel around former Harperbury

Hospital against the purposes of the Green Belt. Each parcel was assessed against potential spawl, coalescence and effect on the countryside. Parcels were identified suitable for development, and some mitigation and parcels not suitable for development. Parcels not suitable for development included the now proposed Broad Location B8 which was considered to contribute to urban sprawl.

In undertaking our own Green Belt assessment of this location and can demonstrate that a Garden Village or smaller scale development at Harper Green can be accommodated in the

location of Harperbury Hospital without undermining the purposes of the Green Belt and at the same time creating a new definitive boundary for the Green Belt. It also addresses the issues in the Green Belt.

We have previously raised issues with the analysis of the Stage 1 report and as this has not been reviewed this analysis has been “rolled forward” into the new Stage 2 report. In addition, the new Stage 2 report is confined to the assessment of sites with the narrowly defined buffers.

The ARUP Stage 2 report sub-divides the Stage 1 recommended areas where appropriate but also identifies additional sub-areas for assessment. However, whilst the additional subareas are based on promoted sites, they are only those that are within defined buffers

around existing settlements in St Albans and neighbouring authorities. “*The additional sub-*

areas lie within both strongly and weakly performing strategic parcels (as defined in the

Stage 1 GBR).” (page 2 of the Stage 2 Green Belt Review).

The existence of the buffers around existing settlements has precluded the consideration of other promoted sites.

However, it is considered that the Stage 2 assessment has been constrained as it is

confined to those areas within the defined buffers around the existing settlements. Notably

the areas of search were defined by applying settlement buffers, identifying potential areas or sites within the buffers, then refining the sites to be removed from the GB. Consequently,

sites that are not adjacent to existing urban areas (or the buffers) i.e., those that fell outside

the buffers were excluded from the assessment i.e., that fell beyond the 250m and 400m

buffer were excluded (paragraph 4.2.1 of the Stage 2 Green Belt Review). The justification

for the exclusion being that “*the release of such sites would (a) not contribute to a sustainable pattern of development; and (b) undermine the integrity of the Green Belt by creating hole(s) within its fabric.”*

The Green Belt Assessment then goes on to state that:

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

In which case the extent to which land falls within a buffer should not be the determining factor in considering the area for future development.

As stated in paragraph 4.2.1 of the Stage Green Belt Assessment, there is no formal guidance on the identification of buffers, and it is noted that the Council have taken into account approaches in neighbouring authorities with similar characterises and making adjustments for the local context, applying professional judgement.

The settlement hierarchy and local circumstances including settlement pattern and spacing were considered.

These buffers indicate the maximum extent of sustainable development and vary accordingly to the position of the built-up area in the settlement hierarchy (the justification for the buffers is set out in paragraph 4.2.1 of the Stage 2 Green Belt Review June 2023). It is noted that the buffers were also applied to the immediately adjacent settlements in neighbouring authorities, where the buffer would lead to some partial interception with SACDC Green Belt as set out on page 24 of the ARUP Final GB Report June 2023

It is noted that in order to ensure that the assessment reflects the local context (paragraph 4.2.2), the areas of assessment within the buffers were refined by taking into account:

- SKM Stage 1 GBR weakly performing land against NPPF purposes. (however, this only included a sub-area of land parcel GB30 from the Stage 1 report)
- Promoted sites identified through the Council's site selection work (land at Harper Green has been promoted to the Council at every opportunity yet there is no published analysis of the site selection)
- Non-Green Belt land.

From the SKM Report Stage 1 "*only those sub-areas that fell entirely or partially within the settlement buffer, or immediately adjacent to another area / site entirely or partially within the settlement buffer were taken forward (page 23) Similarly, although the promoted sites from 2016 –2021 were considered, only those promoted sites that fell entirely or partially within the settlement buffer, or immediately adjacent to another area / site entirely or partially within the settlement buffer were taken forward".*

The application of the settlement buffers has resulted in only those areas and sites falling entirely or partially within the defined buffers being subject to further assessment. Where weakly performing sub-areas and promoted sites were located partially within a settlement buffer, the entirety of these areas and sites was taken forward for further consideration, i.e., essentially extending the buffer.

Areas or sites located outside of the settlement buffer fell into two categories:

- Outside the buffer and no immediate adjacency to an area / site within the buffer. These areas or sites were discounted from further consideration – this is Harper Green. **It is not clear why a buffer could not be defined around Harperbury Hospital/Haper Green as a settlement.**
- Outside the buffer but adjoining areas or sites located within the buffer. These areas and sites were included for further assessment. In this instance, this was limited to one site extension outside of the buffer.

It is noted in paragraph 4.2.3 that although a "*filtering process to remove weakly performing areas or promoted sites, which were entirely or largely constrained by major policy constraints was undertaken. These policy constraints effective rule out development of the land*" (paragraph 4.3.2 of the Stage 2 GB Report and are listed including Historic Parks and Gardens); Parcel GB31 (SA-S7) land south and west of London Colney is constrained by Historic Parks and Gardens (Figure 4.5) of the Stage 2 GB report, however, the proposed Broad Location B6 West of London Colney appears to lie directly south of the Historic Parks and Garden (the proposed allocation includes land for a 8 FE secondary school site with adjoining HCC land ownership and lies outside the 250 buffer).

It is not clear why some sub-areas have been identified as opposed to others (Figure 4.7) our main concern is the reliance on the Stage 1 report of 2013 which underpins the Stage 2 report and as a result the application of the buffers.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Our objections to SA process are that there is no audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites. In other SA, sites have been appraised against the SA objectives so that a comparison can be made.

Our fundamental objection is that the Stage 1 GB report of 2013 is relied upon and that the Stage 2 report relies on the buffers around settlements which excludes sites which are sustainable. There is no justification for the buffers.

The lack of a SA for the sites results in a less than transparent site selection process results in the fact that there is no clear audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites

Whilst it is acknowledged that the SA findings are not the only factors to be taken into account by a local planning authority when selecting options to take forward in a plan; factors such as public opinion, deliverability and conformity with national policy are also to be taken into account by plan-makers when selecting options for their plan.

As the SA is an integral part of plan preparation, the process needs to be transparent in order for the plan to be justified and found sound as set out in paragraph 35 of the NPPF (2023).

Our objection to the Site Options is that the SA has failed to consider the options for Harper Green, despite submissions which clearly explained that there are two options, and that the scheme could vary between 400 – 1,400 dwellings.

The GB assessment has been constrained by what appears to be arbitrary buffers, this has resulted in only those sub-areas that fell entirely or partially within the settlement buffer, or immediately adjacent to other areas /sites entirely or partially within the settlement buffer being taken forward.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Economics Overview and Housing Need_[R].pdf
2. Appendix 2 Concept Materplan 5_11_2024_[R].pdf
3. Appendix 3 SA Objectives and Harper Green 5_11_2024_[R].pdf

4. Appendix 4 Policy Compliance Assessment for Harper Green 5_11_2024_[R].pdf
5. Representation_Form SA Process FINAL 5_11_2024_[R].pdf
6. Representation_Form SA Section 5_3 Site Options FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues we have raised are fundamental to the preparation and soundness of the Plan.

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Table 3.1 Broad Locations

An objection is made to Broad Location B8 Harper Lane, Radlett, which is proposed for 274 dwellings as part of a mixed-use development.

Broad Location B8 Harper Lane, near Radlett

Paragraph 5.4.146 considers the Broad Location B8 North of Radlett – it is noted that the appraisal concludes from a transport perspective that:

"the site does not relate very well to the edge of Radlett, and the nearest primary school would be some way distant, but Radlett Station (with a good service to London St. Pancras) would be ~ 2km distant. There is already a good footpath. footpath along Watling Street into Radlett, and there is an opportunity to enhance this as a cycle route; however, the issue is that access to Watling Street would be at the northern extent of the site (via Harper Lane), which is the part of the site most distant from Radlett."

Paragraph 9.2.3 states

"**At Harper Lane there is a need to closely consider school capacity, as discussed in Section 5, but otherwise the site benefits from reasonable accessibility to Radlett, where there is a very good offer."**

It is not clear why Broad Location B8 has been proposed over and above Land at Harper Green, particularly given all the evidence supplied to the Council in respect of promoting a scheme at Harper Green. It is noted that the SA under the Transport heading on page 47 previously referred to concerns being raised about safety at the adjacent Watling Street/Harper Lane Junction for Broad Location B8.

The SA in acknowledges that the proposed Broad Location B8 Harper Lane, near Radlett, does not relate well to the edge of Radlett and the nearest primary school is some distance away, but then states that Radlett station is under 2km away –"with a good service to London St Pancras". The site would not contribute to the settlement of Radlett and thus build upon the existing community. Unlike land at Harper Green which would provide a new primary school and provide the opportunity to build upon the permitted development of the former Harperbury Hospital site which is under construction.

The Broad Location B8 is a site included in the HELAA and appears to have come forward as a result of the Green Belt review (part of the site is a storage and parking of vehicles, plant and machinery and storage equipment formerly part of a waste transfer station and in the SA referred to as comprising light industrial area/trading estate, whilst the southern part of the site is greenfield), however, we consider that the Green Belt Review is fundamentally flawed for reasons outlined below in respect of land at Harper Green. There is no other evidence to support the proposed allocation and indeed the SA acknowledges the site is associated with a certain number of drawbacks/challenges. These are set out in the Broad Locations Sites – Recommended to Progress:

"Part of the site is within flood zones, 3, 3a, 3a + 35% climate change and 3a + 70% climate change. The Strategic Flood Risk Assessment Level 2 requires this site to pass the exception test.

The site contains an area of Ancient Woodland, which is also designated as a County Wildlife Site and a deciduous woodland Priority Habitat. The site is adjacent to other deciduous woodland Priority Habitats and an archaeological area subject to recording conditions. The site contains a listed building and is within the 100 metres buffer of another.

The site contains two areas of contaminated land and an Existing Safeguarded Site. Some of site lies within the buffer zone of a Rail Aggregates Depot."

It appears to have been considered as it is within the Green Belt buffer of Radlett (400m buffer) and adjoins the settlement which provides a wide range of economic and social benefits. However, the SA concludes that the proposed Broad Location B8 Harper Lane, near Radlett, does not relate well to the edge of Radlett and the nearest primary school is some distance away (paragraph 5.4.147 of the SA September 2024),

The inclusion of Broad Location B8 (HELAA ref STS-51-23 below) is unsound.

Harper Green HELAA reference is STS-34-18 and STS-33-18. The SA has not considered a smaller option at Harper Green which has been promoted to the Council, a reduced option showing concept plan for approximately 200 dwellings has recently been prepared which builds on the already completed scheme on the former Harperbury Hospital site.

The SA at paragraph 5.4.150 dismisses the location of Harper Green adjacent to the former Harperbury Hospital as poorly connected in transport terms, yet this location is approximately 4mins by cycle and 17 minutes walking distance from the proposed location B8 North of Radlett. There is already a bus service from Harper Green that connects to Radlett railway station and also to Colney Fields Retail Park and a solution to the Harper Lane/Watling Street has been proposed.

Bloor Homes has provided a thorough evidence-led promotion of the Harper Green site. In transport terms, this has included formal document submissions as part of their Local Plan Promotion Transport Strategies to St Albans and Hertsmere in October 2018 and February 2020 respectively. These have demonstrated the credentials of the site considered for a range of prospective housing levels with supporting infrastructure.

Attached at **Appendix 7 to our Reg 18 reps provided** an update of the report we submitted to Hertsmere Council in response to the Reg 18 consultation in November 2021, importantly this report addresses concerns raised by Hertfordshire County Council following a meeting they had with Hertsmere Borough Council and St Albans City and District Council.

Harper Green –alternative site to Broad Location B8

The St Albans SA has only considered a new settlement as an option adjacent to the former Harperbury Hospital despite previous submissions for a smaller scheme located within St Albans.

We have previously submitted a proposal for development at Land at Harper Green comprises approximately 470 dwellings and would provide a 2 FE primary school. The primary school not only benefits the new residents in terms of being able to walk to school, but also the existing residents (children would be able to walk to school instead of being transported to London Colney) The proposal provides an opportunity to build and consolidate on existing and committed development. We have since revised the proposal to a smaller scheme of 200 dwellings. Development at Harper Green would further support the new public transport service to the area implemented in September 2020 as part of the planning permission for the first scheme for 206 dwellings. This service carries 11 years of guaranteed subsidy through to towards the end of 2030 and hence plenty of time to grow within the context of further development. The service will also enable those travelling to and from the adjacent Healthcare site to use public transport. (The vehicle size has been chosen to allow for steadily growing patronage.)

There is an existing direct walking route via a Public Right of Way and quiet neighbourhood streets from the site to Radlett town centre and the rail station. As part of the proposals, the existing footpath along Harper Lane have taken place, providing a dedicated footpath / cycle path to Radlett. The new proposals would build on that and deliver improvements to Watling Street.

On foot this journey takes about 20 minutes, and to cycle about 10 minutes.

There may be other sites within the locality which would also benefit from and support the facilities and services provided at Harper Green. The proposed development will be set within large areas of green infrastructure, for informal and formal recreation and will provide benefits for the wider community, with enhanced facilities and services.

Conceptually the approach adopted to assess the propensity to travel by active travel and passenger transport modes as presented by WSP is valuable but in the context of a workplace travel plan where the home and workplace trips ends are fixed and mode choice is the only variable. In the consideration of a development plan, however, the home and workplace trip ends are not fixed and indeed their spatial distributions are being directly assessed. In this respect the evidence basis is incomplete in three important respects.

1. The methodology promotes locations where car trips could be made by active or passenger travel modes but are not, over locations where car trips are already lower than average. Several communities, such as Radlett and adjacent villages, already show very high rail passenger travel mode shares (2011 Census) largely by virtue of being served by trains on the Thameslink route which provides direct access across London including to the City. Such communities should perform better than is reported particularly over other communities either without access to a nearby station or on other railway lines which run only to a terminus station in London. Demonstrable opportunities to support sustainable travel are therefore not being identified.
2. The methodology does not consider differences in infrastructure provision including the existing quality of active travel routes and the nature and extent of public transport services. In practice the provision of infrastructure is uneven but in locations such as Harper Green there has already been investment in dedicated active travel routes including along Harper Lane that can support further development within the community. With respect to passenger transport, the methodology is weakened by being based on existing service levels, as is acknowledged

in the reporting, but again in respect to rail services does not differentiate the geography of the network. This is compounded by a generalised cost proxy of travel time which does not consider end constraints such as the ability/cost to park.

3. The methodology is overly focused on the peak hours periods as reported in the COMET model and therefore will not be balanced in terms of journey purposes. Journey-to-work trips are likely to be dominant but in practice only represent 20% of trips overall. By not addressing the 80% of trips, the benefits of allowing communities to growth in a proportionate manner will not be identified.

In summary from a highways/infrastructure perspective the site is characterised by:

- Comprehensive on-site permeable footway/cycleway routes;
- Continuous footway and cycle route facilities between site and Radlett;
- Provision off site for a separate bridge on Harper Lane over the railway line;
- Proposed Harper Lane footway widening to link with B5378 bus stops;
- On-site bus service linking Radlett, including rail station throughout the day and Colney Fields Retail Park off-peak (including weekends);
- Link to frequent rail services to London and other commuting destinations;
- Reasonable walking distance to frequent further bus services linking site to St Albans, Hatfield and Watford;
- On-site primary school facility; and
- Linkage to off-site rural PROW network

Land at Harper Green will provide a wide range of high-quality housing, including affordable housing.

The development will provide benefits for the wider community, with enhanced facilities and services, parkland and green infrastructure opportunities.

The location is well located with ready access to services and best able to support economic objectives.

There are local school, sports clubs and residential development along Harper Lane.

There are existing employment opportunities at the adjacent Kingsley Green Hospital, at the Hertfordshire Business Centre, London Colney. The National Autistic Society - Radlett Lodge School is located nearby. There is also a Veterinary Practice, Houndswood Care Home, Stage School Business, and further along Harper Lane is Radlett Golf Centre and Ivory's Trading Estate leading to Watling Street and the Radlett and Colney Industrial Estates.

The site is located within the Green Belt – but the extensive landownership provides the opportunity to create a new definitive permanent boundary for the Green Belt and preserves the gap between existing settlements.

With either proposal because of the land ownership there is an opportunity to design into the proposals a permanent "stop" in the form of a well-defined green edge to protect the setting of Shenley and Radlett and prevent any potential for future coalescence.

Such an approach meets the requirements of the PPG Green Belt (December 2023) as the impact of removing land from the Green Belt will be offset by compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land, for example given the extensive land ownership provides an opportunity for new and enhanced infrastructure, new or enhanced walking and cycling routes, and improved access to new and enhanced or existing recreational and playing field provision e.g. the relocation of the Bowls club and the relocation of the football pitches.

This approach is also consistent with the NPPF in particular paragraph 74c where the emphasis is on the quality of place making and creating well designed and beautiful homes to meet different needs of the community and providing a genuine choice of transport modes. Paragraph 96b refers to the need to create attractive, clear and legible pedestrian and cycle routes. The proposed development at Harper Green is also consistent with NPPF (paragraph 102) as the scheme will deliver wider benefits for nature and address climate change, given the large areas of public open space and green infrastructure. This is also consistent with paragraph 180, with retained areas of woodland and new areas created including new community parkland, including areas of tree planting.

Bloor Homes controls wider land holdings in both St Albans and Hertsmere. The land controlled by the company amounts to some 83 hectares and is adjacent to land in public sector ownership. Bloor Homes have indicated in their response to the Hertsmere consultation that the nature of their arrangements with the former owners (Department of Health and Social Care) means that the proceeds would be reinvested in the National Health Service, as supported in previous Government statements.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Broad Location B8 is not justified.

In recognition of the unmet needs and the trajectory for the early years of the plan additional sites should be included which can deliver in the timescale. Land at Harper Green has been promoted to the Council in various options and can deliver a range and choice of housing to meet needs.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form Table 31_ Broad Locations inc objection to B8 FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised are fundamental to the preparation and soundness of the plan.

Sustainability Appraisal Note

Comment Number: 2

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Sustainability Process

A Sustainability Appraisal is integral to the preparation and development of the local plan. The SA must inform and influence the Plan at the earliest possible stage and in that process consultation responses must be effective to help shape the options considered.

The PPG provides guidance on the preparation of the SA.

"The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004;

as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;

provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives." Paragraph: 018 Reference ID: 11-018-20140306

The LGA states:

"The sustainability appraisal is integral to the plan making process. It should perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. It should be transparent and open to public participation. The sustainability appraisal should inform the decision making process to facilitate the evaluation of alternatives. It should also help demonstrate that the plan is the most appropriate given the reasonable alternatives."

The Sustainability Appraisal must address the legal requirements of the EU Directive (2001/42/EC) known as the Strategic Environmental Assessment (or SEA) Directive. The Environmental Assessment of Plans and Programmes Regulations 2004 give effect to this Directive and set out specific, legal, requirements for each stage of the sustainability appraisal process. Failure to carry out the sustainability appraisal process properly can expose the plan to legal challenge.

The SA should ensure that potentially environmentally preferable alternatives are not discarded as part of the process of approving plans without proper consideration of the environmental impacts of the various options.

Paragraph 4.1.7 of the SA states that individual site options are not considered to be reasonable alternatives, instead a package of sites to meet needs and wider objectives is assessed.

Consequently, there is no audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites. Whilst it is acknowledged that the SA findings are not the only factors to be taken into account by a local planning authority when selecting options to take forward in a plan; factors such as public opinion, deliverability and conformity with national policy are also to be taken into account by plan-makers when selecting options for their plan.

As the SA is an integral part of plan preparation this assessment should be undertaken, the process needs to be transparent in order for the plan to be justified and found sound as set out in paragraph 35 of the NPPF (2023).

Paragraph 35 states:

"...Plans are sound if they are:

1. ***b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;"***

It is considered that there needs to be an audit trail to support the justification of the sites proposed in the Plan; on the basis of the current evidence the Plan would be unsound.

The PPG Plan Making states that:

"The evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively. Strategic policy-making authorities may wish to consider ensuring that their assessment of and strategies for housing, employment and other uses are integrated, and that they take account of relevant market signals." Paragraph: 038 Reference ID: 61038-20190315

Revision date: 15 03 2019

We have made separate objections to the SA Section 5.3 Site Options.

Levels of Growth

The SA at paragraph 5.2.26 concludes that "***there are strategic arguments for setting the housing requirement at a figure above and below the LHN*****"**in the absence of higher level plan to distribute growth across the sub-region; but in paragraph 5.2.28 then concludes that "***the arguments in both directions ultimately they cancel each other out***".

The difference in the SA in 2024 is that in paragraph 5.2.31 it is acknowledged that there is more pressure for higher levels of growth:

"***With regards to higher growth, the conclusion here is that whilst such scenarios were ultimately ruled out as unreasonable in 2023, there is now increased strategic argument, particularly given unmet need, but also noting the Government's direction of travel at the time of writing (August 2024)."***

Appendix 1: Economic Overview and Housing Need (attached to our representations) provides a clear rationale for the St Albans Local Plan Review to go beyond the capped housing requirement (885) identified by the standard method for determining local housing need. An increase above

the capped method would not only be more consistent with national policy and guidance, (in terms of significantly boosting the supply of housing); but would also assist in remedying the acute issues of affordability, affordable housing need, ageing population and economic growth with St Albans. Furthermore, given the evidence, It is therefore not unreasonable that the housing target in St Albans should be more in line with the proposed standard method figure of 1,544 dpa.

Site Selection

At the time of the Reg 18 Local Plan consultation reference was made to an officer led assessment, paragraph 5.3.12 of the 2023 SA refers to an officer led assessment - a 10 stage site selection methodology was presented to LPAG in June 2022; however, this site assessment did not appear in the evidence base during Reg 18 consultation. Consequently, at that stage it was unclear how the sites had been assessed and how these have influenced the sub – area scenarios included in the Reg 19 Plan. The SA fails to provide an assessment of reasonable alternative sites.

The Local Plan Evidence - Site Selection Methodology Outcomes and Site Allocations states in paragraph 3.14 under the heading: Site Selection Proformas for Green Belt Sites

"3*.14. In some locations there is more than one HELAA site due to multiple submissions over the course of several Call for Sites between 2016 to 2021. In these cases the most recent submission was considered in the site selection process and included within the Proforma."*

However, in relation to land at Harperbury Hospital, Harper Green (HELAA sites ref Annex 15 St Stephen the site is referenced STS- 33 -18 and STS-34-18), this is NOT the case as explained to the Council in our representations to the Reg 18 Plan.

The issue is that the site options have not been considered for the site. **See separate representation form on Section 5.3 Site Options Section 4 Sub -Area Scenarios**

Section 5.4 covers the sub-area scenarios - it is noted that the sub areas take into account the settlement pattern, parish boundaries and the distribution of "realistic site options". However, there is no map defining the sub-areas, so it is impossible to see how sites relate to the sub-areas, without reference to Appendix VI, where the parishes included in each of the sub-areas are listed.

It is noted (paragraph 5.4.10) that the aim is not to present a formal appraisal of reasonable alternatives and to discuss all site options in the same level of detail.

Most Sustainability Appriasls appraise sites being considered in order to form the options so that there is a transparent assessment of how the sites have been considered and which sites are then "taken forward" into the Plan as proposed allocations.

There are 9 sub-areas (paragraph 5.4.2) one of which is "Edge of Radlett", and a link is provide to the map of the HELAA sites in the parish of St Stephen. The settlement of Radlett is within Hertsmere BC. Reference is made to Hertsmere Local Plan Reg 18 consultation in April 2024; however, the Plan proposed a shortfall against the current SM. The key issues for Radlett are described as: "*Existing pressures on key services... affordable housing [including because of housing growth coming forward from small schemes]... absence of a secondary school and congestion on Watling Street."*

The Council should consider with Hertsmere BC (through the Duty to Cooperate to meet the unmet needs) the future needs of the area and not be artificially constrained by administrative boundaries.

The site proposed in the SADC Reg 19 Local Plan as one of the Broad Locations is B8 land at Harper Lane, however this site would not address any of the unmet needs of Hertsmere and does not relate well to the edge of Radlett and does not relate well to the edge of Radlett (paragraph 5.4.145 of the SA Sept 2024)

It is not clear why Broad Location B8 has been proposed over and above Land at Harper Green, particularly given all the evidence supplied to the Council in respect of promoting a scheme at Harper Green adjacent to the already recently completed housing completed on the former Harperbury Hospital site, (see representations to Broad Location B8). "*The northern half of the site (adjacent to Harper Lane) comprises a light industrial area / trading estate (fully operational), and within this the northern part of the estate is a protected rail depot (important for minerals). The southern half of the site (adjacent to Radlett) them comprises greenfield land. An area of parkland / former parkland associated with Grade II listed Harper House is located to the east."*It is not clear what benefits this site would bring over and above land at Harper Green.

Paragraph 5.4.150 makes reference to our previous earlier submission of a new settlement at Harper Green, however despite the evidence and plans submitted the smaller proposal for about 470 dwellings has not been considered. This proposal would have "built on" to the approved, now built redevelopment of the former Harperbury Hospital site of 206 dwellings adjacent to the Kingsley Green Hospital. A smaller, more contained proposal is submitted to the Council –**see Appendix 2 Concept Plan.**

Section 5 Reasonable Growth Scenarios

It is noted in Section 5.5 that the SA considers 8 growth scenarios (as opposed to 4 that were considered in the Interim SA in 2023):

- Lower growth by removing either East St Albans or small sites (Scenarios 1 and 2)
- The emerging preferred option (PO, Scenario 3)
- Remove small sites and replace with one or both of the St Albans omission sites (Scenarios 4, 5, 6).

- Higher growth by additional allocation of one of the St Albans omission sites (Scenarios 7 and 8).

It is not necessarily clear which sites have been included in the 8 reasonable scenarios – the process is simply not transparent, and it is not clear how these scenarios contribute to meeting the SA topics/ objectives of the Plan.

The 8 reasonable scenarios are then appraised using 13 headings (one for each of the topics/objectives that comprise the SA framework), this does not constitute an appraisal of the sites under each of the scenarios. Under the Transport heading paragraph 6.13.1 it is acknowledged that transport objectives are centrally important to the local plan spatial strategy /site selection and there is a need to minimise the need to travel, support modal shift away from the private car towards public and active transport etc. "*Support for the achievement of transport objectives will have wide-ranging benefits in respect of other key objectives for the Local Plan, including decarbonisation." (my emphasis).*

Sustainability Appraisal - Section 5.3 Site Options

Whilst this heading implies consideration of Site Options, this is not the case. **It is not clear which sites from the HELAA assessment have been carried forward into the SA and which sites form the options in the sub areas**. There is no SA of individual sites so that they can be compared. Instead, the HELAA is the starting point as stated in paragraph 5.3.3 of the SA,

"*The effect is to sift out a small number of sites, leading to an initial shortlist of 354 site options with a total capacity of 58,175 homes). In addition, a further 215 sites are shortlisted on the basis of an Urban Capacity Study, although for many of these sites availability was*

***subsequently established as an issue such that the site did not warrant further consideration. Finally, all shortlisted site options are assessed using under a standard set of criteria across a series of site 'proformas', informed by the Green Belt Review and consultation (2023*)"**

The Local Plan Site Selection -Proforma Methodology Paper (September 2024) states that the site selection work is set out in Proformas which have been used to assess each site for suitability (paragraph 1.3). However, these proforma do not assess the sites against the sustainability objectives of the Plan.

Our objections focus on the Site Selection and the also the Green Belt Review.

Site Selection

Paragraph 1.9 of the Site Selection Proforma Methodology Paper acknowledges that:

"*These recommendations for further consideration are important in site selection and are key elements that inform the proformas. The GBR Level 2, however, is not the only consideration for site selection and other criteria for suitability for the selection of sites in the Green Belt are part of the process that is set out in the proformas*."

However, Green Belt sites identified in the HELAA, but outside of the GB buffers were not considered to be suitable due to their less sustainable location and because development on such sites would create holes in the Green Belt, leading to fragmentation.

Paragraph 1.15 of the Site Selection Proforma Methodology Paper states:

"*In some locations there is more than one HELAA site due to multiple submissions over the course of several Call for Sites between 2016 to 2021. In these cases the most recent submission was considered in the site selection process and included within the proforma*."

However, in relation to land at Harperbury Hospital, Harper Green (HELAA sites ref Annex 15 St Stephen the site is referenced STS- 33 -18 and STS-34-18), this is NOT the case as explained to the Council in our representations to the Reg 18 Plan. (Land at Harper Green was submitted to the SHLAA in 2018 and again in 2021.) For Harper Green there have been several submissions, but despite the most recent submissions illustrating a smaller

development of about 400 dwellings the Council appear to have only assessed the original proposal for a garden village.

In response to the Call for Sites in March 2021, the forms were submitted and a site location plan together with an updated Vision document promoting Harper Green was submitted (February 2021) and set out the two options.

There are several references in the HELAA, but essentially the land is within STS-34-18 and STS-33-18. The sites in the HELAA 2021 report Annex 15 St Stephen and were *"considered to be potentially suitable subject to absolute and non-absolute constraints being reasonably mitigated. Evidence base work, including a Green Belt Review, is underway and may change the site suitability in the future.*" The overall conclusion was that:

"The site is considered be potentially suitable, available and achievable subject to further assessment as part of the site selection process." Annex 15 in respect of STS-33-17, STS-33-18, STS-34-18, and STS-34-21.

The site is adjacent to the former Harperbury Hospital site granted (5/15/0990) for 206 dwellings (SHLAA ref 254). The area of land promoted expands upon the site for 206 dwellings and can deliver a smaller development of approximately 470 dwellings supporting existing facilities. Since the Reg 18 Local Plan consultation further technical work has been undertaken to confine the area to a more limited extent of new development

Given further work that has been undertaken we are proposing an option of approximately 200 dwellings in addition to the 206 dwellings that have recently been completed on the former Harperbury Hospital site, which would assist in meeting the housing shortfall in the early part of the plan period. The proposal straddles the St Albans /Hertsmere district boundary however, this artificial boundary should not prevent the delivery of sustainable development, it should be noted that Hertsmere BC are not planning to meet their housing needs at the recent Reg 18 consultation in May 2024.

In our previous representations we submitted that the number of dwellings is not fixed and as such the proposal could accommodate a scheme of between 400 and 1,400 dwellings. The revised scheme proposes approximately 200 dwellings, relocated football pitches, playing fields, relocated bowls club, proposed community building, there is however potential for more development within Hertsmere. **Appendix 2 provides an updated concept plan for land at Harper Green for the revised proposal which is appended to the representations.**

Previously, land at Harper Green has been promoted as a cross-boundary site to both St Albans City and District Council and to Hertsmere Borough Council, although an option has been promoted for approximately 470 dwellings solely located within St Albans District and immediately adjacent to and enclosing the former hospital redevelopment for 206 dwellings (ref 5/2015/0990 granted planning permission by your Council in May 2017). The 2016 SHLAA site is SHLAA ref 254. The wider cross boundary site is SHLAA ref 539 submitted in 2018, and the smaller area ref 540 submitted in 2018. The HELAA references are STS-34-18 and STS-33-18.

Bloor Homes controls wider land holdings in both St Albans and Hertsmere. The land controlled by the company amounts to some 81.30 hectares and is adjacent to land in

public sector ownership. Bloor Homes have previously indicated to both Councils that the nature of their arrangements with the former owners (Department of Health and Social Care) means that the proceeds would be reinvested in the National Health Service. It is considered that the use of public sector land, i.e., its disposal and subsequent development is encouraged and supported by national policy in the NPPF (2023) paragraph 125.

"Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes."*(my emphasis)*

Relating to the point made earlier whilst the proforma have been prepared for the sites considered they are not assessed against the sustainability objectives of the Plan.

Paragraph 1.20 states:

Each site is then assessed in terms of its sustainable development potential which is considered in detail in the next section of this Report and Table 1.

However, **this is not against the sustainability objectives of the plan instead this assessment is made against the following in Table 1:**

- Whether the site is located within the Green Belt Buffer or settlement areas
- Located on PDL
- Located within GB Study weakly performing area
- Located within GB Study less important area
- Located within GB Study recommended for further consideration area

The sites have not been assessed against the SA objectives.

As referred to above we have promoted land at Harper Green for some time, throughout the preparation of the previously withdrawn St Albans Local Plan (we responded to the Call for Sites and submitted representations to the Reg 19 Local Plan and subsequently submitted Hearing Statements and attended the Local Plan Examination in 2020).

In March 2021 in response to the St Albans Call for Sites the submission was supported by a Vision document. The 2021 Vision document outlined the 2 options:

- a new Garden Village of approximately 1,400 dwellings in addition to the 206 dwellings at the Harperbury Hospital site.

1. 400 dwellings sustainable community - this is in addition to the 206 currently being built on the former Harperbury Hospital site and included land within Hertsmere Borough Council which contributes to the extensive amount of Green Infrastructure.

Both of these options above are cross boundary and provide a package of benefits. We indicated that the number of dwellings was not fixed and as such the proposal could

accommodate a scheme of between 400 and 1,400 dwellings and include significant planning advantages.

The Call for Sites submission in March 2021 included a plan showing the red line boundary of the entire site and indicated the location of the district boundary, indicating the respective areas within St Albans and within Hertsmere.

In January 2022 we proposed to your Council a scheme where the residential element (approximately 470 dwellings) is solely located in St Albans, **the proposal included the provision of Green Infrastructure (GI) in St Albans (approximately 25.48ha).** This would again expand upon the development of Harper Green (i.e., adjacent to the former Harperbury Hospital site) thus providing the opportunity to consolidate the existing development pattern to establish a balanced community. The plan indicated the land within St Albans which comprises approximately 39 hectares which included land for Green Infrastructure. Additional land in Hertsmere Borough Council provides a further 44.54 ha. of Green Infrastructure. To be clear at the time a red line plans showing the land within St Albans was submitted and also a red line plan to show the land with St Albans and Hertsmere was submitted. A concept plan was also submitted which illustrated the significant benefits on the land under control.

In March 2023 we also submitted two plans which drew attention to the significant amount of Green Infrastructure that can be provided within the various options that we are promoting, whether entirely within St Albans or whether it is a cross-boundary site with Hertsmere BC.

The two plans illustrated the extent of GI and the opportunities that this would provide:

- The smaller option for approximately 470 dwellings (solely located within St Albans) would include approximately 64 hectares of GI (including natural and semi-natural and amenity space) in addition to the existing vegetation, buffer planting and re-located football club.
- The slightly larger option for approximately 575 dwellings (including land within Hertsmere) would include approximately 62 hectares of GI. In each case a primary school is proposed.

This approach is consistent with the NPPF insofar as if land is removed from the Green Belt for development, improvements to the environmental quality and accessibility of the remaining Green Belt land can be made in accordance with paragraph 141 of the NPPF (2023).

However, as reported in the Local Plan Interim Sustainability Appraisal July 2023, only the larger proposal of a new settlement has been considered (Paragraph 5.3.13 which has a link to part of the vision document we submitted in 2021 (page 10 onwards)). Unfortunately, the pages in the Vision Document which clearly outlined the proposals for both options i.e., approximately 400 dwellings (which would be in addition to the 206 dwellings built on the

former Harperbury Hospital site) and alternatively a new Garden village of approximately 1,400 additional dwellings are missing (in particular page 9).

Irrespective of the fact that the pages are missing in the link in the SA, given the Council had the information for both options in response to the Call for Sites in March 2021, and further information was submitted supporting a scheme solely in St Albans in January 2022 and March 2023, it is not clear why both options have not been considered by the Council.

When all factors are taken into account in accordance with the NPPF, it is considered that further development around the former Harperbury Hospital on land at Harper Green is a more sustainable location than Broad Location B8 and should be included as a proposed allocation to meet the needs of St Albans. It is acknowledged that it would result in land being removed from the Green Belt, however, exceptional circumstances can be justified and land at Harper Green includes some previously developed land, it is well served by public transport (new services are already benefiting the wider community e.g., Kingsley Green Hospital) and it is adjacent to development that has recently been completed on the former hospital site. Land at Harper Green formed part of the NHS Estate and importantly, as referred to above the nature of their arrangements with the former owners (Department of Health and Social Care) means that the proceeds would be reinvested in the National Health Service. Such a proposal therefore accords with the NPPF. This site and the options should have been appraised against the SA objectives.

Appendix 3: Appraisal of the Harper Green site against the SA Objectives of the Reg 19 Local Plan.

Appendix 4: Policy Compliance Assessment for Harper Green

Transport is but one of the factors considered in promoting a sustainable development. As set out in the NPPF, achieving sustainable development means ensuring that the three overarching objectives, economic, social and environmental are considered in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives.

As part of the original planning of the ongoing development of Harper Green, a strategy was put in place to ensure that sustainable travel patterns would be generated by the new housing. Improved foot and cycle provision have been provided. A new bus service has been provided to connect to Radlett railway station and Colney Fields Retail Park. The sustainable travel credentials of the location have therefore been scrutinised only very recently.

An additional appraisal has therefore been undertaken to understand how the location performs within this wider context, what are the constraints in this location and what improvements over and above those that have already been implemented are required to maximise its performance.

Our report concluded that there are opportunities to develop the local transport system to maximise the outcomes for existing and future residents; staff and visitors to the Kingsley Green Healthcare facility; and other premises on Harper Lane and beyond. Further improvements are proposed to the walking and cycling network and the public rights of

way network to improve connectivity between local communities and to the railway station.

The link in the SA at paragraph 5.3.13 is to an extract of the Vision Document submitted in 2021 and the pages that set out the two options for the site (i.e., 1,400 dwellings and 400 dwellings) have not been included in the extract. Consequently, it appears that the smaller scheme of approximately 400 dwellings has been ignored. The smaller scheme is a viable site and includes extensive areas of Green Infrastructure (GI) and provides pedestrian and cycle links to Radlett station.

A considerable amount of technical work has been undertaken across the site within the landownership, which can support a sustainable community and reinforcing the settlement pattern of the area. As part of the representations to the previous St Albans Local Plan Reg 19 consultation in October 2018 our submission included the following:

Appendix 1: Harper Green Garden Village

Appendix 2: Sustainability Appraisal Land at Harper Lane, Radlett.

This SA included the following appendices:

Site Location Plan

Transport Appraisal (covering 500 – 1400 dw)

Ecological Constraints baseline report

Phase 1 Geo-environmental Assessment

Agricultural Land Classification Report

Flood Risk and Surface Water Drainage Note

Heritage Desk based assessment.

Landscape and Visual appraisal

The site is 81.0 hectares (approximately 39ha in St. Albans and 42.0ha in Hertsmere). It lies immediately adjacent to, and encloses, the Harperbury Hospital which has permission for 206 dwellings which are currently under construction. There is an opportunity to build and consolidate on existing and committed development. It is within this context that a scheme for approximately 470 dwellings was proposed as an alternative to Broad Location B8.

The proposal located entirely within St Albans provides for:

- circa 470 dwellings,
- 2FE primary school,
- local centre to include medical facilities if required, provides for the opportunity to relocate the Bowling Club (Bloor Homes already have permission to do this in association with the Harperbury Hospital scheme) and includes the relocation of the football pitches under the existing lease terms.
- Further supports the new public transport service to the area implemented in September 2020 as part of the planning permission for the first scheme for 206 dwellings. This service carries 11 years of guaranteed subsidy through to towards

  the end of 2030 and hence plenty of time to grow within the context of further development. The service will also enable those travelling to and from the adjacent Healthcare site to use public transport. (The vehicle size has been chosen to allow for steadily growing patronage.)

  - There is an existing direct walking route via a Public Right of Way and quiet neighbourhood streets from the site to Radlett town centre and the rail station. As part of the proposals, the existing footpath along Harper Lane have taken place, providing a dedicated footpath / cycle path to Radlett. The new proposals would build on that and deliver improvements to Watling Street.
  - On foot this journey takes about 20 minutes, and to cycle about 10 minutes.

- Land at Harper Green can contribute significantly to the delivery of new strategic walking and cycling infrastructure in line with the priorities set out within the St Albans Local Cycling and Walking Implementation Plan which is a key consideration as noted in para 6.2.3 of the SA.
- Figure 5.6 in the SA states that it shows several recent sub-divisions of HELAA sites (made post the publication of the HELAA in 2021, however the smaller site at Harper Green which was promoted to the HELAA is not included).

The revised scheme proposes approximately 200 dwellings, relocated football pitches, playing fields, relocated bowls club, proposed community building, there is however potential for more development within Hertsmere.

Our objection to the Site Options is that the SA has failed to consider the options for Harper Green, despite submissions which clearly explained that there are two options, and that the scheme could vary between 400 – 1,400 dwellings.

Green Belt Review

We agreed that there are exceptional circumstances to justify removing land from the Green Belt, however, we have consistently maintained objections to the methodology and site selection process that the Council has applied.

In order to alter the boundaries of the green belt, exceptional circumstances should be fully evidenced and justified. The NPPF states that strategic policies should establish the need for any changes to the Green Belt boundaries, having regard to the intended permanence in the long term, "*so that they can endure beyond the plan period". (paragraph 145 NPPF 2023)*

Importantly any changes therefore need to endure beyond the plan period rather than making a whole series of small-scale changes which do not secure any of the community and wider benefits and do not endure for the long term.

"Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development..."

Paragraph 5.3.4 refers to the Green Belt review, that Stage 1 was published in 2013 and that concerns about the Stage 2 report led to a new Green Belt Review Stage 2 being published in June 2023.

We have previously commented on the Green Belt Review and note that the Stage 1 report (undertaken in 2013), although it assessed the entirety of the Green Belt in St Albans against the NPPF purposes, the Council still consider it to be relevant despite criticisms of the approach in the last local plan review. The issue with the Green Belt Review Stage 1 is that it reached high level conclusions, if the very broad areas were ruled out at this stage, then smaller areas within were not taken forward.

The new Stage 2 Green Belt has been undertaken by ARUP (published June 2023) "builds upon" the SKM Stage 1 (2013) report which assessed the entire Green Belt. The Council consider that this assessment provides robust evidence base and have taken the findings of the Stage 1 GBR on the weakest performing GB and used these to form the sub- areas for the Stage 2 study. Consequently, any areas which were not considered favourable then (some 10 years ago) continue to be discounted no matter how marginal and whether the assessment was considered to be well founded or not. The new Stage 2 report now has been prepared by ARUP for the Council to address the concerns raised by the Inspectors.

The Stage 2 assessment only considered those sites that fell within the settlement boundary buffer. The area of search was thus limited by applying a buffer around each settlement inset from the Green Belt. The intention *was:*

*"***encouraging a sustainable pattern of development accessible to existing settlements and maintain the integrity of the Green Belt (as supported by the NPPF). The GBR Stage 2 (2023) assessed sub-areas, with these sub-areas driven by the sites promoted and considered through the HELAA process, along with small sites identified in the previous GBR Stage 2 of 2013."**(paragraph 1.7 of the Site Selection Proforma Methodology Paper (September 2024)

In our reps to the previous Local Plan, we criticised the Stage 1 assessment. The Stage 1 assessment stated: "***To achieve 'further consideration for development' the site must be evaluated as lower or medium impact (Green or Amber). Any Red rating (higher impact) will rule a site out for further consideration."***This is a "policy on" assessment.

Land at Harper Green is within Green Belt Parcel 31, overall, the parcel was assessed to contribute significantly to only 1 of the purposes of the Green Belt, yet it was scored "Red" in Table 1 of the Councils assessment attached to the Planning Policy Committee Papers of 22nd May 2018. At the time Pegasus objected to the Council's assessment of land at Harper Green adjacent to the former Harperbury Hospital as the evidence did not support the Council's assessment. **We provided our assessment of the Parcel against the 5 purposes of the Green Belt - this was submitted with our representations in 2018.**

At that time, it appeared that Harper Green Garden Village was dismissed not only because it was located in the Green Belt, but also because the Council's assessment of capacity was such that they concluded that less than 500 dwellings could be accommodated in St Albans as the site straddles the boundary with Hertsmere Borough.

From the Stage 1 report only strategic sub area SA-S7 - south and west of London Colney was considered to go forward into the next stage review even though the main contribution

of Parcel GB31 to the Green Belt purposes is stated to be the contribution to the maintenance of the existing settlement pattern, particularly on the secondary local gap between London Colney, Frogmore and Radlett Road. While any reduction in these gaps could compromise the separation of settlements in physical, visual, or openness terms, it affirms the suitability of considering the Harperbury site when it states that a limited

reduction in the size of the strategic parcel would not significantly compromise the physical

separation of any settlements or primary role of the Green Belt.

In our submission to the St Albans Local Plan in 2018 we responded to the SKM Stage 1 and 2 reports and provided a detailed assessment of the land parcel around former Harperbury

Hospital against the purposes of the Green Belt. Each parcel was assessed against potential spawl, coalescence and effect on the countryside. Parcels were identified suitable for development, and some mitigation and parcels not suitable for development. Parcels not suitable for development included the now proposed Broad Location B8 which was considered to contribute to urban sprawl.

In undertaking our own Green Belt assessment of this location and can demonstrate that a Garden Village or smaller scale development at Harper Green can be accommodated in the

location of Harperbury Hospital without undermining the purposes of the Green Belt and at the same time creating a new definitive boundary for the Green Belt. It also addresses the issues in the Green Belt.

We have previously raised issues with the analysis of the Stage 1 report and as this has not been reviewed this analysis has been "rolled forward" into the new Stage 2 report. In addition, the new Stage 2 report is confined to the assessment of sites with the narrowly defined buffers.

The ARUP Stage 2 report sub-divides the Stage 1 recommended areas where appropriate but also identifies additional sub-areas for assessment. However, whilst the additional subareas are based on promoted sites, they are only those that are within defined buffers

around existing settlements in St Albans and neighbouring authorities. "*The additional sub-*

areas lie within both strongly and weakly performing strategic parcels (as defined in the

Stage 1 GBR)." (page 2 of the Stage 2 Green Belt Review).

The existence of the buffers around existing settlements has precluded the consideration of other promoted sites.

However, it is considered that the Stage 2 assessment has been constrained as it is

confined to those areas within the defined buffers around the existing settlements. Notably

the areas of search were defined by applying settlement buffers, identifying potential areas or sites within the buffers, then refining the sites to be removed from the GB. Consequently,

sites that are not adjacent to existing urban areas (or the buffers) i.e., those that fell outside

the buffers were excluded from the assessment i.e., that fell beyond the 250m and 400m

buffer were excluded (paragraph 4.2.1 of the Stage 2 Green Belt Review). The justification

for the exclusion being that "*the release of such sites would (a) not contribute to a sustainable pattern of development; and (b) undermine the integrity of the Green Belt by creating hole(s) within its fabric."*

The Green Belt Assessment then goes on to state that:

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

In which case the extent to which land falls within a buffer should not be the determining factor in considering the area for future development.

As stated in paragraph 4.2.1 of the Stage Green Belt Assessment, there is no formal guidance on the identification of buffers, and it is noted that the Council have taken into account approaches in neighbouring authorities with similar characterises and making adjustments for the local context, applying professional judgement.

The settlement hierarchy and local circumstances including settlement pattern and spacing were considered.

These buffers indicate the maximum extent of sustainable development and vary accordingly to the position of the built-up area in the settlement hierarchy (the justification for the buffers is set out in paragraph 4.2.1 of the Stage 2 Green Belt Review June 2023). It is noted that the buffers were also applied to the immediately adjacent settlements in neighbouring authorities, where the buffer would lead to some partial interception with SACDC Green Belt as set out on page 24 of the ARUP Final GB Report June 2023

It is noted that in order to ensure that the assessment reflects the local context (paragraph 4.2.2), the areas of assessment within the buffers were refined by taking into account:

- SKM Stage 1 GBR weakly performing land against NPPF purposes. (however, this only included a sub-area of land parcel GB30 from the Stage 1 report)

- Promoted sites identified through the Council's site selection work (land at Harper Green has been promoted to the Council at every opportunity yet there is no published analysis of the site selection)
- Non-Green Belt land.

From the SKM Report Stage 1 "*only those sub-areas that fell entirely or partially within the settlement buffer, or immediately adjacent to another area / site entirely or partially within the settlement buffer were taken forward (page 23) Similarly, although the promoted sites from 2016 –2021 were considered, only those promoted sites that fell entirely or partially within the settlement buffer, or immediately adjacent to another area / site entirely or partially within the settlement buffer were taken forward".*

The application of the settlement buffers has resulted in only those areas and sites falling entirely or partially within the defined buffers being subject to further assessment. Where weakly performing sub-areas and promoted sites were located partially within a settlement buffer, the entirety of these areas and sites was taken forward for further consideration, i.e., essentially extending the buffer.

Areas or sites located outside of the settlement buffer fell into two categories:

- Outside the buffer and no immediate adjacency to an area / site within the buffer. These areas or sites were discounted from further consideration – this is Harper Green. **It is not clear why a buffer could not be defined around Harperbury Hospital/Haper Green as a settlement.**
- Outside the buffer but adjoining areas or sites located within the buffer. These areas and sites were included for further assessment. In this instance, this was limited to one site extension outside of the buffer.

It is noted in paragraph 4.2.3 that although a "*filtering process to remove weakly performing areas or promoted sites, which were entirely or largely constrained by major policy constraints was undertaken. These policy constraints effective rule out development of the land*" (paragraph 4.3.2 of the Stage 2 GB Report and are listed including Historic Parks and Gardens); Parcel GB31 (SA-S7) land south and west of London Colney is constrained by Historic Parks and Gardens (Figure 4.5) of the Stage 2 GB report, however, the proposed Broad Location B6 West of London Colney appears to lie directly south of the Historic Parks and Garden (the proposed allocation includes land for a 8 FE secondary school site with adjoining HCC land ownership and lies outside the 250 buffer).

It is not clear why some sub-areas have been identified as opposed to others (Figure 4.7) our main concern is the reliance on the Stage 1 report of 2013 which underpins the Stage 2 report and as a result the application of the buffers.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Our objections to SA process are that there is no audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites. In other SA, sites have been appraised against the SA objectives so that a comparison can be made.

Our fundamental objection is that the Stage 1 GB report of 2013 is relied upon and that the Stage 2 report relies on the buffers around settlements which excludes sites which are sustainable. There is no justification for the buffers.

The lack of a SA for the sites results in a less than transparent site selection process results in the fact that there is no clear audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites

Whilst it is acknowledged that the SA findings are not the only factors to be taken into account by a local planning authority when selecting options to take forward in a plan; factors such as public opinion, deliverability and conformity with national policy are also to be taken into account by plan-makers when selecting options for their plan.

As the SA is an integral part of plan preparation, the process needs to be transparent in order for the plan to be justified and found sound as set out in paragraph 35 of the NPPF (2023).

Our objection to the Site Options is that the SA has failed to consider the options for Harper Green, despite submissions which clearly explained that there are two options, and that the scheme could vary between 400 – 1,400 dwellings.

The GB assessment has been constrained by what appears to be arbitrary buffers, this has resulted in only those sub-areas that fell entirely or partially within the settlement buffer, or immediately adjacent to other areas /sites entirely or partially within the settlement buffer being taken forward.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Economics Overview and Housing Need_[R].pdf
2. Appendix 2 Concept Materplan 5_11_2024_[R].pdf
3. Appendix 3 SA Objectives and Harper Green 5_11_2024_[R].pdf
4. Appendix 4 Policy Compliance Assessment for Harper Green 5_11_2024_[R].pdf
5. Representation_Form SA Process FINAL 5_11_2024_[R].pdf
6. Representation_Form SA Section 5_3 Site Options FINAL 5_11_2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues we have raised are fundamental to the preparation and soundness of the Plan.

316 - Linden Wates (Bricket Wood) Limited

Submission Number: 316 Submission Date: 07/11/24 09:00

Respondent: Woolf Bond Planning Ltf Thomas Rumble

On Behalf Of Linden Wates (Bricket Wood) Limited : Linden Wates (Bricket Wood) Limited

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See enclosed statement for full details, although in summary the approach of the Plan in policy SP1 is not sound for the following reasons:

a) It is not **positively prepared** as it does not seek to address the Plan area's housing needs.

b) It is not **justified** with regard to the timeframe that the examination of the Local Plan will take which will result in a delayed adoption of the document. The approach is also **inconsistent with national planning policy** in failing to comply with paragraph 22 of the NPPF.

c) It is not **justified** through the reliance on unexplained assumptions, especially regarding the sources of supply which do not align with data on permissions and other components.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The necessary changes to Draft Policy SP1 to address the matters of soundness are (additions shown underlined and deletions struck through) *[please see attached document]*. The changes only apply to the first and eight paragraphs of the policy. As no changes are advocated to these, they are not shown below.

In the first paragraph:

The Spatial Strategy positively plans for the future to ensure that by 2042 St Albans District is a great place to live, work and visit. The Council requires new growth that enhances the attractiveness and unique character of the District through high quality design that respects local heritage. Growth must be supported by the necessary community infrastructure, transport improvements, green spaces and tree planting.

In the eighth paragraph:
Following the Government's required 'Standard Method' for calculating local housing need, the Council will identify and allocate land for the delivery of at least 16,853 net additional new houses, or 887 per annum in the period 1 April 2023 - 31 March 2042

As indicated in the representations, further allocations should be added to the Plan which would include our clients land at the former HSBC site for around 60 dwellings.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form - former HSBC Bricket Wood_[R].pdf
2. Apps 01 - 04_[R].pdf
3. Reg 19 Reps - Linden Wates Bricket Wood Limited - 7 Nov 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To clarify and explain why the plan is unsound and the reasons why the land at the former HSBC site must be included as an additional allocation, as detailed in section 6 of the statement.

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See enclosed statement for full details, although in summary the approach of the Plan in policy SP3 is not sound for the following reasons:

a) It is not **positively prepared** as it does not seek to address the Plan area's housing needs.

b) It is not **justified** with regard to the timeframe (as evidenced in the HELAA) for the Council to determine planning applications and their subsequent implementation (including build rates). The approach is also **inconsistent with national planning policy** in failing to comply with paragraph 22 of the NPPF.

c) It is not **effective** as the evidence does not demonstrate that the expectations for delivery are realistic.

d) The approach is also **inconsistent with national planning policy** in failing to comply with paragraph 38 of the NPPF as it is not supported by a proportionate up to date evidence base. The conclusions on delivery are not evidence based to comply with the guidance detailed in the NPPF's Glossary together with the PPG.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The necessary changes to Draft Policy SP3 to address the matters of soundness are (additions shown underlined and deletions struck through) (reflecting the changes advocated for policy SP1) *[please see attached document]*.

In the first paragraph, this is amended to read:

The minimum number of homes needed in the District, following a local housing need assessment conducted using the Government's required Standard Methodology – is 885 dwellings per year, or a total need of 16,853 to 2042. This housing need figure is the same as the housing requirement figure of 887 dwellings per year, or a total need of 16,815 in the period 1 April 2023 to 31 March 2042

That "2041" is replaced with "2042" in the third paragraph.

That paragraph 3.27 is omitted.

That the penultimate row in table 3.2 is amended to state that the annual requirement is "887" dwellings.

Further, the inclusion of our client's site as a site allocation for circa 60 dwellings is necessary in order to overcome this soundness concern. This should be reflected on the supporting Policies Map and within Part 2 of the plan accordingly.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Apps 01 - 04_[R].pdf
2. Reg 19 Reps - Linden Wates Bricket Wood Limited - 7 Nov 2024_[R].pdf
3. Representation_Form - former HSBC Bricket Wood_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To clarify and explain why the plan is unsound and the reasons why the land at the former HSBC site must be included as an additional allocation, as detailed in section 6 of the statement.

LG4 - Large, Medium and Small Sites

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See enclosed statement for full details, although in summary the approach of the Plan in policy LG4 is not sound for the following reasons:

a) It is not **positively prepared** as it does not seek to address the Plan area's housing needs.

b) It is not **justified** with regard to the exclusion of our client's site from assessment within the HELAA, especially as the earlier appeal decision confirmed the wider extent of previously developed land on the site.

c) Not **consistent with national policy** as the identification of housing allocations has not prioritise previously developed land in the Green Belt, as required by NPPF paragraphs 147 and 148.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The necessary changes to Draft Policy LG4 to address the matters of soundness are summarised below:

That our clients land at the former HSBC site is included as an allocation for around 60 dwellings.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form - former HSBC Bricket Wood_[R].pdf
2. Apps 01 - 04_[R].pdf
3. Reg 19 Reps - Linden Wates Bricket Wood Limited - 7 Nov 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To clarify and explain why the plan is unsound and the reasons why the land at the former HSBC site must be included as an additional allocation, as detailed in section 6 of the statement.

LG8 - Small Scale Development in Green Belt Settlements

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

See enclosed statement for full details, although as indicated, the plan fails the NPPF tests of soundness by failing to be sufficiently effective or justified given the availability of a reasonable and sound alternative in identifying the land in the manner advocated (see section 6 of the enclosed statement).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

That a Green Belt village could be identified covering the completed Hanstead Park development and the suggested extension of it (to include 60 dwellings) as advocated within these representations. Such an approach would be consistent with the various examples highlighted in section 6 of the statement. Further, the site has a functional relationship with a settlement in a higher tier settlement (Bricket Wood) and benefits from good availability of bus routes to provide public transport opportunities. The site therefore performs equally if not better than the examples identified in the tier 6 Green Belt villages as referenced in Table 1.3 (Settlement Hierarchy) and can be identified as a Green Belt settlement as identified within this policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Apps 01 - 04_[R].pdf
2. Reg 19 Reps - Linden Wates Bricket Wood Limited - 7 Nov 2024_[R].pdf
3. Representation_Form - former HSBC Bricket Wood_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To clarify and explain why the plan is unsound and the reasons why the land at the former HSBC site must be included as an additional allocation, as detailed in section 6 of the statement.

Part B - Local Plan Sites

Comment Number: 5

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

For all these reasons detailed in the supporting statement, our client's site at the former HSBC site is ideally located having regard to environmental/planning designations. It is well placed spatially to meet the identified needs within the plan area. The scale and form of the proposed allocation is compatible with the requirement for a site to come forward relatively quickly in order to address the more pressing short term needs that arise in the plan. The site has also been acknowledged as a sustainable location further reinforcing its merits. An extension to a recently permitted scheme which in turn was found to be acceptable also makes logical planning sense. For all these reasons the Council is invited to engage with ourselves to pursue this allocation option which we believe has significant and overriding merits and benefits worthy of inclusion within the next iteration of the joint plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The amendments essential to make the Local Plan sound can be summarised as follows:

- The need to revise the level of housing provision within a more appropriate plan period, thereby ensuring the emerging plan is consistent with the Government's planning advice and policy.
- The Local Plan should cover the period April 2023 to March 2042 (An increase of 2 ½ years from the current Plan period (October 2024 to March 2041).
- Provision should be made for at least 16,815 dwellings in St Albans City and District during a revised plan period (April 2023 to March 2042) (887dpa).
- The sources of supply must be based upon known information at the base date and be supported by robust proportionate evidence to justify the expectations of delivery.
- The Local Plan applies an inconsistent approach to the treatment of previously developed land in the Green Belt. The land at the former HSBC Training Centre (now known as Hanstead Park) should be inset from the Green Belt (reflecting the approach on other sites) with sections yet to be redeveloped earmarked as further housing allocations for circa 60 additional dwellings.
- Land within the wider confirmed previously developed zones but awaiting redevelopment should be included as allocations for approximately 60 dwellings 13.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Apps 01 - 04_[R].pdf
2. Reg 19 Reps - Linden Wates Bricket Wood Limited - 7 Nov 2024_[R].pdf
3. Representation_Form - former HSBC Bricket Wood_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To clarify and explain why the plan is unsound and the reasons why the land at the former HSBC site must be included as an additional allocation, as detailed in section 6 of the statement.

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317 - Taylor Wimpey Strategic Land

Submission Number: 317 Submission Date: 07/11/24 09:00

Respondent: Sam Hollingworth

On Behalf Of Taylor Wimpey Strategic Land :

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.1 Policy SP1 sets out the proposed spatial strategy for the District up to 2041. Our comments on this

can be divided into the following three elements: the plan period; the settlement hierarchy and distribution of growth; and the approach to calculating minimum housing needs.

Plan period

2.2 In order to be capable of being found sound the new Local Plan must *inter alia* be consistent with

national policy. The National Planning Policy Framework (NPPF) requires strategic policies to address a period of at least 15 years *from adoption* of the Local Plan.

2.3 The DLP proposes a plan period which runs until 2041. In order to address the minimum 15-year

period, the new Local Plan will need to be adopted before the end of March 2026.

2.4 The Council's Local Development Scheme suggests the new Local Plan will be adopted in March

2026.

2.5 Consequently, the Council appears to have no room for any slippage in the Local Plan timetable.

This constitutes a risk, in our view, particularly as a) the Council will not be in control of the Local Plan timetable from submission of the plan for examination; and b) based on the experience of other Local Plans recently, it is likely that a need for some main modifications will be identified through the examination of the submitted Local Plan. Such modifications will need to be agreed by the Council, appraised, and consulted upon, delaying adoption.

2.6 We suggest it would be prudent to extend the plan period, and ensure the spatial strategy and other

strategic policies look to address the period up to at least 2042.

2.7 We suggest the only realistic alternative to extending the plan period proposed by the DLP would be

to incorporate a policy requiring an immediate review of the Local Plan upon adoption. This was the approach considered proportionate in the case of the Brentwood Local Plan, when the submitted version was not able to address the requisite minimum 15-year period. In the case of the Brentwood Local Plan, the Examining Inspectors concluded that specific deadlines for the Council to progress to the submission stage needed to be incorporated into the policy.

2.8 Like St Albans City & District, Brentwood Borough is predominantly Green Belt. This policy designation constrains opportunities to meet development needs when the Local Plan becomes out-of-date. Consequently, if an immediate review policy were to be used to address the plan period issue, we consider that there would need to be similar deadlines for submission contained within it.

2.10 We consider that it is appropriate to use a settlement hierarchy to help determine the sustainability of a settlement to accommodate growth. It is important the spatial strategy is also informed by other factors such as constraints to development, the pattern of employment development, and the availability of appropriate sites[1]. The DLP appears to account for the aforementioned, and as entirely appropriate, does not slavishly follow the settlement hierarchy.

2.11 In terms of the approach to establishing the settlement hierarchy, this is informed by the Council's two-part Settlement Hierarchy Study (June 2023) ('the SHS')

2.12 The SHS applies a quantitative scoring system to establish a settlement hierarchy for the District. It is acknowledged that attempts to quantify the characteristics of such settlements, considering a

range of varied features, is inherently problematic. However, the approach is considered proportionate, particularly, as noted above, the DLP has not sought to distribute growth in an overly simplistic manner having regard to the outcome of such an assessment.

2.13 Harpenden is proposed to be a second-tier settlement in the SHS, below only the city of St Albans City. The DLP follows this recommendation, as per its Table 1.3.

2.14 Notably, within the current Development Plan, Harpenden is a first-tier settlement alongside St Albans.

2.15 This difference is not necessarily problematic, provided the DLP appropriately responds to the fact that, as the SHS identifies, Harpenden is a far more sustainable location to accommodate growth than all other settlements within the District with the exception of St Albans.

2.16 The proposed settlement hierarchy also reflects the Centre Hierarchy (Table 6.1 of the DLP), which identifies St Albans City Centre as the only city centre in the District; then Harpenden as the only town centre; followed by other lower order centres.

2.17 The proposed settlement hierarchy is supported, and policies / allocations within the DLP should reflect this.

2.18 In relation to Harpenden, this means the settlement has been evidenced as being well-placed to be able to accommodate significant additional growth.

2.19 It is unclear how decision-makers are intended to respond to reference to the settlement hierarchy having informed the spatial strategy within Strategic Policy SP1. As currently worded, it reads as the justification for other policies / allocations with the DLP, as opposed to a policy in its own right. We suggest that it is reworded such that the policy states growth will be directed to settlements having regard to the settlement hierarchy, as well as other factors.

Local housing needs

2.20 We welcome the use of the Standard Method as per the PPG[2]. The NPPF is clear that this should be used to determine the minimum number of new homes strategic policies should plan for (NPPF paragraph 61); and that seeking to meet housing needs, as a minimum, is a prerequisite of a sound Local Plan (paragraph 35).

2.21 The PPG confirms that the Standard Method does not generate a housing requirement for use in plan-making, merely the ***minimum*** housing requirement[3]. Consequently, reference to the number this generates being a minimum within Policy SP1 is supported and, indeed, considered necessary.

2.22 We suggest that the new Local Plan also need to include a policy in which the housing requirement is set, and the PPG notes there will be circumstances where it is appropriate to plan for more housing than the Standard Method suggests.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.22 We suggest that the new Local Plan also need to include a policy in which the housing requirement is set, and the PPG notes there will be circumstances where it is appropriate to plan for more housing than the Standard Method suggests.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-208 TWSL LP Reg19 Pipers Lane - FInal_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP3 sets out the proposed minimum number of new homes needed in the District

over the plan period, addressing a 16.5-year period between 1 October 2024 and 31 March 2041. It also states that the Council will increase overall employment space. It stresses that growth must be supported by suitable infrastructure. Additionally, it also explains the Green Belt will continue to be protected, but that it will be necessary to make alterations to the boundary to accommodate development needs.

3.2 Our representations on this policy focuses on two elements of Policy SP3: housing need and the

principle of alterations to the Green Belt.

Housing Need / Requirement

3.3 Policy SP3 refers to a total housing need for the District to 2041 of 14,603 homes, taken from 1

October 2024.

3.4 It explains that this is based on an annual housing need of 885 dwellings, calculated in accordance

with the Standard Method (as per the PPG, and discussed in our response to Policy SP1).

3.5 The NPPF requires use of the Standard Method to determine the minimum number of new homes

to be planned for, and as such is supported. Reference to the number being a minimum also accords with the NPPF and PPG regarding how the Standard Method figure should be considered.

3.6 However, as noted in our response to Policy SP1, to avoid potential problems arising in the event the

timetable for the adoption of the new Local Plan was to slip, we suggest the plan period be extended to at least 2042, increasing the housing need / minimum housing requirement by 885 dwellings.

3.7 As also set out in our response to Policy SP1, it is important that the Council and the new Local Plan

recognise that whilst the Standard Method generates the minimum housing requirement, it does not generate the housing requirement per se.

3.8 The figure generated by the Standard Method and cited in the DLP not only represents the *minimum*

figure, but is also artificially constrained by application of a cap (in accordance with the PPG, and intended to ensure that the minimum housing requirement is deliverable as soon as possible[4]). As the PPG notes, the "*The cap reduces the minimum number generated by the standard method, but does not reduce housing need itself*[5]". The local housing need calculated without the cap would be 1,169 dwellings per annum (dpa).

3.9 The PPG[6] also suggests that:

"An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes".

3.10 This is particularly germane to the establishment of the housing requirement in the new Local Plan, given the acute affordable housing need to which the District is subject, as the Council's evidence base confirms.

3.11 The South West Hertfordshire Local Housing Needs Assessment (September 2020) ('the LHNA) calculated a net affordable housing need for St Albans of 443 dpa – approximately half the total housing requirement. If the new Local Plan delivers the minimum local housing requirement of 885

dpa, it is improbable that affordable housing needs will be met. Particularly as a significant
proportion of the District's housing land supply is made up of windfall sites and allocations proposed to deliver fewer than 10 dwellings, and thus will not be required to make any contribution towards affordable housing.

3.12 An increase to the total number of dwellings to be delivered will result in an increase in the number of affordable homes that will be delivered and, even if needs are not met in full, would result in a smaller shortall at least.

3.13 Representations made on behalf of TWSL on the Regulation 18 iteration of the new Local Plan in 2023 raised additional factors to be accounted for in establishing the housing requirement, including market signals, the scale of housing shortage across the housing market area, and the potential impact of ongoing under delivery of housing in London. However, such matters do not appear to have been given proper consideration in establishing the DLP's housing requirement.

Green Belt

3.14 Reference to making alterations to the Green Belt in order to accommodate development needs is supported.

3.15 The NPPF (paragraph 145) makes clear that the preparation of a new Local Plan is an appropriate vehicle through which to amend Green Belt boundaries. It states this should only be done where there are exceptional circumstances which justify such alterations.

3.16 The NPPF (paragraph 145) also stresses that exceptional circumstances should be fully evidenced and justified; and that a Local Planning Authority must demonstrate that it has fully examined all other reasonable options for meeting its identified need for development before concluding exceptional circumstances exist (paragraph 146).

3.17 Whilst the definition of exceptional circumstances is not elaborated on further within the NPPF or PPG, judgments in respect of *Calverton*[7] and *Compton*[8] have provided a basis on which to consider the matter.

3.18 The judgment in *Calverton* preceded that in *Compton* and determined that the following can form the basis of considering exceptional circumstances in the context of development needs:

1. The acuteness of the objectively assessed development need
2. Constraints on the supply or availability of land suitable for sustainable development

- The consequent difficulties in achieving sustainable development without impinging on the Green Belt

1. The nature and extent of harm to the Green Belt that would be caused by a review of Green Belt boundaries
2. The extent to which harm to the Green Belt could be minimised as far as practicable.

3.19 In the case of St Albans City & District the scale of housing need is significant, as already noted and recognised through the DLP.

3.20 In addition to there being significant overall housing need within the District, there is also an acute need for affordable housing specifically.

3.21 The new Local Plan's evidence base includes the South West Hertfordshire Local Housing Needs Assessment (2020) ('the LHNA').

3.22 The LHNA includes an objective assessment of affordable housing needs within the Districts that make up South West Hertfordshire. It concludes St Albans City & District has an affordable housing need which equates to 443 dpa, equivalent to 50% of the Standard Method's calculation of the minimum overall annual housing requirement.

3.23 In terms of opportunities to meet this need sustainably without impinging on the Green Belt, it has been abundantly clear that only a very limited proportion of the District's needs can be met without doing so. The evidence base which supported the previous Local Plan prepared by the Council (ultimately withdrawn in 2020) confirmed the inability to make a meaningful contribution to meeting housing needs without alterations to the Green Belt. Four years on, the position remains and has likely been exacerbated by a lack of delivery – the latest Housing Delivery Test measurements (2022) report that only 55% of the District's housing needs in the preceding three years.

3.24 The lack of opportunity to meet development needs without alterations to the Green Belt boundary has been reaffirmed through the Council's Housing and Economic Land Availability Assessment (2021) ('the HELAA') and its accompanying Appendix B – the draft Urban Capacity Study (2022) ('the UCS').

3.25 The UCS estimated potential to deliver only 2,174 dwellings within the existing limits of the District's settlements, even if one were to apply a 'density uplift' within areas considered appropriate to do so. This leaves a significant housing need that will need to be delivered through new allocations. Given that the existing Green Belt boundary is drawn tightly around the District's settlements, this inevitably means that some alterations to the Green Belt will be required.

3.26 In terms of nature of harm to the Green Belt that would be engendered by amendments to the boundary, this will be dependent on specific sites to be allocated. However, it is relevant to note the findings of the St Albans Stage 2 Green Belt Review (2023) ('the Green Belt Review') or 'GBR 2023').

3.27 The Green Belt Review divided the District's Green Belt into 182 sub-areas, which were then assessed in respect of their contribution to the purposes of the Green Belt. It found that a number of these sub-areas' contributions were 'less important' or 'partly less important'. Of these 182 sub-areas, 54 were recommended for further consideration in isolation as their loss would be unlikely to result in harm to the wider Green Belt; and 29 for further consideration as their development would be unlikely to result in result in harm to the Green Belt, provided they were released in combination with other sub-areas.

3.28 There is evidently scope to make relatively modest alterations to the Green Belt in such a way that its strategic functions remain, and it continues to fulfil the purposes of the Green Belt as per the NPPF.

3.29 Similarly, the extent to which harm to the Green Belt may be mitigated will principally be a matter for consideration on a site-by-site basis. It is noted that the Green Belt Review nevertheless considers the issue of mitigation; and that the DLP itself proposes various forms of mitigation through Policy LG6.

3.30 At the District-level, the acute housing shortage (including significant need for affordable housing), together with lack of options to address this need without impinging on the Green Belt, and the identification of options for amending the Green Belt boundary without undermining its strategic purposes, evidently constitute exceptional circumstances which justify (or moreover, necessitate) alterations to the District's existing Green Belt when considered in the context of *Calverton*.

3.31 Furthermore, *Compton* confirmed that it is not necessary to 'tick off' all of the matters identified as constituting exceptional circumstances in *Calverton*. Instead, *Compton* establishes that, provided the circumstances relied on, taken together, can rationally be considered to constitute exceptional circumstances justifying release of land from the Green Belt, then this is sufficient.

4.1 Our comments in Section 3 of this representation focus on Strategic Policy SP3 itself but it is noted

that linked to this is Table 3.2, which sets out the housing trajectory associated with the spatial strategy and which the DLP suggests its policies and allocations will deliver.

4.2 We have a number of concerns with the trajectory, and consider there are doubts that the DLP will

deliver as many homes over the plan period as it suggests. These are discussed below.

The Stepped Trajectory

4.3 The PPG[9] suggests that stepping the housing requirement *may* be appropriate where there is a

significant change in the level of housing requirement between existing and emerging policies.

4.4 However, the PPG also makes clear that the stepping of a housing requirement needs to be set out

in strategic policy; and that it should be evidenced. It stresses that plans should "*not seek to unnecessarily delay meeting identified development needs"*[10]

4.5 At paragraph 3.27 of the DLP it states that the housing trajectory is proposed to be stepped *"to allow*

sufficient time for the significant uplift in housing delivery to be realistically delivered".

4.6 However, not only is the stepping of the requirement not incorporated within a strategic policy, no

evidence appears to have been put forward to demonstrate it is necessary to delay the meeting of housing needs.

4.7 The trajectory should only be stepped if there are insufficient sites that are deliverable within the

early years of the plan period to meet needs; and even then only as far as is necessary once all sustainable, deliverable sites are proposed for allocation and this still does not meet needs in full.

Reliance on Redevelopment of Existing Car Parks

4.8 The proposed site allocations in the DLP Part B includes a large number of sites that are currently in

use as public car park or contain private garages.

4.9 Six allocations of sites currently in use as public car parks are proposed in which one of the key

development requirements proposed is:

"The site will require a survey of car park usage before proceeding with any proposals"

4.10 This very much suggests that the appropriateness of losing the existing car parking use has yet to be established. Consequently, these cannot be relied upon to deliver housing during the plan period – the survey of car park usage the DLP requires may reveal the sites are well-used public car parks which are important to be retained as such.

4.11 The projected contribution to the housing supply from these sites (based on the site-specific, indicative capacities stated within the DLP) is 219 dwellings.

4.12 Similarly, 30 sites proposed to be allocated are used for car parking / garages where the key development requirements include:

"*Appropriate levels of car parking for existing and new development must be provided*"

4.13 However, it is unclear if the sites can be redeveloped for housing and the above requirement achieved.

4.14 Furthermore, a number of these sites are backland sites where it is unclear if the quantum of development can be achieved whilst meeting appropriate development standards to ensure amenity of existing neighbours / future residents and / or, as the policy text acknowledges itself, accessed via narrow roads, and the suitability of access to proposed residential development appears uncertain.

4.15 Such sites, cumulatively, are anticipated to contribute 251 dwellings over the plan period. Again, however, they cannot be relied upon to do so without further evidence of deliverability.

4.16 Irrespective of the suitability of the sites proposed to be allocated, there is evidently a risk in terms of their deliverability. This demonstrates the importance of instilling the strategy with sufficient flexibility to be able to meet development needs, even if all sources of supply do not come forward as anticipated.

Overview

4.42 The stepping of the housing trajectory may be acceptable, but only if the DLP has exhausted all options from sustainable, deliverable sites capable of contributing towards the provision of homes in the early years of the plan period. To do otherwise would be to unnecessarily delay the delivery of much needed homes in the District.

4.43 The Council is urged to look again at sites that have been rejected to see if any could be deliverable in the early years of the plan period.

4.44 Separately, whilst the Council's desire to maximise development within existing urban areas is understandable and consistent with sustainable development principles, there is a concern regarding the deliverability of a number of such sites relied upon to contribute housing. Whilst this does not necessarily mean such sites' proposed residential allocations should be deleted, it does underline the need for the housing delivery strategy to be sufficiently flexible to allow for sites allocated to not come forward as expected.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-208 TWSL LP Reg19 Pipers Lane - FInal_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Part B - Local Plan Sites

Comment Number: 7

Type:

* Site

Number:

New site - Land at Pipers Lane, Harpenden

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

5.1 This Section of our representations describes the [Land at Pipers Lane, Harpenden]'s characteristics and considers its sustainability and deliverability for residential development.

Site Characteristics

5.2 It is an irregular shape, measuring c.8.7ha with a gentle topography entailing a gentle rise from west

to east.

5.3 The Site contains several small outbuildings associated with its use as grazing land concentrated on

the boundaries. Fencing and landscaping demarcates the Site's boundaries. The Site is otherwise generally featureless.

5.4 It is located on the south-eastern edge of Harpenden, with the Site's western boundary commensurate with existing residential development. The eastern boundary follows Pipers Lane. Mature landscaping provided along the other boundaries mean that the Site is subject to a relatively large degree of containment.

5.5 An aerial view of the Site is provided below as Figure 1 [see attached file].

5.6 The adjoining residential development to the west / north-west is second half 20th century development, suburban in character, predominantly two-storey. To the east of the Site is existing development which is more rural in character: sporadic residential development along Pipers Lane including more isolated dwellings and farms. This edge-of-settlement Site has urban fringe characteristics.

5.7 Other nearby uses include golf course to the east and north-west of the Site; and Aldwickbury School c.500m to the west.

5.8 A Site Location Plan showing the Site and its immediate context is provided below as Figure 2 [see attached file].

5.9 There are bus stops in proximity to the Site, along Wheathampstead Road / Meadway and Long Buftlers, from which services into Harpenden town centre are available.

5.10 In terms of potential constraints to development, the Site is entirely within Flood Zone 1 – land least at risk of flooding from tidal or fluvial sources.

5.11 Additionally, the Site is not subject to any ecological or other environmental designations which might render it unsuitable for development. On the contrary, given the Site is currently used for grazing, the ecological value is likely to be low and its development would give rise for opportunities for ecological enhancements.

5.12 Whilst there are neighbouring heritage assets, the setting of which would need to be accounted for in consideration of detailed design and layout of any development, the Site itself is not within or near to a Conservation Area and does not contain any Listed Buildings or other heritage assets.

5.13 The Site is not considered of any particular landscape value, and not a valued landscape as per paragraph 180 of the NPPF.

5.14 It is not subject to any ecological or other environmental designations considered significant for the purposes of assessing its suitability for residential allocation.

5.15 The Site forms most of the land referenced WH12 in the Council's Call for Sites; and WH-04-21 in the Council's Housing and Economic Land Availability Assessment (HELAA) (2021/22).

Suitability and Sustainability for Residential Development

5.16 As discussed above, the Site is located on the edge of the existing settlement of Harpenden.

5.17 As the DLP recognises, Harpenden is one of the most sustainable settlements in the District to accommodate additional growth.

5.18 The Site represents a logical extension to the settlement, on land that is not subject to any significant environmental, ecological, landscape or heritage constraints.

5.19 The Site has urban fringe characteristics and additionally is subject to a significant degree of visual containment. Its development would not give rise to concerns regarding urban sprawl or further encroachment into the countryside.

5.20 Facilities and services within proximity to the Site include an infant and nursery school; allotments; local footsore; and playground. Existing bus services would enable future residents to access the town centre via public transport in under 20 minutes.

5.21 It is of a size through which a variety of different house type can be provided, meeting a variety of housing needs, including by making a meaningful affordable housing contribution. New residents on the site would engender economic benefits to the area through increased spending in the local area. The development of the Site would help support the vitality of Harpenden and to sustain it as a vibrant community.

5.22 The principal constraint to the Site's development is its current designation in the Development Plan as Green Belt – a policy constraint.

5.23 As noted within Section 3 of this representation, it is evident that exceptional circumstances existing at the District level which justify alterations to the Green Belt boundary through preparation of a new Local Plan.

5.24 At the site-specific level, and whilst ***Calverton*** does not provide an exhaustive list of matters which may constitute exceptional circumstances justifying removal of land from the Green Belt (as confirmed by ***Compton***) it does provide matters pertinent to the issue of the Site.

5.25 Specifically, given that development needs at the District level cannot be sustainably met without impinging on the Green Belt, the nature and extent of harm that development of the Site would

cause; and the extent to which such harm could be mitigated are both of particular relevance.

5.26 In terms of the extent of harm to the Green Belt, as already noted, the Site is subject to a relatively high degree of containment, with impacts of development likely to be localised. The Site adjoins existing suburban residential development, and has urban fringe characteristics. Piper

Lane would provide a robust boundary between the Site and the countryside beyond, and one with significant permanence. Consequently, any concerns regarding unrestricted urban sprawl would be limited, and a new defensible boundary that would be created would ensure the countryside is protected from future encroachment

5.27 The Site is neither of any significance in terms of preventing coalescence (or the perception of coalescence) between towns, nor in preserving the historic character of an historic town.

5.28 Development of the Site's impact on encouraging recycling of derelict and other urban land would

be no different from any other Green Belt site that may be developed, and unlikely to have any material impact in any case, given the extent of housing needs in the District.

5.29 Consequently, the Site is not considered to make a significant contribution to the purposes of the Green Belt. If allocated the Site was allocated for development, the Green Belt would continue to perform its strategic purposes.

5.30 There are opportunities to incorporate measures that may mitigate such harm as there would be to the purposes of the Green Belt, including through provision of significant additional landscaping. The Site's development also gives rise to opportunities to provide compensatory improvements, such as those set out within the PPG[11]. Such measures could include, for example, enhanced walking and cycling routes, as well as ecological enhancements.

6.1 There are a number of elements of the DLP's evidence base relevant to consideration of the Site, as

discussed in turn below.

HELAA

6.2 The Site was considered by the Council as a potential residential allocation as site reference WH-04-

21 through the Housing and Economic Land Availability Assessment (2021) ('the HELAA').

6.3 In respect of the Site's suitability for residential development, the HELAA concluded:

"At this initial stage, the site is considered to be potentially suitable subject to absolute and non-absolute constraints being reasonably mitigated. Evidence base work, including a Green Belt Review, is underway and may change the site suitability in the future"

6.4 Given the lack of constraints to development of the Site, as noted in Section 5 of this representation, the key issue appears to have been the Green Belt Review.

Green Belt Review

6.5 The Council has prepared a Stage 2 Green Belt Review (June 2023) ('the GBR 2023'). This utilised the findings of the Green Belt Review Purposes Assessment (2013) which acts as a Part 1 to the GBR 2023.

6.6 The Site forms a significant part of the parcel of land assessed by the GBR 2023 as site SA-37.

6.7 The GBR 2023 claims that sub area SA-37 performs strongly in relation to Green Belt purposes. It is one of 113 out of 182 sub areas found to do so.

6.8 In reaching this conclusion, the GBR 2023 found that sub area SA-37:

- strongly meets the criteria in respect of Purpose 1 (check the unrestricted sprawl of the large built-up areas);
- meets criteria in respect of Purpose 2 (prevent neighbouring towns from merging);

- strongly meets the criteria in relation to Purpose 3 (assist in safeguarding the countryside from encroachment); and
- does not meet the criteria in relation to Purpose 4 (preserve the setting and special character of historic towns).

6.9 In respect of GBR 2023's conclusions vis-à-vis the Site and contribution to Purpose 1 and 3 of the

Green Belt, the GBR 2023 does not appear to have had regard to factors such as the Site's relationship with the existing settlement boundary and other nearby development, the urban fringe characteristics of the Site, the degree of containment to which it is subject, or the fact that landscape and visual impacts are likely to be localised rather than wide ranging.

6.10 Once the above factors are appropriately accounted for, the Site evidently does not make as important a contribution to the Purpose 1 or Purpose 3 of the Green Belt as the GBR 2023 suggests.

6.11 Similarly, whilst the GBR 2023 suggests the sub area contributes to preventing the merging of towns, given the scale of the Site, the distance to the nearest neighbouring settlement, and, again, the degree of containment the Site is subject, the Site cannot feasibly be said to assist in preventing the merging of settlements. Indeed, it is well placed to accommodate development in a manner that neither engenders coalescence of even perception of coalescence, given its characteristics and the distance to the next settlement.

6.12 It is considered that GBR 2023 has overstated the importance of sub-area SA-37 to the purposes of the Green Belt, and by extension has overstated the contribution made by the Site.

6.13 The Site has the potential to be developed in a manner that would result in substantially less harm to the Green Belt than the GBR 2023 implies.

6.14 This is of particular importance given other elements of the DLP evidence base appear to rely on the GBR 2023's conclusions in considering the Site, as discussed further below.

Sustainability Appraisal

6.15 The Sustainability Appraisal of the DLP ('the SA') does not appraise the Site in detail, but does include a GIS-based analysis of it in its Appendix IV. This is a somewhat simplistic analysis which does not appear to fully capture factors such as: the Site being in proximity to a nursery and infants school; that whilst it is a greenfield site, it is not in arable use; and that it gives rise to potential for, for example, ecological improvements to a site which is currently likely to be of limited ecological value. It does not capture factors such as proximity to bus stops, and the direct access to the town centre these provide.

6.16 Furthermore, it does capture the significant social and economic benefits of a site this size, which is capable of accommodating a range of house types to meet the community's various accommodation needs, including in respect of affordable housing.

6.17 The SA considers (at paragraph 5.4.70) other non-strategic options for growth in Harpenden, which are "*inherently judged to perform poorly on the basis of not being recommended by the Green Belt* ***Review (and on the basis of being non-****strategic).*" *It goes on to describe Land at Pipers Lane to be one of two 'notable' sites that fall within this category.*

6.18 The wording at paragraph 5.4.70 suggests significant importance has been afforded to the findings of the GBR 2023 in determining whether sites merit further consideration or not. As noted, however, earlier within this section of our representation, the GBR 2023's assessment of the Site (or rather the slightly larger sub area in which it sits) is considered to have overstated its contribution to the purposes of the Green Belt.

6.19 Nevertheless, the SA goes on to describe the Land at Pipers Lane as:

"***perhaps the stand-out larger omission site that is being actively promoted. It is located at the southeast extent of the town, and the proposal is for 220 homes****...****However, the site does not perform well in Green Belt terms and does not stand out as particularly well located in other respects, nor is there are** *any clear planning gain proposals"*(paragraph 5.4.70).

6.20 The SA does not suggest residential development of the Site would engender any particular negative impacts, rather it implies it simply would not result in any particular positive impacts that 'stand out'. Whilst somewhat unclear what is meant by this, it suggests an absence of any specific reasons for rejecting allocation of the Site other than Green Belt. To reiterate, it is considered that the GBR 2023 has overstated the Site's contribution to the Green Belt and this has clearly distorted the SA's consideration of the Site.

6.21 Whilst evidently a soundness issue in respect of the DLP, it is one that can be readily rectified through reconsideration of the Site through the SA. Such reconsideration should factor in the positive impacts on sustainability objectives noted earlier within this section.

Local Plan Site Selection Proforma Sheet

6.22 The Site's suitability for residential development also considered in the Council's Local Plan Site Selection Proforma Sheet, as site reference C-257.

6.23 This Site Constraints Map within this identifies Green Belt as the only constraint that applies directly to the Site, with the setting of nearby Grade II listed buildings also necessary to consider as part of any detailed proposals.

6.24 In the Qualitative Assessment section of the Local Plan Site Selection Proforma Sheet, it reports that the Site was not recommended for further consideration by the GBR 2023, and asserts that the Site is not recommended to progress. However, it is unclear on what basis this conclusion is reached, unless solely on account of the GBR 2023 findings.

6.25 Reference is made to the Site being 1.9km from the nearest primary school. This is incorrect. It is c1km from Grove Infant and Nursery School, a c.17-minute walk, and is a benefit rather than a negative.

6.26 The Qualitative Assessment also notes the Site is located within a landscape conservation area – this designation dates from the 1994 Local Plan and covers a significant area of the District. It should not be confused with a site-specific assessment of a Site's landscape value.

6.27 In terms of the Site's proximity to listed buildings, this is a factor that can be addressed through the layout and design of any development of the Site. It is far from atypical for new development to be located adjacent to a heritage asset, and for the setting of these to be conserved through the development layout, which may, for example, include landscaped buffers.

6.28 It is not considered that the Local Plan Site Selection Proforma Sheet raises any issues that justify rejection of the Site for residential development, with the possible exception of Green Belt. But to repeat, we consider the harm to the Green Belt that would be caused by development of the Site is significantly less than the GBR 2023 implies.

Overview

6.29 The DLP's evidence base does not suggest any significant reasons for rejection of the Site, with the exception of its alleged contribution to the purposes of the Green Belt. This appears to be the determinative factor.

6.30 However, the GBR 2023's review of the Site's contribution to Green Belt objectives fails to consider a number of key characteristics in respect of the Site, specifically:

- The boundaries of the Site and the degree of self-containment these provide, ensuring that removal of the Site from the Green Belt would not give rise to risk of unrestricted urban sprawl or further encroachment into the countryside.

- The distance between the Site and any neighbouring settlements, and the lack of contribution towards preventing coalescence of towns the Site could be feasibly said to make.
- The relationship between the Site and adjoining sub-urban residential development, and the resultant urban fringe character of the Site.

6.31 It is considered that the rejection of the Site is not justified, and that in the event the DLP were to be required to find additional sites, the Site would be a sustainable, deliverable and justified option.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The [allocation of Land at Pipers Lane, Harpenden] would help address issues of soundness set out in this representation, and would represent a justified, effective allocation which would be consistent with national policy and help ensure the new Local Plan can be considered positively prepared.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-208 TWSL LP Reg19 Pipers Lane - FInal_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Specific Proposed Allocations in Harpenden

4.17 We have a number of concerns with specific allocations proposed by the DLP to deliver homes in Harpenden, and their deliverability over the plan period.

M19 - Piggottshill Lane, Harpenden, AL5 5UN 4.18 Key development requirement 1 states:

"Piggottshill Lane is narrow and cannot serve as the vehicle access route due to the scale of ***development and nature of the lane and there is currently no pedestrian provision. Suitable access and design across land to the west of the site, including for pedestrians and cyclists, will need to be*** *agreed with the County Council"*

4.19 However, it is unclear from the DLP that alternative, suitable access to Piggotshill Lane can be achieved to serve development of the Site. From the policy text, this appears to be a prerequisite for any development, but at the same time one which the feasibility of achieving has yet to be confirmed.

4.20 The Site is in close proximity to the town's Sewerage Treatment works, situated under 100m from the Site's northern boundary. We would expect any site within 200m of a sewerage treatment works to require an odour and noise assessment to ensure not only that no unreasonable restrictions are placed on the operation of the facility, but that future residents of the new development would enjoy a reasonable level of amenity. The policy text, key development requirement no.5, does not provide confidence that this issue has been addressed. Instead, one can infer that further work is required to determine whether the Site can suitably accommodate 29 dwellings as per the DLP's estimate of its capacity.

4.21 Prior to further work regarding the potential impact of noise and odour, we do not consider the Site can be regarded as deliverable.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-208 TWSL LP Reg19 Pipers Lane - FInal_[R].pdf

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We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Specific Proposed Allocations in Harpenden

4.17 We have a number of concerns with specific allocations proposed by the DLP to deliver homes in Harpenden, and their deliverability over the plan period.

UC14 - Car Park to rear of 3 Church Green (Waitrose)

4.22 This site concerns an existing car park, centrally located within Harpenden and the Conservation Area.

4.23 Key development requirement no.1 is:

"Proposals must retain the adjoining supermarket with the same floorspace and retain a similar amount of parking, through intensification or redevelopment".

4.24 Key development requirement no.2:

"Appropriate levels of car parking for existing and new development must be provided."

4.25 However, the DLP lacks evidence that either of these two key development requirements are achievable.

4.26 Furthermore, the DLP acknowledges that the Site is within the Harpenden Conservation Area and close to a number of listed buildings. Whilst this does not of course render redevelopment of the Site intrinsically unsuitable, it does provide a further constraint in terms of design and layout. This gives rise to further questionability regarding the Site's deliverability for housing in a manner in which other key policy requirements pertaining to car parking can be achieved.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-208 TWSL LP Reg19 Pipers Lane - FInal_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Specific Proposed Allocations in Harpenden

4.17 We have a number of concerns with specific allocations proposed by the DLP to deliver homes in Harpenden, and their deliverability over the plan period.

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

4.27 This site is located adjacent to the railway line. Noise, and its potential to impact on amenity of future occupiers, is evidently a constraint to development. The policy recognises this, in that it requires a noise assessment to be undertaken (suggesting that the extent that noise is a constraint has yet to be fully understood); and requires necessary mitigation to be implemented.

4.28 The Site is also within the Conservation Area and adjacent to a number of listed buildings.

4.29 Whilst such heritage matters do not necessarily render the Site fundamentally unsuitable for development, they have the potential to imposes limitations on the design and layout.

4.30 Further to this, we note that the DLP's indicative capacity of this 0.1ha site is 32 dwellings, i.e. development at 320dph. Such a density would be vastly greater than adjoining development to the north.

4.31 Bringing all of the above together, to achieve the development of the Site as the DLP envisages it will be necessary to build at a much higher density than neighbouring development to the north, and incorporate noise mitigation measures, all in a manner that respects the setting of nearby heritage assets and the character and appearance of the Conservation Area.

4.32 This all assumes that noise impacts from the railway line *can* be successfully mitigated. It is unclear noise does not represent an absolute constraint in this instance.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-208 TWSL LP Reg19 Pipers Lane - FInal_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Specific Proposed Allocations in Harpenden

4.17 We have a number of concerns with specific allocations proposed by the DLP to deliver homes in Harpenden, and their deliverability over the plan period.

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP 4.33 The site currently provides parking for Harpenden Railway Station.

4.34 In terms of the suitability of the redevelopment of this site, in principle, for residential development, it is notable that key development requirement no.1 is a survey of car park usage before proceeding with any proposals, and also requires development proposals should take into account potential future station parking needs.

4.35 The above suggests that the acceptability of losing the parking the site currently provides for the railway station has yet to be determined.

4.36 In terms of whether the site's redevelopment can incorporate sufficient compensatory parking provision, this cannot be known until the parking need has been established.

4.37 Additionally, this site is located immediately adjacent to the railway line. As with proposed allocation UC15, noise, and its potential to impact on amenity of future occupiers is evidently a constraint to development. Again as with UC15, the policy recognises this, in that it requires a noise assessment to be undertaken.

4.38 As with UC15, it is not clear if the Site can be developed in a manner that ensures appropriate amenity for future occupiers.

4.39 The Site measures 1.23ha but is a long, thin shape. No part of it appears to be more than c.30m from the railway line. Not only is this a potential issue in terms of the extent of the site which might be subject to excessive noise levels, but also a possible constraint to implementing noise mitigation measures.

4.40 The site is within the Conservation Area, and heritage matters may impose another constraint on design options and the ability of the site to adequately mitigate the impact of noise.

4.41 Key policy requirement no.5 also suggests areas of the site are at risk of service water flooding. Whilst this is not necessarily an absolute constraint to development on its own, in combination with the other constraints to which the Site is subject, it raises further concerns regarding the Site's deliverability.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-208 TWSL LP Reg19 Pipers Lane - FInal_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

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318 - Mr Mark Behrendt

Submission Number: 318 Submission Date: 07/11/24 09:00

Respondent: Home Builders Federation Ltd Mr Mark Behrendt

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Consultation on amendments to the NPPF

1. At the end of July, the Government commenced a consultation on a number of amendments to the NPPF. The proposed revisions will make significant changes to the current document and there is a strong possibility that many of St Albans District Council (SADC) neighbours, will be required to prepare plans that are consistent with the changes being proposed to the NPPF, should they be adopted. Alongside the changes to the NPPF the Government have also consulted on a new standard method. While our comments will be based on the current NPPF we will refer to the potential impact of the proposed changes within our representations.
2. HBF are concerned that Councils such as SADC will, in the face of increases in its housing needs, seek to move quickly to submission in order to benefit from the transitional arrangements. Whilst it is for the council to decide on the timescale for the submission of its local plan it is being proposed to submit this local plan in December 2024, less than 2 months after the consultation closes. While HBF welcomes the speed at which the council is now preparing the local plan we are concerned that there is insufficient time to not only consider all the representations made on the local plan, complete the evidence base, address any issues with the duty to co-operate and complete the necessary committee cycle.
3. If submitted under the proposed transitional arrangements the council cannot just disregard all of the proposed changes. For example, they will need to take into account the impact of any changes resulting from the NPPF on plan making in neighbouring areas as part of its duty to co-operate. The Council will be aware that this work must be done prior to submission for the council to show that they have fulfilled their duty to co-operate, a point we discuss in more detail below. While the proposed amendments can only be given limited weight with regard to the local plan at this point in time, it is important to note that inspectors are already asking local plans at examination for comment on the proposed changes and the Written

Ministerial Statement 'Building the Homes We Need' that was published early this year and it will be necessary for SADC to consider the need for an immediate review should it be submitted prior to the implementation of any changes.

4. In addition to these concerns HBF also notes that the local plan was agreed for submission at its full council meeting on October 16th – three weeks prior to the end of the consultation period on the 8th of November. It is unusual for full council to give approval of a local plan for submission prior to the end of the consultation and with no consideration of the comments that have been put forward by all members of the council and not just those on a particular committee. While the paper to full council states that should a show stopper emerge from the consultation then the decision will return to full council, HBF are concerned that it should not necessarily be for one committee to determine a show stopper but for all members to properly consider the comments made and make their own determinations on this matter and the soundness of the local plan. The approach taken by the council would suggest that the council will submit regardless of the comments made by representors and as such have predetermined the outcome of the reg 19 consultation. The approach taken by the council runs a high risk of legal challenge and HBF would recommend that any decision on submission is made at full council.

Review

1. The plan will require modification to set out an immediate review of the plan to take account of proposed changes to the NPPF that are currently being consulted on, should they be adopted. While these changes are still out for consultation should the remain as currently presented consideration will need to be given to paragraph 227 in the draft NPPF which states:

"Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need."

1. The proposed standard method would see SADC's housing needs, across the whole of the Borough, increase from 885 dpa to 1,544 dpa and will require the council to prepare a new plan immediately. However, it is the HBF's experience that without an incentive to review a recently adopted plan these are rarely undertaken rapidly. Therefore, a strong review policy is required that set out clear dates as to when a new plan will be submitted, and the consequences should that plan not come forward in the agreed timescale. HBF would recommend a policy is included in the local plan along the lines of that adopted in the Bedford Local plan 2030 (reproduced in appendix A). This policy was included in the Bedford Local Plan in similar circumstances when the NPPF was amended in 2018 requiring the use of the Standard Method to assess housing needs.

Duty to Co-operate

2. The only evidence the HBF could find with regard to co-operation in the preparation of this local plan is the overarching statement of common ground. This provides a very high-level assessment as to the of the issues on which the council need to co-operate and who their key partners are with regard to each issue but no provide no details as to when the council engaged with these partners and whether there was a realistic chance for this to have had any impact on the preparation of the local plan. Given that the council has now failed the duty to co-operate in its previous attempts to adopt a local plan this is concerning.
3. HBF's main concern with regard to co-operation is that there is no indication as to how the Council has worked proactively with its neighbours in order to address housing needs across the sub region through this round of plan making. The HBF are aware that SADC are working with neighbouring LPAs on the preparation of the SW Hertfordshire Joint Strategic Plan, but it has been made clear to the HBF in correspondence with the Councils that the JSP is being

prepared in relation to longer term development needs post these local plans. As such the co-operation in preparing the JSP is considered by the HBF to be irrelevant to the preparation of this local plan. The Council must provide evidence as to when SADC has engaged with its neighbours with regard to housing needs during the period covered by this local plan and, if necessary, how any unmet needs could be addressed.

4. HBF are aware that Dacorum have recently agreed to go out to regulation 19 consultation with a local plan that meets housing needs in full, albeit with a very small buffer of just 92 homes. This still leaves both Three Rivers and Hertsmere who in recent regulation 19 consultation were expecting to fall short of meeting housing needs by 367 dpa and 141 dpa respectively. These are significant shortfalls in the delivery of new homes and should have been taken into account when preparing this local plan. As with Dacorum there may well be a change in circumstances regarding these local plans. For example, Three Rivers District Council are considering recommendations by officers to delay the consultation of their local plan and prepare a plan on the basis of an amended NPPF. From committee reports and comments at committees however it would still appear to be the case that there will be unmet needs in Three Rivers and St Albans will need to clarify this position, as well as those in Hertsmere, as part of their duty to co-operate.
5. However, without any evidence as to the discussions between the authorities as to their position with regard housing supply against identified needs it is not possible to say whether or not the council has met the duty to co-operate. This evidence will need to be assembled and submitted as part of its evidence base. It will need to clearly show not only that discussions on housing needs have taken place, but when they took place, who attended and the general frequency of any interactions on these matters between the relevant bodies. In short it must be able to show that the Council has engaged constructively with its partners in order to maximise the effectiveness of plan making. This level of evidence is also expected by Inspector examining local plans and we would point the council to the supplementary questions[1] asked by the Inspectors examining the Bristol City Local Plan who requested:

"a specific Duty to Co-operate Topic Paper or Statement, which provides a more detailed and structured account of how the Council has engaged constructively, actively and on an on-going basis to maximise the effectiveness of the Plan."

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To represent the views of our membership who build over 80% of the new homes in the England Wales.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP1 –A Spatial Strategy for St Albans

The policy is unsound as it is not justified, effective or consistent with national policy

1. This policy sets out the housing requirement for SADC as 885 dwellings per annum (dpa) a total of 14,603 homes over the whole plan period and is consistent with the local housing needs assessment calculated using the current standard method. However, this is the starting point for assessing housing needs. Paragraph 11 and 61 of the NPPF also require councils to take into account housing needs that cannot be met in other areas when establishing the number of homes to be planned for. Despite this clear requirement of national policy HBF could not find anywhere in the Council's evidence where an assessment of unmet need has been made. Reference to unmet needs is made in both the SA and in the overarching statement of common ground but no attempt seems to have been made to quantify this figure. As set out above HBF recognise there is uncertainty as to whether neighbouring authorities in Hertfordshire can meet their own housing needs, but it remains a key part of plan making to ascertain whether there are any unmet needs in the area and whether it is possible for these to be met within St Albans.
2. In addition to the unmet needs in Hertfordshire the Council will also need to take into account the unmet needs arising in London. Following the examination of the London Plan reductions in the targets across London Borough's means that there is a shortfall of some 140,000 homes compared to what is needed between 2019 and 2029 across the capital placing additional pressure on areas around London. However, it must also be recognised that London is not even meeting its lower target of circa 52,000 homes per annum. Between 2019 and 2023 London has failed to meet this target, delivering on average 37,200 homes each year[2]. As

such there remain a substantial shortfall in a neighbouring housing market area (HMA) to South West Hertfordshire HMA within which St Albans is located. These unmet needs, alongside any others within neighbouring LPAs should have been taken into account when considering how many homes the Council should plan for. HBF recognises that such significant shortfalls cannot be addressed by one authority, however if they are continually ignored by all LPAs that surround the capital the impacts of this undersupply in market across the wider south east will never be addressed.

Housing supply

1. The HBF welcome the Council's decision to amend green belt boundaries in order to meet its housing needs in full and agree there are the exceptional circumstances required to support the proposed amendments. However, HBF consider that the high cost of housing in the area, the pressure of under supply on market due to unmet housing needs in London and the lack of development opportunities in urban areas are sufficiently severe to warrant further releases in order to address some of the unmet needs in neighbouring areas and to provide a more significant buffer between housing needs and supply.
2. Turning to the supply trajectory over the local plan HBF are concerned that the buffer between housing needs and supply is just 385 homes, a little over 2% of the overall housing requirement. This level of buffer between needs and supply is insufficient for the council to show, as required by paragraph 35c of the NPPF, that the plan is deliverable over the plan period and as such is effective. Given the reliance of the Council on delivery from strategic sites HBF would have expected to see supply exceed needs by at least 10% due to the uncertainty that strategic sites of the scale proposed by the council will deliver as expected. The Council state that they have in their assessment of delivery rates on the strategic site allocations used the latest iteration of Start to Finish published by Lichfields. While the use of this information is welcomed as it provides a reasonable starting point on which to set delivery rates it also shows that some sites deliver much more slowly than others and why a buffer between overall need and supply is necessary.
3. With regard to the trajectory in provided in table 3.2 HBF would have expected further information to be provided on the expectations for each site. On the basis that the Council has broken down supply into broad categories of site this evidence must be readily available and is necessary for all parties to properly consider whether the rate of delivery on each site is justified. It is our experience that where site by site trajectories are not provided, they are asked for by inspectors in order to ensure effective scrutiny of the local plan. For more information on what is expected we would refer the Council to the Preliminary Questions published recently by the inspector examining the Bristol Local Plan[3]. Question 62 and Appendix 1 provide some indication of the detail required. Rather than wait to be asked we would suggest that such a trajectory as part of the evidence supporting the submitted local plan.
4. In particular HBF would expect further evidence to be provided as to the deliverability of the sites identified through the urban capacity study (UCS). The site proformas do not appear to have any indication as to the availability of these sites and the Methodology Paper states at paragraph 1.10 that these were identified through "*a desktop review of maps, aerial photographs and online street photography and in some cases site visits. Sources of sites included under-utilised sites such as garage blocks and car parks, vacant and derelict land and buildings, and public sector land*". Unless further work has been undertaken to ascertain their availability the UCS alone is insufficient for their inclusion in the local plan. In addition to evidence to support the availability of these sites evidence will also be needed with regard to their deliverability.
5. Turning to Hemel Garden Community, HBF could not find any evidence supporting the trajectory for this site in table 3.2. The Council state in 6.3 of the Housing Supply and Windfall Paper that a bespoke piece of work has been completed to inform the delivery rates being

for HGC, but we could not find this in the council's evidence base. HBF would have expected that this evidence would have been provided to support the delivery rate for this allocation, especially given that it is expected to start delivering homes within five years of the plan being adopted. The Council will need to provide the necessary evidence showing how and when each phase of this new community would come forward and the evidence supporting these delivery expectations.

Windfall

3. The Council have included a windfall rate of 145 dpa from 2027/28. This is based on windfall delivery between 2013 and 2023. However, HBF are concerned that there could be significant overlap between windfall rates on the sites identified in the UCS which are expected to deliver 860 home over the plan period. If there is sufficient evidence regarding the availability of the sites identified in the UCS to allocate these sites, then the Council will need to reduce the level of windfall to avoid the risk of double counting of these sites in its housing supply estimates.

Exclusion of sites due to the potential expansion of the Chilterns National Landscape

4. Finally, we note that four sites have been removed between the Regulation 18 and Regulation 19 consultation on the basis of possible expansion of the Chilterns National landscape. This would seem premature given that no evidence has been presented as to the potential extent and reasons for any proposed expansion. HBF does not promote sites, but we are concerned that potential development sites are being discarded from the local plan on the basis of an expansion that has not been published has had no consultation. HBF considers that without any evidence minimal weight can be attached to the expansion of the national landscape and that the Council should revisit the decision to remove these sites from the regulation 19 local plan.

Smaller sites of less than 1 ha

1. HBF could not find any evidence to show that at least 10% of the Council's housing needs will be delivered on sites of less than one hectare as required by paragraph 70 of the NPPF. The delivery of such sites is important in ensuring that SME house builders are able to gain allocations within local plans and the certainty this brings with regard to its future development. The current Government continue to recognise the importance of this sector stating the recent consultation on the proposed reforms to national planning policy.

"Small and medium sized builders are essential to meeting our housing expectations and supporting local economies. They also build out the majority of small sites. Their business models often rely on identifying and securing small sites and building them out quickly. The Government is concerned that SME housebuilders are not able to access the small sites that they need, and that local planning authorities are not bringing forward small sites in their plans to the level set out in the NPPF".

2. The HBF agrees, a thriving SME sector increases choice and competition within the housing market as well as enabling more homes to come forward early in any plan period – which given the level of supply in the early years of the plan is some 2,400 homes short of meeting what is needed. The trajectory for the first five years makes no attempt to boost supply despite the severe shortfalls in housing delivery due to the failure of the Council to adopt a local plan. The proposed trajectory merely continues the trend from previous years which saw just 395 dwelling delivered each year over the last 20 year. The delays to the delivery of new homes over this period will inevitably exacerbate affordability concerns in an area where the median house price being over 17 times local median salary.

3. Instead of recognising this the Council have chosen a strategy which relies on large sites coming forward at the end of the plan period and seemingly ignored the important contribution smaller sites can make to supply early in a plan period. Therefore, whilst the HBF recognise that a stepped trajectory may be needed we would question whether such a significant step is justified given that it delays meeting identified development needs.
4. The Council must do more to identify more small and medium sized sites that would ensure the council meet the requirements of paragraph 70 as well as increasing delivery in the first five years of the plan.

The stepped trajectory.

2. HBF does not consider he stepped trajectory to be sound. As set out above in our comments on small sites the trajectory for the first five years makes no attempt to boost supply despite the severe shortfalls in housing deliver. The Council have alighted on a strategy that delivers a significant number of homes at the end of the plan period but the consequences of this is limited delivery in the early years of the plan. More can be done to address this though allocation of small and medium sized sites. The strong housing market in St Albans would suggest that such sites would come forward quickly on the adoption of the plan and begin delivering the homes St Albans needs in the short term. This would also support the Government's ambitions of delivering 1.5 million homes in the next five years and which are considered essential in addressing the housing crisis the country is currently in.

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1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Housing supply

1. The HBF welcome the Council's decision to amend green belt boundaries in order to meet its housing needs in full and agree there are the exceptional circumstances required to support the proposed amendments. However, HBF consider that the high cost of housing in the area, the pressure of under supply on market due to unmet housing needs in London and the lack of development opportunities in urban areas are sufficiently severe to warrant further releases in order to address some of the unmet needs in neighbouring areas and to provide a more significant buffer between housing needs and supply.
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3. With regard to the trajectory in provided in table 3.2 HBF would have expected further information to be provided on the expectations for each site. On the basis that the Council has broken down supply into broad categories of site this evidence must be readily available and is necessary for all parties to properly consider whether the rate of delivery on each site is justified. It is our experience that where site by site trajectories are not provided, they are asked for by inspectors in order to ensure effective scrutiny of the local plan. For more information on what is expected we would refer the Council to the Preliminary Questions published recently by the inspector examining the Bristol Local Plan[3]. Question 62 and Appendix 1 provide some indication of the detail required. Rather than wait to be asked we would suggest that such a trajectory as part of the evidence supporting the submitted local plan.

4. In particular HBF would expect further evidence to be provided as to the deliverability of the sites identified through the urban capacity study (UCS). The site proformas do not appear to have any indication as to the availability of these sites and the Methodology Paper states at paragraph 1.10 that these were identified through "*a desktop review of maps, aerial photographs and online street photography and in some cases site visits. Sources of sites included under-utilised sites such as garage blocks and car parks, vacant and derelict land and buildings, and public sector land*". Unless further work has been undertaken to ascertain their availability the UCS alone is insufficient for their inclusion in the local plan. In addition to evidence to support the availability of these sites evidence will also be needed with regard to their deliverability.
5. Turning to Hemel Garden Community, HBF could not find any evidence supporting the trajectory for this site in table 3.2. The Council state in 6.3 of the Housing Supply and Windfall Paper that a bespoke piece of work has been completed to inform the delivery rates being for HGC, but we could not find this in the council's evidence base. HBF would have expected that this evidence would have been provided to support the delivery rate for this allocation, especially given that it is expected to start delivering homes within five years of the plan being adopted. The Council will need to provide the necessary evidence showing how and when each phase of this new community would come forward and the evidence supporting these delivery expectations.

Windfall

3. The Council have included a windfall rate of 145 dpa from 2027/28. This is based on windfall delivery between 2013 and 2023. However, HBF are concerned that there could be significant overlap between windfall rates on the sites identified in the UCS which are expected to deliver 860 home over the plan period. If there is sufficient evidence regarding the availability of the sites identified in the UCS to allocate these sites, then the Council will need to reduce the level of windfall to avoid the risk of double counting of these sites in its housing supply estimates.

Exclusion of sites due to the potential expansion of the Chilterns National Landscape

4. Finally, we note that four sites have been removed between the Regulation 18 and Regulation 19 consultation on the basis of possible expansion of the Chilterns National landscape. This would seem premature given that no evidence has been presented as to the potential extent and reasons for any proposed expansion. HBF does not promote sites, but we are concerned that potential development sites are being discarded from the local plan on the basis of an expansion that has not been published has had no consultation. HBF considers that without any evidence minimal weight can be attached to the expansion of the national landscape and that the Council should revisit the decision to remove these sites from the regulation 19 local plan.

Smaller sites of less than 1 ha

1. HBF could not find any evidence to show that at least 10% of the Council's housing needs will be delivered on sites of less than one hectare as required by paragraph 70 of the NPPF. The delivery of such sites is important in ensuring that SME house builders are able to gain allocations within local plans and the certainty this brings with regard to its future development. The current Government continue to recognise the importance of this sector stating the recent consultation on the proposed reforms to national planning policy.

"Small and medium sized builders are essential to meeting our housing expectations and supporting local economies. They also build out the majority of small sites. Their business models often rely on identifying and securing small sites and building them out quickly. The Government is concerned

that SME housebuilders are not able to access the small sites that they need, and that local planning authorities are not bringing forward small sites in their plans to the level set out in the NPPF".

2. The HBF agrees, a thriving SME sector increases choice and competition within the housing market as well as enabling more homes to come forward early in any plan period – which given the level of supply in the early years of the plan is some 2,400 homes short of meeting what is needed. The trajectory for the first five years makes no attempt to boost supply despite the severe shortfalls in housing delivery due to the failure of the Council to adopt a local plan. The proposed trajectory merely continues the trend from previous years which saw just 395 dwelling delivered each year over the last 20 year. The delays to the delivery of new homes over this period will inevitably exacerbate affordability concerns in an area where the median house price being over 17 times local median salary.
3. Instead of recognising this the Council have chosen a strategy which relies on large sites coming forward at the end of the plan period and seemingly ignored the important contribution smaller sites can make to supply early in a plan period. Therefore, whilst the HBF recognise that a stepped trajectory may be needed we would question whether such a significant step is justified given that it delays meeting identified development needs.
4. The Council must do more to identify more small and medium sized sites that would ensure the council meet the requirements of paragraph 70 as well as increasing delivery in the first five years of the plan.

The stepped trajectory.

2. HBF does not consider he stepped trajectory to be sound. As set out above in our comments on small sites the trajectory for the first five years makes no attempt to boost supply despite the severe shortfalls in housing deliver. The Council have alighted on a strategy that delivers a significant number of homes at the end of the plan period but the consequences of this is limited delivery in the early years of the plan. More can be done to address this though allocation of small and medium sized sites. The strong housing market in St Albans would suggest that such sites would come forward quickly on the adoption of the plan and begin delivering the homes St Albans needs in the short term. This would also support the Government's ambitions of delivering 1.5 million homes in the next five years and which are considered essential in addressing the housing crisis the country is currently in.

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1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

SP3 –Land and the Green Belt

The policy is unsound as it is not justified, effective or consistent with national policy

1. This policy repeats the housing requirement for SADC, and it is not clear why it is then repeated in SP3. HBF agree that there are exceptional circumstances ort amend Green Belt boundaries. However, HBF consider there to be potential for further green belt boundary amendments to be made in order to address the unmet needs arising in neighbouring areas. As we set out in our regulation 18 representations the SA has shown that delivering beyond the 900 home housing requirement is not unsustainable and as such essential that the council revisit sites that have been considered to be unsuitable to be revisited to assess whether these could be made suitable for allocation. It is the HBF view that there are significant benefits arising from the delivery of housing to meet the housing needs of neighbouring areas given the high cost of housing in the South West Hertfordshire areas and the significant need for affordable housing.
2. The latest assessment of affordable housing need for St Albans is set out within the 2024 SW Herts LHNA. This document identifies an annual net need for the delivery of 449 affordable dwellings with St Albans, around 50% of the overall LHN. Analysis of affordable housing delivery in St Albans identifies that this level of delivery has not been achieved since 1994/95. Indeed, the highest recorded level of affordable housing deliver was 243 dwellings in 2004/05

and an average since 1994/95 of just 72 affordable dwellings per annum. Whilst this has increased to an average of 84 affordable dwellings per annum over the last 5 monitoring years, it remains nowhere near f the identified need for affordable dwellings.

3. It is therefore essential that the Council revisits it assessment of sites in both the Green Belt Review and the site selection process to look to identify whether there are sites that could address unmet needs arising in neighbouring areas.

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1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

LG1 –Broad locations

The policy is unsound as it lacks clarity required by paragraph 16 of the NPPF.

1. It is not clear why the council is still referring to these sites as broad locations for development. Broad locations are areas where housing development is considered feasible and will be encouraged, but where specific sites cannot yet be identified. What is clear from the local pan however is that it has identified specific sites for the delivery of development. Even the larger allocations are sites with clear expectations as to where development will come forward and is inconsistent as to what a broad location actually is planning terms. It would also appear to be inconsistent with the plan itself with each of the allocations in part B of the local plan defined as a broad location being referred to as sites. Whilst not a fundamental issue it is confusing and gives the impression that the council is still to identify specific sites at these locations which does not appear to be the case. The Council should amend this and refer to these as strategic allocations.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To represent the views of our membership who build over 80% of the new homes in the England Wales.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU2 - Affordable Housing

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

HOU2 –Affordable Housing

The policy is unsound as it is unjustified and inconsistent with national policy

1. The policy requires all development on 10 or more homes or large and 0.5 hectare to deliver 40% of the homes as affordable units. This is supported by the Council's viability assessment. However, in setting this standard the viability assessment notes in the key findings on page 4 of the local plan that the 40% is a "*maximum reasonable proportion*" on the basis that there are typologies that cannot meet the 40% being proposed in this policy. In addition, there are potential increases in costs that have not been considered in the council viability assessment such as the introduction of the Future Homes Standard. As such HBF are concerned that the policy as written does not provide sufficient flexibility should development be made unviable be this policy.
2. Whilst the policy refers to the use of offsite contributions in part g and alludes to reduced contributions in relation to review mechanisms the policy does not state that where development is made unviable by the policy the council will consider a reduced level of provision. National policy sets out in paragraph 58 that there may be circumstances where it is necessary to reduce contributions and HJBF consider it is important that this is clearly reflected in this policy. This cod be achieved by amending part a) to state "*Where viable requiring development proposals ...*". This would establish for the outset that viability is a consideration in decision making and then also ensure consistent with both parts f and h of the HOU2.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

HOU5 –Self Build

<u>The policy is unsound as it is unjustified and into effective</u>

1. The Council are suggesting that where self-build plots are not sold after 12 months of marketing they must remain on the open market or be offered to the Council or registered provider before being built out by the development for market housing. There is no justification for requiring plot sot be offered to registered providers or the council. These plots are for plots allocated for market housing and as such if there is no demand for this from self-builders after 12 months, they should automatically go back to the developer to be built out as market housing and reduce the delay in the delivery of much need new homes. HBF would also disagree that

plots should remain on the market for self-build following 12 months of marketing. This provides too much uncertainty for the developer as to how those houses will be delivered and the need to schedule these into the build out of the site.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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To represent the views of our membership who build over 80% of the new homes in the England Wales.

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB11 - Chilterns National Landscape

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

It is not clear why NEB11 is necessary given that it merely repeats national policy. If it is considered necessary to include NEB11 it is not clear why part b is necessary as it is self-evident that should the Chilterns National Landscape expand then the requirements for the consideration of national land scape will apply. As such we would suggest part b is deleted

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HBF rep St Albans Reg 19 Nov 2024_[R].pdf

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* Yes, I wish to participate in hearing session(s)

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I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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322 - AbbeyRail

Submission Number: 322 Submission Date: 07/11/24 09:00

Respondent: AbbeyRail

TRA2 - Major Transport Schemes

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Our primary concern in relation to the Local Plan is derived from the context arising from the planning of Hertfordshire Essex Rapid Transit (HERT). We provide an introduction to HERT at https://hertsrail.org.uk

HERT features content-free glossy marketing. Whilst we have no reason to object to a direct bus service between Hemel Hempstead and Harlow, the branch via Watford does not take into account reasonable alternatives proposed by us. We have multiple proposals. Over a period of some years these proposals have not been evaluated. Therefore HERT lacks justification.

AbbeyRail is provided by rail researcher RailAble. Objectively-assessed needs for transport connectivity were researched by consultants Atkins in 2014. They were also researched by England's Economic Heartland resulting in Passenger Rail Study Phase Two. We are putting forward proposals to meet these assessed needs, discussed in some detail in parts two and three of our research in the RailAble East west rail - Oxford to Cambridge project. HERT does not meet these assessed needs and therefore lacks positive preparation.

HERT fails two tests, both that of justification and of positive preparation. The implication for the St Albans Local Plan in terms of transport connectivity is that it fails to meet requirements.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Our primary proposals as they affect the St Albans Local Plan are:

(i) a rail link between St Albans Abbey station and Colney Fields shopping park. This is illustrated in orange below *[please see attached document]*, also with connecting chords to the Midland Main Line. Subsequently this would extend eastwards to Hatfield on the East Coast Main line. Rail access to Radlett SRFI as planned is illustrated in light blue *[please see attached document]*;

(ii) a rail link between St Albans Abbey and St Albans City stations. This is illustrated in dark blue below *[please see attached document]*;

(iii) a multi-storey car park replacing the Sainsbury's Supermarket car park. The car park would provide parking both for customers of Sainsbury's Supermarket and for the adjacent Abbey railway station;

(iv) an M25 parkway station at London Colney including a Thameslink service.

Additional proposals awaiting evaluation, mostly made by ourselves, include:

(a) an Abbey Line enhanced service, options including trains passing at How Wood or vicinity;

(b) East West rail at Watford Junction, connecting Watford High Street to the Abbey line;

(c) The Building Research Establishment (BRE) could be served by a new station stop on the Abbey line which passes at the boundary;

(d) a viable alternative to HERT:
To quote from Reg 19 Local Plan Part A Chapter 8 – Transport, page 78 section 8.4:
"Addressing the challenge of increased future travel demand cannot be solved solely through capacity driven highway infrastructure improvements. It will require" ... "traffic demand management measures where appropriate."
In response, there has been no consideration of demand management on the A414, which is used as a short-cut between the M25 and A1(M) motorways nor of how to provide a shorter link between these motorways that would not use the A414. Such a shorter link could run eastwards from M25 junction 22 and form a parallel corridor with a rail link from St Albans to Hatfield. As a longer term proposal, a shorter link between these motorways with a parallel rail link is far more fruitful in terms of transport connectivity than an upgrade to the A414.

Planning of a St Albans to Hatfield rail corridor via Colney Fields shopping park would need to take place prior to development of the Bowmans Cross proposal on the east of M25 junction 22 in Hertsmere Borough.

Signposting of routes for walking to the Abbey station are currently lacking.

AbbeyRail and others appreciate the support given to the Abbey line by St Albans City and District Council in previous years and very much hope this can continue.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. AbbeyRail2024-StAlbansPlan_[R].pdf

B6 - West of London Colney, AL2 1LN

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site B6 - West of London Colney, AL2 1LN, also Education Site

We request planning and safeguarding of a rail link between Colney Fields shopping park and St Albans Abbey station, as illustrated earlier in orange, to take place prior to further planning of site B6 *[please see attached document]*.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. AbbeyRail2024-StAlbansPlan_[R].pdf

M8 - Verulam Golf Club, St Albans, AL1 1JG

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Verulam Golf Club

Photo montage from Sustainability Appraisal (SA) of the St Albans Local Plan SA Report September 2024 page 33 *[please see attached document]*.

By use of https://www.openstreetmap.org/ and of Google maps, there is undeveloped land on the northern side of Verulam golf club clubhouse. The photo montage with a south-facing view shows proposed housing on this land and with a redeveloped clubhouse.

Shown in white across the montage is the former London Road business park, currently under redevelopment to form a row of houses and apartments. In the foreground is Orient Close *[please see attached document]*. A train on the Midland Main Line is also in view, also a car on London Road.

This proposed development i.e. on the northern side of the existing clubhouse obstructs a rail link between St Albans Abbey and St Albans City stations, whereas the redevelopment of the former London Road business park is not thought to do so.

Our illustration earlier also available at https://hertsrail.org.uk can be magnified for details.

Site M8 - Verulam Golf Club, St Albans, AL1 1JG
Specific objection, also raised in September 2023. This would obstruct a rail link from St Albans Abbey to St Albans City by means of a semi-circular arc, as illustrated earlier in dark blue.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We are proposing an extension of the Abbey line to London Colney. Trains to and from Watford would change direction at St Albans Abbey station. From this station the line would pass beneath Cottonmill Lane making use of the trackbed of the former line from St Albans Abbey to Hatfield, then turning south before reaching Orient Close. It would then cross Verulam golf course to reach the vicinity of Napsbury Lane. From here the new line would continue southwards making use of the existing A414 bridge over the Midland Main Line which has spare capacity for an additional track.

It is possible that the clubhouse would be subject to redevelopment as planned however it would be preferable to identify a new location for a new clubhouse. In this case there would be no requirement to cross the railway line when walking between the clubhouse and the golf course.

If our proposed rail link between St Albans Abbey station and Colney Fields shopping park were to be planned and safeguarded, together with a connection on to the Midland Main Line to enable trains between St Albans Abbey and St Pancras, if our proposed rail link between St Albans Abbey and St Albans City stations were to be put on one side and if a new location for a new clubhouse were to be identified and made available, it is likely that the area of land available for redevelopment would expand, to include some of the golf course in front of the current clubhouse. This would seem to have the potential to be of financial benefit to Verulam Golf Club.

It is very much hoped that a suitable and pleasant new location for a new clubhouse can be identified and agreed. If so, the land take from the golf course, other than land in front of the current clubhouse, would be limited. It is anticipated that the existing bridge for Napsbury Lane crossing the Midland Main Line would be retained but that Napsbury Lane itself would be realigned to run closer to the railway line, thereby limiting the land take.

The golf course is in two parts bisected by Cottonmill Lane. The opportunity would be taken to improve the Cottonmill Lane crossing as used by golfers. Although railway lines are expensive, indeed too expensive, they do have potential to assist us in our response both to climate change and to population growth. The cooperation of all parties to identify and agree a suitable new location for a new clubhouse would be much appreciated and would also be of benefit to the community.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. AbbeyRail2024-StAlbansPlan_[R].pdf

UC1 - Sainsbury's Supermarket, Everard Close, St Albans, AL1 2QU

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site UC1 – Sainsbury's Supermarket, Everard Close, St Albans AL1 2QU
Specific objection, also raised in September 2023. This would obstruct a multi-storey car park providing parking both for Sainsbury's Supermarket and for the Abbey station.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. AbbeyRail2024-StAlbansPlan_[R].pdf

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323 - Diana Ngobi

Submission Number: 323 Submission Date: 08/11/24 09:00

Respondent: National Highways Diana Ngobi

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Hemel Garden Communities (HGC) Programme is a proposal to transform Hemel Hempstead through the regeneration of the existing town and delivery of new housing and infrastructure in St Albans City & District Council and Dacorum Borough Council areas. Within St Albans District, the HGC Growth Areas will deliver at least 4,300 new homes by 2041, with a further 1,200 homes by 2050, providing a total of 5,500 new homes. Further housing growth within the area north and east of Hemel Hempstead, Two Waters and Hemel Hempstead Town will be set out in Dacorum's Local Plan. We note that this has the potential to put pressures and traffic impacts on the SRN and its junctions.

We would also seek to understand if/how the Council plans to have an overarching monitor and manage policy which addresses the cumulative traffic impacts of this growth area and the collective impact on the SRN.

The HGC Transport Vision and Strategy document (TV&S) sets out a sustainable movement network approach for the long-term growth and transformation of Hemel Hempstead and wider routes. The approach ensures the HGC programme area can be developed as a successful, integrated, well-connected place. The site has ambitions to achieve a town-wide sustainable transport network with a target of 60% of all journeys starting, ending or within the HGC growth areas and 40% of all journeys starting, ending or within the existing town of Hemel Hempstead, to be undertaken by active and sustainable modes by 2050.

We support the local authority's proposals that considers sustainable transport measures, which manage down demand and reduce the need to travel. We are open to discussions surrounding the district's plan to safeguard land, design, fund, deliver and monitor a package of transport measures to enhance M1 Junction 8 (M1 J8) and surrounding area, in association with Hemel Garden Communities (HGC).

Physical highway improvements for the SRN should only be considered as a last resort. We note that there cannot be any presumption that such infrastructure will be funded through any future RIS (Road Investment Strategy). We strongly recommend that there is no reliance placed on RIS funding to realise capacity for growth in the Plan within the plan period.

<u>Housing and Employment Allocations:</u>

We note that the housing requirement over the plan period is 10,808 across 98 sites in the St Albans area. H2 - East Hemel Hempstead (North) site directly borders the M1 and will provide 1,600 residential units (indicative) in total (1,235 in plan period). The site is to the east of Hemel Hempstead, between the B487 to the north, the M1 to the east and Punchbowl Lane to the south. The site is adjacent to Hemel Hempstead and forms part of the wider Hemel Garden Communities programme.

The site aims to improve and enhance countryside access links including connections under the M1 motorway. These links will require close collaboration with both National Highways and our service partner when an application comes forwards.

Site H3 and H4 East Hemel Hempstead (Central and South) also form part of the Hemel Garden Communities programme and similarly borders the M1. The proposals include mention of land to the east of Junction 8, which will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements.

Site H3 is also classified as Employment Led Mixed Use (Enterprise Zone), approximately 17 hectares of the site will promote high density, higher skilled employment uses to deliver a Business, Research and Development Park and explore opportunities for education. National Highways will be interested in understanding how traffic impacts will be reduced and mitigated as work on this site progresses due to the proximity of the SRN.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

National Highways will be interested in understanding how traffic impacts will be reduced and mitigated as work on this site progresses due to the proximity of the SRN.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. National_Highways_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Thank you for inviting National Highways to comment on the proposed submission version of the St Albans Draft Local Plan 2041, as part of the Regulation 19 consultation.

The Strategic Road Network (SRN) is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. For the purposes of the emerging St Albans Local Plan, we would be concerned with

development patterns that have the potential to impact on the operation of the A1(M), M1, M25 specifically M25 J21, 21A, 22 and 23, although subject to the scale of impact, this may include other SRN positioned further afield.

As a statutory consultee to the Local Plan consultation, we are interested in the potential traffic impacts of any development site proposals and/or policies coming forward which may impact on the operation of our network and the need to ensure that any impacts are fully understood at the plan-making stage. For National Highways, the safety and operation of the SRN is our primary consideration. In terms of traffic impacts on the SRN, we take the view that development proposals would be unacceptable, by virtue of an unacceptable road safety impact or severe congestion impacts, in accordance with DfT Circular 01/2022 and NPPF.

DfT Circular 01/2022 confirms in paragraph 28 that 'the policies and allocations that result from plan-making must not compromise the SRN's prime function to enable the long-distance movement of people and goods. When the company assists local authorities in the development of their plans and strategies, the local authority should ensure that the SRN is not being relied upon for the transport accessibility of site allocations except where this relates to roadside facilities or SRN-dependent sectors (such as logistics and manufacturing). The company will also work with local authorities to explore opportunities to promote walking, wheeling, cycling, public transport and shared travel in plan-making, in line with the expectations set out in the NPPF and the Transport Decarbonisation Plan'.

Our response is focused on the soundness of the Plan, in particular compliance with the 'Justified', 'Effective' and 'Consistent with national policy' tests. In terms of the 'Justified' test, we focused on the transport evidence. We considered the supporting Infrastructure Delivery Plan (IDP) in our assessment of the deliverability of the Plan ('Effective' test). We assessed consistency of the Plan with Circular 01/2022 as well as with the NPPF.

We have undertaken a review of the St Albans District Council 'Draft Local Plan 2041' (Regulation 19) and we agree with the themes and objectives set out in the Plan. We welcome the Council's vision to make St Albans a thriving, inclusive and sustainable community which is a great place to live and work and has a vibrant economy and to prioritise and enable the safe and attractive use of active and sustainable means of transport and reduce the need for people to travel.

We would be concerned if any material increase in traffic were to occur on the SRN, or on its junctions, because of planned growth within the borough, without careful consideration of mitigation measures. It is important that the Local Plan provides the planning policy framework to ensure development cannot progress without the appropriate infrastructure being in place.

The car parking standards in policy TRA4 In St Albans District outline how car ownership and usage levels are high and accessibility by non-car modes of transport in most of the district is insufficient to justify a significant level of parking restraint. For planning purposes, the operation of the car parking standards is based on a zonal approach, with a degree of parking restraint imposed in locations that are most accessible to services, community facilities and public transport.

The Hemel Garden Communities (HGC) Programme is a proposal to transform Hemel Hempstead through the regeneration of the existing town and delivery of new housing and infrastructure in St Albans City & District Council and Dacorum Borough Council areas. Within St Albans District, the HGC Growth Areas will deliver at least 4,300 new homes by 2041, with a further 1,200 homes by 2050, providing a total of 5,500 new homes. Further housing growth within the area north and east of Hemel Hempstead, Two Waters and Hemel Hempstead Town will be set out in Dacorum's Local Plan. We note that this has the potential to put pressures and traffic impacts on the SRN and its junctions.

We would also seek to understand if/how the Council plans to have an overarching monitor and manage policy which addresses the cumulative traffic impacts of this growth area and the collective impact on the SRN.

The HGC Transport Vision and Strategy document (TV&S) sets out a sustainable movement network approach for the long-term growth and transformation of Hemel Hempstead and wider routes. The approach ensures the HGC programme area can be developed as a successful, integrated, well-connected place. The site has ambitions to achieve a town-wide sustainable transport network with a target of 60% of all journeys starting, ending or within the HGC growth areas and 40% of all journeys starting, ending or within the existing town of Hemel Hempstead, to be undertaken by active and sustainable modes by 2050.

We support the local authority's proposals that considers sustainable transport measures, which manage down demand and reduce the need to travel. We are open to discussions surrounding the district's plan to safeguard land, design, fund, deliver and monitor a package of transport measures to enhance M1 Junction 8 (M1 J8) and surrounding area, in association with Hemel Garden Communities (HGC).

Physical highway improvements for the SRN should only be considered as a last resort. We note that there cannot be any presumption that such infrastructure will be funded through any future RIS (Road Investment Strategy). We strongly recommend that there is no reliance placed on RIS funding to realise capacity for growth in the Plan within the plan period.

Housing and Employment Allocations:

We note that the housing requirement over the plan period is 10,808 across 98 sites in the St Albans area. H2 - East Hemel Hempstead (North) site directly borders the M1 and will provide 1,600 residential units (indicative) in total (1,235 in plan period). The site is to the east of Hemel Hempstead, between the B487 to the north, the M1 to the east and Punchbowl Lane to the south. The site is adjacent to Hemel Hempstead and forms part of the wider Hemel Garden Communities programme.

The site aims to improve and enhance countryside access links including connections under the M1 motorway. These links will require close collaboration with both National Highways and our service partner when an application comes forwards.

Site H3 and H4 East Hemel Hempstead (Central and South) also form part of the Hemel Garden Communities programme and similarly borders the M1. The proposals include mention of land to the east of Junction 8, which will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements.

Site H3 is also classified as Employment Led Mixed Use (Enterprise Zone), approximately 17 hectares of the site will promote high density, higher skilled employment uses to deliver a Business, Research and Development Park and explore opportunities for education. National Highways will be interested in understanding how traffic impacts will be reduced and mitigated as work on this site progresses due to the proximity of the SRN.

Site B3 - West Redbourn, Redbourn will provide 545 residential units. As the site is situated on the boundary of the M1, requirements include right of way improvement contributions to the link under the M1 and out into the wider recreational network to the west and a noise assessment must be carried out regarding the M1 which is adjacent to the west, and appropriate mitigating measures provided as necessary, which may include setback of residential units, planting, and acoustic bunding / fencing. The proposed extension to Rothamsted Research, Harpenden Campus (OS3 and OS4) are the only other sites assigned to employment. The development will be associated in character with the adjacent research facilities, with new buildings in the eastern half of the site only.

We would also like to highlight that should unallocated development come forwards which is adjacent to the SRN, this will require a higher level of engagement with National Highways in relation to boundary concerns such as geotechnical matters, drainage and lighting.

We would reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to consider traffic associated with the developments using, accessing, and exiting the SRN and viable alternatives to the private car, to understand future infrastructure requirements, to develop a package of mitigation measures with detailed costing, to utilise Travel Plan monitoring strategies triggered through phased development and where applicable to collect appropriate mitigation funding.

Transport Evidence Base & Infrastructure Delivery Plan:

To ensure that the Local Plan is deliverable, the transport evidence base should demonstrate the Local Plan impact on the SRN and as necessary identify suitable mitigation. This work forms a key piece of evidence to demonstrate that the Local Plan is sound, therefore it is important that any identified mitigation that the plan and its allocations are reliant upon has a reasonable prospect of delivery within the timescales of when the identified growth is planned.

National Highways and St Albans City and District Council along with Hertfordshire County Council and their transport modelling consultants have been liaising and corresponding over the use of the existing COMET transport model covering Hertfordshire for the Local Plan modelling assessment. We previously raised concerns over the suitability of the model due to the lack of suitable calibration and validation evidence provided to demonstrate that the model was operating satisfactorily. Although some evidence was provided and agreement was reached on a suitable transport modelling methodology for the Local Plan assessment, some of the requested information about the model validation/calibration and evidence on mode shift was not provided. This specifically concerned evidence that the COMET model could replicate base year traffic flows on the M25 and other parts of the SRN plus evidence of how mode shift in modelled scenarios 2 and 3 could be delivered.

While there is some further information provided within the evidence base on the latter, it is insufficient to demonstrate that the mode shift can be achieved. The former traffic flow information is still outstanding and this raises concerns as to the validity of the transport modelling evidence in relation to impacts on the SRN.

We have examined the transport assessment evidence base from St Albans' website, it appears that the main transport report has not been included. There is a tab labelled "Report Final Issued.pdf", however when clicking on the tab it produces a report "COMET 7 Forecasting Report" dated November 2022, identical to the report under a separate tab above on the same webpage. The main report has seemingly been omitted presumably by administrative error, so further documentation is required in support of the transport evidence.

Reviewing the modelling evidence provided in the Modelling Report (August 2024) there is insufficient information provided in relation to the SRN to determine whether there are any severe impacts or unacceptable safety concerns resulting from the Local Plan. We would need to see evidence at junction level relating to differences in queues and delays "with and without" the Local Plan. Additionally, we require evidence of traffic flows through merges and diverges on the SRN network "with and without" the Local Plan to determine whether the merges and diverges with the main carriageways can accommodate traffic flow changes.

Therefore, in our judgement there is insufficient evidence to demonstrate that the Local Plan growth can be accommodated in transport terms on the SRN. Further evidence will be required to demonstrate that the Local Plan is sufficiently robust on transport grounds. We would request the opportunity to discuss these matters in more detail to reach agreement on what additional evidence is required to demonstrate either that the Local Plan will not have any severe or unacceptable safety impacts on the strategic road network or that suitable mitigation is included within the Plan and that there is a reasonable prospect of delivery at appropriate junctures in the Plan period. Given the current timeline for Local Plan to Examination we would stress the urgency to enter into immediate dialogue.

Having reviewed the Infrastructure Delivery Plan (IDP), we note that there is significant attention paid to improvements on the A414. Although the A414 is only part of the SRN between M1 J8 and the Park Street Roundabout, and the proposed improvements fall outside of this area, we will still be interested in the funding and delivery of improvements proposed. In particular, the improvements to the Park Street Roundabout as described in section 7.2 of the IDP could impact the SRN, even if entirely within Local Highway Authority land.

The IDP currently lists improvements to M1 J8 as being funded by a combination of National Highways through RIS3 and developer contributions. We would like to highlight that any proposed improvement to M1 J8 Breaksphere Interchange is not part of the RIS3 programme. Should this improvement be necessary to facilitate Local Plan growth, appropriate alternative funding and management should be in place, with the agreement of National Highways. As previously noted, there cannot be any presumption that such infrastructure will be funded through any future RIS during the Plan period. Notwithstanding this, National Highways supports the safeguarding of land for expansion of M1 J8 should it come forwards at a later date, during the Plan period.

Statement of Common Ground

We are still liaising with the council and will review the supporting transport evidence from the ongoing traffic modelling discussion. It will be essential for National Highways and the council to agree a statement of common ground following our review of the modelling, setting out any potential concerns and agreed next steps in advance of an Examination in Public. We look forward to continuing our constructive engagement.

National Highways are unable to confirm that the Plan is sound until further evidence is provided, the required sustainable transport mitigation measures to mitigate the impacts of the Plan have detailed cost estimates and funding sources are committed.

However, National Highways supports St Albans District Councils commitment to work in partnership with stakeholders including Hertfordshire County Council, neighbouring authorities, National Highways and service providers to ensure that a range of sustainable and active transport options are available to all existing and future users of the transport network.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. National_Highways_[R].pdf

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Transport Evidence Base & Infrastructure Delivery Plan:

To ensure that the Local Plan is deliverable, the transport evidence base should demonstrate the Local Plan impact on the SRN and as necessary identify suitable mitigation. This work forms a key piece of evidence to demonstrate that the Local Plan is sound, therefore it is important that any identified mitigation that the plan and its allocations are reliant upon has a reasonable prospect of delivery within the timescales of when the identified growth is planned.

National Highways and St Albans City and District Council along with Hertfordshire County Council and their transport modelling consultants have been liaising and corresponding over the use of the existing COMET transport model covering Hertfordshire for the Local Plan modelling assessment. We previously raised concerns over the suitability of the model due to the lack of suitable calibration and validation evidence provided to demonstrate that the model was operating satisfactorily. Although some evidence was provided and agreement was reached on a suitable transport modelling methodology for the Local Plan assessment, some of the requested information about the model validation/calibration and evidence on mode shift was not provided. This specifically concerned evidence that the COMET model could replicate base year traffic flows on the M25 and other parts of the SRN plus evidence of how mode shift in modelled scenarios 2 and 3 could be delivered.

While there is some further information provided within the evidence base on the latter, it is insufficient to demonstrate that the mode shift can be achieved. The former traffic flow information is still outstanding and this raises concerns as to the validity of the transport modelling evidence in relation to impacts on the SRN.

We have examined the transport assessment evidence base from St Albans' website, it appears that the main transport report has not been included. There is a tab labelled "Report Final Issued.pdf", however when clicking on the tab it produces a report "COMET 7 Forecasting Report" dated November 2022, identical to the report under a separate tab above on the same webpage. The main report has seemingly been omitted presumably by administrative error, so further documentation is required in support of the transport evidence.

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Therefore, in our judgement there is insufficient evidence to demonstrate that the Local Plan growth can be accommodated in transport terms on the SRN. Further evidence will be required to demonstrate that the Local Plan is sufficiently robust on transport grounds. We would request the opportunity to discuss these matters in more detail to reach agreement on what additional evidence is required to demonstrate either that the Local Plan will not have any severe or unacceptable safety impacts on the strategic road network or that suitable mitigation is included within the Plan and that there is a reasonable prospect of delivery at appropriate junctures in the Plan period. Given the current timeline for Local Plan to Examination we would stress the urgency to enter into immediate dialogue.

Having reviewed the Infrastructure Delivery Plan (IDP), we note that there is significant attention paid to improvements on the A414. Although the A414 is only part of the SRN between M1 J8 and the Park Street Roundabout, and the proposed improvements fall outside of this area, we will still be interested in the funding and delivery of improvements proposed. In particular, the improvements to the Park Street Roundabout as described in section 7.2 of the IDP could impact the SRN, even if entirely within Local Highway Authority land.

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Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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National Highways are unable to confirm that the Plan is sound until further evidence is provided, the required sustainable transport mitigation measures to mitigate the impacts of the Plan have detailed cost estimates and funding sources are committed.

However, National Highways supports St Albans District Councils commitment to work in partnership with stakeholders including Hertfordshire County Council, neighbouring authorities, National Highways and service providers to ensure that a range of sustainable and active transport options are available to all existing and future users of the transport network.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. National_Highways_[R].pdf

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Hemel Garden Communities (HGC) Programme is a proposal to transform Hemel Hempstead through the regeneration of the existing town and delivery of new housing and infrastructure in St Albans City & District Council and Dacorum Borough Council areas. Within St Albans District, the HGC Growth Areas will deliver at least 4,300 new homes by 2041, with a further 1,200 homes by 2050, providing a total of 5,500 new homes. Further housing growth within the area north and east of Hemel Hempstead, Two Waters and Hemel Hempstead Town will be set out in Dacorum's Local Plan. We note that this has the potential to put pressures and traffic impacts on the SRN and its junctions.

We would also seek to understand if/how the Council plans to have an overarching monitor and manage policy which addresses the cumulative traffic impacts of this growth area and the collective impact on the SRN.

The HGC Transport Vision and Strategy document (TV&S) sets out a sustainable movement network approach for the long-term growth and transformation of Hemel Hempstead and wider routes. The approach ensures the HGC programme area can be developed as a successful, integrated, well-connected place. The site has ambitions to achieve a town-wide sustainable transport network with a target of 60% of all journeys starting, ending or within the HGC growth areas and 40% of all journeys starting, ending or within the existing town of Hemel Hempstead, to be undertaken by active and sustainable modes by 2050.

We support the local authority's proposals that considers sustainable transport measures, which manage down demand and reduce the need to travel. We are open to discussions surrounding the district's plan to safeguard land, design, fund, deliver and monitor a package of transport measures to enhance M1 Junction 8 (M1 J8) and surrounding area, in association with Hemel Garden Communities (HGC).

Physical highway improvements for the SRN should only be considered as a last resort. We note that there cannot be any presumption that such infrastructure will be funded through any future RIS (Road Investment Strategy). We strongly recommend that there is no reliance placed on RIS funding to realise capacity for growth in the Plan within the plan period.

<u>Housing and Employment Allocations:</u>

We note that the housing requirement over the plan period is 10,808 across 98 sites in the St Albans area. H2 - East Hemel Hempstead (North) site directly borders the M1 and will provide 1,600 residential units (indicative) in total (1,235 in plan period). The site is to the east of Hemel Hempstead, between the B487 to the north, the M1 to the east and Punchbowl Lane to the south. The site is adjacent to Hemel Hempstead and forms part of the wider Hemel Garden Communities programme.

The site aims to improve and enhance countryside access links including connections under the M1 motorway. These links will require close collaboration with both National Highways and our service partner when an application comes forwards.

Site H3 and H4 East Hemel Hempstead (Central and South) also form part of the Hemel Garden Communities programme and similarly borders the M1. The proposals include mention of land to the east of Junction 8, which will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements.

Site H3 is also classified as Employment Led Mixed Use (Enterprise Zone), approximately 17 hectares of the site will promote high density, higher skilled employment uses to deliver a Business, Research and Development Park and explore opportunities for education. National Highways will be interested in understanding how traffic impacts will be reduced and mitigated as work on this site progresses due to the proximity of the SRN.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

National Highways will be interested in understanding how traffic impacts will be reduced and mitigated as work on this site progresses due to the proximity of the SRN.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. National_Highways_[R].pdf

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 4

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Hemel Garden Communities (HGC) Programme is a proposal to transform Hemel Hempstead through the regeneration of the existing town and delivery of new housing and infrastructure in St Albans City & District Council and Dacorum Borough Council areas. Within St Albans District, the HGC Growth Areas will deliver at least 4,300 new homes by 2041, with a further 1,200 homes by 2050, providing a total of 5,500 new homes. Further housing growth within the area north and east

of Hemel Hempstead, Two Waters and Hemel Hempstead Town will be set out in Dacorum's Local Plan. We note that this has the potential to put pressures and traffic impacts on the SRN and its junctions.

We would also seek to understand if/how the Council plans to have an overarching monitor and manage policy which addresses the cumulative traffic impacts of this growth area and the collective impact on the SRN.

The HGC Transport Vision and Strategy document (TV&S) sets out a sustainable movement network approach for the long-term growth and transformation of Hemel Hempstead and wider routes. The approach ensures the HGC programme area can be developed as a successful, integrated, well-connected place. The site has ambitions to achieve a town-wide sustainable transport network with a target of 60% of all journeys starting, ending or within the HGC growth areas and 40% of all journeys starting, ending or within the existing town of Hemel Hempstead, to be undertaken by active and sustainable modes by 2050.

We support the local authority's proposals that considers sustainable transport measures, which manage down demand and reduce the need to travel. We are open to discussions surrounding the district's plan to safeguard land, design, fund, deliver and monitor a package of transport measures to enhance M1 Junction 8 (M1 J8) and surrounding area, in association with Hemel Garden Communities (HGC).

Physical highway improvements for the SRN should only be considered as a last resort. We note that there cannot be any presumption that such infrastructure will be funded through any future RIS (Road Investment Strategy). We strongly recommend that there is no reliance placed on RIS funding to realise capacity for growth in the Plan within the plan period.

Housing and Employment Allocations:

We note that the housing requirement over the plan period is 10,808 across 98 sites in the St Albans area. H2 - East Hemel Hempstead (North) site directly borders the M1 and will provide 1,600 residential units (indicative) in total (1,235 in plan period). The site is to the east of Hemel Hempstead, between the B487 to the north, the M1 to the east and Punchbowl Lane to the south. The site is adjacent to Hemel Hempstead and forms part of the wider Hemel Garden Communities programme.

The site aims to improve and enhance countryside access links including connections under the M1 motorway. These links will require close collaboration with both National Highways and our service partner when an application comes forwards.

Site H3 and H4 East Hemel Hempstead (Central and South) also form part of the Hemel Garden Communities programme and similarly borders the M1. The proposals include mention of land to the east of Junction 8, which will be safeguarded for access improvements associated with Junction 8 of the M1 motorway, in case it is required to come forward for junction improvements.

Site H3 is also classified as Employment Led Mixed Use (Enterprise Zone), approximately 17 hectares of the site will promote high density, higher skilled employment uses to deliver a Business, Research and Development Park and explore opportunities for education. National Highways will be interested in understanding how traffic impacts will be reduced and mitigated as work on this site progresses due to the proximity of the SRN.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

National Highways will be interested in understanding how traffic impacts will be reduced and mitigated as work on this site progresses due to the proximity of the SRN.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 5

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Hemel Garden Communities (HGC) Programme is a proposal to transform Hemel Hempstead through the regeneration of the existing town and delivery of new housing and infrastructure in St Albans City & District Council and Dacorum Borough Council areas. Within St Albans District, the HGC Growth Areas will deliver at least 4,300 new homes by 2041, with a further 1,200 homes by 2050, providing a total of 5,500 new homes. Further housing growth within the area north and east of Hemel Hempstead, Two Waters and Hemel Hempstead Town will be set out in Dacorum's Local Plan. We note that this has the potential to put pressures and traffic impacts on the SRN and its junctions.

We would also seek to understand if/how the Council plans to have an overarching monitor and manage policy which addresses the cumulative traffic impacts of this growth area and the collective impact on the SRN.

The HGC Transport Vision and Strategy document (TV&S) sets out a sustainable movement network approach for the long-term growth and transformation of Hemel Hempstead and wider routes. The approach ensures the HGC programme area can be developed as a successful, integrated, well-connected place. The site has ambitions to achieve a town-wide sustainable transport network with a target of 60% of all journeys starting, ending or within the HGC growth areas and 40% of all journeys starting, ending or within the existing town of Hemel Hempstead, to be undertaken by active and sustainable modes by 2050.

We support the local authority's proposals that considers sustainable transport measures, which manage down demand and reduce the need to travel. We are open to discussions surrounding the district's plan to safeguard land, design, fund, deliver and monitor a package of transport measures to enhance M1 Junction 8 (M1 J8) and surrounding area, in association with Hemel Garden Communities (HGC).

Physical highway improvements for the SRN should only be considered as a last resort. We note that there cannot be any presumption that such infrastructure will be funded through any future RIS (Road Investment Strategy). We strongly recommend that there is no reliance placed on RIS funding to realise capacity for growth in the Plan within the plan period.

<u>Housing and Employment Allocations:</u>

We note that the housing requirement over the plan period is 10,808 across 98 sites in the St Albans area. H2 - East Hemel Hempstead (North) site directly borders the M1 and will provide 1,600 residential units (indicative) in total (1,235 in plan period). The site is to the east of Hemel Hempstead, between the B487 to the north, the M1 to the east and Punchbowl Lane to the south. The site is adjacent to Hemel Hempstead and forms part of the wider Hemel Garden Communities programme.

The site aims to improve and enhance countryside access links including connections under the M1 motorway. These links will require close collaboration with both National Highways and our service partner when an application comes forwards.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. National_Highways_[R].pdf

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 6

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Hemel Garden Communities (HGC) Programme is a proposal to transform Hemel Hempstead through the regeneration of the existing town and delivery of new housing and infrastructure in St Albans City & District Council and Dacorum Borough Council areas. Within St Albans District, the HGC Growth Areas will deliver at least 4,300 new homes by 2041, with a further 1,200 homes by 2050, providing a total of 5,500 new homes. Further housing growth within the area north and east

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Housing and Employment Allocations:

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Please upload any supporting documents here. Do not include any signatures or other personal data.

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B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 7

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site B3 - West Redbourn, Redbourn will provide 545 residential units. As the site is situated on the boundary of the M1, requirements include right of way improvement contributions to the link under the M1 and out into the wider recreational network to the west and a noise assessment must be carried out regarding the M1 which is adjacent to the west, and appropriate mitigating measures provided as necessary, which may include setback of residential units, planting, and acoustic bunding / fencing.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a

Please upload any supporting documents here. Do not include any signatures or other personal data.

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324 - Elizabeth Ferdi

Submission Number: 324 Submission Date: 07/11/24 09:00

Respondent: Elizabeth Ferdi

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I believe that the St Albans Local Plan has not had sufficient co-operation with Radlett, which abuts the proposed site for housing, along Harper Lane, running down to The Warren, Radlett. Residents need consultation.
The proposed housing will have a direct and adverse effect on the residents of Radlett, by overloading roads, and rail travel, and other social and retail amenities.
The proposed development could open onto small, private residential roads, such as The Warren, The Avenue, and Beech Avenue, which are unsuitable for construction vehicles, and high volumes of traffic from new housing that would be generated – especially in already busy periods e.g. the morning and evening rush to/from work and school; plus congestion at weekends in shopping areas.

I am in favour of creating new housing, but there needs to be proper safeguarding of the surrounding areas.

A better alternative to this proposed housing would be the use of brownfield sites or else the creation of whole new towns, like Milton Keynes or Welwyn Garden City. Perhaps our local authority (and others around the country) could make financial contributions to such schemes outside their area, so that their housing targets could be credited appropriately.

Finally, the loss of green space, which affords a restful gaze, would be a sad loss and detrimental to the mental wellbeing of Radlett residents, and people travelling through.

If there are to be further consultations, to allow residents to comment and/or object, I would be grateful to know how and when.

Thank you.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Representation_Form New Housing 071124_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is necessary to ensure information gets out to residents and in a timely way.

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325 - Longbourn Estates

Submission Number: 325 Submission Date: 08/11/24 09:00

Respondent: Pegasus Group Mr Peter Atkin

On Behalf Of Longbourn Estates : Longbourn Estates

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 1

Type:

* Policy

Number:

SP13 mainly

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission including Appendices]

2. **Chapter 3 – Sustainable Use of Land and Green Belt**

Strategic Policy SP3 – Land and the Green Belt

Housing Needs

2.1. Policy SP3 details that the Local Plan will seek to deliver its housing need as calculated by the Government's Standard Method. The policy states that as a minimum the Plan will seek to deliver 14,603 new dwellings over the plan period to 2041. Longbourn Estates support the Council's view that meeting this target is a 'minimum' requirement. Paragraph 11 and 61 of the National Planning Policy Framework (December 2023) also require councils to take into account housing needs that cannot be met in other areas when establishing the number of homes to be planned for. St Albans will need to work with its neighbours to address the unmet needs currently arising in Dacorum and Three Rivers and potentially others.

2.2. In addition, St Albans is experiencing some of the worst median and lower-quartile workplace-based salary affordability ratios of anywhere in the country, meaning house prices in the district are now 18.4 times average salary. The knock-on negative effects for the local population and economy are severe and requires careful and evidenced consideration to address as part of the plan-making process. Accordingly, the affordability issues and suppression of housing growth in the district over recent decades highlight the need for the Local Plan to look positively upon housing need targets and the opportunity they provide to improve the lives of SADCs residents.

2.3. The Council’s ambitious employment and economic development policies (Policy SP5) are supported. However, it must be noted that significant numbers of new homes will be needed to support new jobs and business in the district, particularly in light of the dominant longterm trends

in the growth of less economically active residents aged 65+. The 2023 Census population estimates outline that these trends are now accelerating across the region, which may have significant implications for economic growth unless younger, economically active groups are able to afford to live and work in the area. The need to deliver not only sufficient housing for current needs, but also reflect future need and to meet the ambitious economic growth aspirations of the district should be considered thoroughly. Failure to plan for sufficient homes will only worsen the already extreme affordability ratios in the district and will hold back economic growth.

2.4. The Council should keep an open-minded and flexible approach, so that the Local Plan is capable of responding to rising housing needs in the district as the plan-making process continues. Indeed, the plan will require modification to set out an immediate review of the plan to take account of the proposed NPPF reforms. The proposed revision to the NPPF standard method anticipates SADCs housing needs increasing from 885dpa to 1,544dpa and will require the council to prepare a new plan immediately, which should be secured through an appropriate policy requirement consistent with national planning policy.

Green Belt Review

2.5. In light of the above, and to meet the housing needs of the district and wider south west

Hertfordshire sub-region, the Green Belt Review must be thorough, reasoned and complete in its assessment of potential sites. These representations are made to support the promotion of Land North of Sandridge for residential-led mixed use development of up to 150 dwellings. The land has been promoted consistently as deliverable (being suitable, available and achievable) for a number of years, including throughout the preparation of the previous iterations of draft Local Plans. The land under the control of Longbourn Estates still remains available for residential-led development.

2.6. To accommodate the proposed 14,603 dwellings over the plan period, the Local Plan

proposes amendments to existing Green Belt boundaries which are supported. The National Planning Policy Framework (NPPF) makes clear that alterations to Green Belt boundaries should only be proposed in 'exceptional circumstances' which are fully evidenced and justified. Paragraph 3.18 of the draft Plan, to some extent, begins to set out the 'exceptional circumstances', however, moving forward it is vital that the Council provides further evidence to demonstrate the exceptional circumstances in the district more clearly. Longbourn Estates contend that there is a significant and robust exceptional circumstances case to be made in respect of the overwhelming need to deliver significant housing and economic growth in the district. If the Green Belt boundaries remained unchanged, the Council would oversee a significant shortfall in housing supply and an accelerating backlog of affordable housing. The Green Belt is a significant constraint to delivery and the lack of any changes to the Green Belt boundaries since 1994 has significantly constrained supply over an extended period. The Council's ambition to review the Green Belt as part of preparing the Local Plan to enable much needed housing delivery is therefore supported.

2.7. The 1994 Local Plan designates Sandridge as a 'Small Village' meaning it is washed over by

Green Belt, rather than being inset. The Regulation 19 draft Plan is proposed to retain this designation, and is now proposed to classify Sandridge as a 'Tier 6 *Green Belt Village'*. Whilst most larger sites are reviewed in detail, sites within or adjacent to these washed over villages are not. Instead, an arbitrary 400m buffer around the largest settlements and a 250m buffer around the mid-tier settlements has been used to quickly filter sites out of the assessment – including land to the north of Sandridge. This approach fails to recognise the sustainability credentials of Sandridge, which benefits from a range of services and amenities and is also just 4km north-east of St Albans City Centre, contrary to the objectives of the NPPF to promote sustainable patterns of development and could harm the continued vitality and viability of local services within the district's villages.

2.8. Whilst retention of Green Belt between Sandridge and St Albans is supported, as it demonstrably contributes to maintaining the separation of the settlements and to check the spread of St Albans city; the same purposes are not true of the Green Belt north of the village. The natural boundary for Sandridge, formed of the permanent boundary of the maturing Heartwood Forest, is therefore slightly further north than the existing edge of the existing

built form. This logical expansion of the village has been overlooked in favour of carrying forward the 'washed over' designation from the previous 1994 local plan.

2.9. The positive contribution Heartwood Forest has upon maintaining a physical and permanent

boundary north of the village is overlooked. Longbourn Estates consider the forest acts as a natural edge to the village, which then allows for consideration as to the appropriate boundary of the settlement as shown in Figure 1 below.

Figure 1: Land North of Sandridge in Context with Heartwood Forest

[Please see attachment for Figure]

2.10. If inset from the Green Belt, the village, with the inclusion of Land North of Sandridge,

Heartwood Forest would represent a natural, logical and permanent boundary to the north Sandridge. The forest would serve many of the purposes of the Green Belt, by checking unrestricted sprawl, preventing coalescence, and safeguarding further countryside from encroachment. Clearly in this event, the justification for washing over Sandridge is weakened, as Green Belt protection would be unnecessary. Indeed, Land North of Sandridge is now effectively enclosed on all sides, creating a significant natural and defensible boundary between the urban and rural surroundings. As a result, the site no longer forms a contiguous element within the wider Green Belt countryside due to its effective isolation created by the maturing Heartwood Forest.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[Please see attachment for full submission including Appendices]

Conclusions

- The site is suitable for residential development with no insurmountable environmental, technical or social infrastructure constraints;
- The site is located within a sustainable location, suitable to accommodate new development;
- The site is available for development now and is being actively promoted by a willing landowner;
- Residential development is confirmed to be a viable opportunity at this site; and
- The enclosed Illustrative Masterplan (**Appendix 5**) represents a deliverable, sympathetic and sustainable vision for the site for up to 150 high-quality new homes and for the purposes of preparing the new Local Plan, the site should be treated as a deliverable source of housing land with an expectation of completions achievable in the early part of the new plan period, subject to the removal of the Green Belt designation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. LON_0649_R001v3_St Albans Local Plan Reg 19_Longbourn Estates_07_11_2024_[R].pdf
2. App 1 - Highways Note_[R].pdf
3. App 2 - Concept Plan_[R].pdf
4. App 3i - Preliminary Ecological Appraisal_[R].pdf
5. App 4 - Biodiversity Net Gain Assessment_[R].pdf
6. App 5 - Illustrative Masterplan_[R].pdf
7. Longbourn_Estates_[R].pdf

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

Proposed New Site: Land North of Sandridge

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission including Appendices]

The Site Selection Process

2.11. Whilst Longbourn supports the Council's site selections, should additional 'omission sites' be required to address any identified shortfalls in housing need, sites should be selected in sustainable locations, where there is low Green Belt harm, and/or where landscape characteristics permit proportionate development – such as at Land North of Sandridge.

Site Deliverability

2.12. Land North of Sandridge represents a deliverable prospect being suitable, available and viable) within the early part of the plan period (i.e. years 2024-2029) and offers the opportunity to deliver a high-quality development of up to 150 new homes to contribute towards the district's significant housing needs for all sections of the community, including the provision of market housing, affordable housing, adaptable and older persons housing.

2.13. The following therefore provides a 'high-level' review of the deliverability of Land north of Sandridge.

Site Suitability

Access and Highways

2.14. The site is bordered to the west by the B651 (High Street) from which a suitable access point could be created as shown in **Appendix 1**. Pedestrian connectivity is also available via a Public Right of Way (PROW - Hertfordshire Way) which runs adjacent to the south-western edge of the site.

2.15. The B651 is a key distributor road within the local highway network which links Sandridge with the centre of St Albans approx. 2.5 miles / 4km to the south. In terms of sustainable modes of transport, the 'Langley Grove' Bus Stop is situated on the High Street immediately to the west of the site and which provides regular services to St Albans. The centre of St Albans is also just an 11min cycle ride from the site, highlighting the site's sustainability credentials. Moreover, the site is located within a 5min walk of the centre of Sandridge and the local Primary School (Sandridge School).

2.16. The enclosed Transport Note (**Appendix 1**) confirms that a suitable vehicular access point can be created in the form of a simple priority junction at the B651 High Street, which is appropriate to accommodate the proposed scale of the development. Taken together, the potential development of the site is considered to accord with the transport aims and polices of the SADC Draft Local Plan which requires new developments to:

1. Be located in areas that enable active and or sustainable transport journeys;
2. Support a reduction in car journeys by facilitating connections and improvements to the existing rights of way, walking and cycling networks in order to facilitate active and sustainable travel; and
3. Avoid the creation of highway safety problems or cause unacceptable impacts upon the transport network.

Landscape & Townscape

2.17. The site is not located within an area designated for its landscape value. Existing built form ispresent to the south and west of the site which also separates the site from the Sandridge Conservation Area. Accordingly, the local landscape and surrounding townscape setting is not considered to be particularly sensitive to change.

2.18. Furthermore, the Woodland Trust has recently completed a significant tree planting programme as part of the new Heartwood Forest initiative. The new forest already extends to the northern boundary of the site and effectively encloses the site, providing a new physical boundary between Sandridge to the south and the countryside to the north.

2.19. The proposed concept plan (**Appendix 2**) for the site evidently demonstrates that Land North of Sandridge is capable of accommodating a robust landscape-led development which is sensitive to, and contributes positively towards, its local character.

Flood Risk

2.20. The site is located within Flood Zone 1 (lowest risk of flooding) as defined by the Environment Agency and is therefore sequentially preferable and considered suitable in principle for residential development in flood risk terms.

2.21. Notwithstanding this, any future planning application at this site would be supported by a site-specific flood risk assessment and surface water drainage strategy, incorporating Sustainable Urban Drainage Systems (SUDS).

Ecology

2.22. The site is not subject to any statutory environmental / ecological designations, the nearest being the 'Wheathampstead Development Centre' Local Nature Reserve approx. 2.2k to the north. The site comprises vacant (managed) arable agricultural land and therefore is of limited ecological value.

2.23. The new Heartwood Forest extends to the northern boundary of the site. The new forest will, when matured, provide a rich wildlife habitat.

2.24. There are no ecological constraints at this site restricting future development and the current agricultural use of the site is of low ecological value as confirmed within the enclosed Preliminary Ecological Appraisal (**Appendix 3**).

2.25. The potential development of the site will however provide the opportunity to introduce enhanced wildlife habitats and ecological corridors through the site to link with the new Heartwood Forest to the north and improve the function of the site as part of a wider Green Infrastructure network. Accordingly, the enclosed Biodiversity Net Gain Assessment (**Appendix 4**) confirms that minimum 10% net gains are achievable at the site through the implementation of the following onsite enhancement strategy:

- Planting of new, species-rich native hedgerow along the northern boundary of the site to buffer the woodland;
- Incorporation of other neutral grassland within the public open space;
- Providing a multifunctional approach to blue and green infrastructure, maximising opportunities for nature as part of the SUDS strategy;
- Planting of a traditional orchard.
- Heritage

2.26. The site is not designated as a Conservation Area or Area of Archaeological Potential, does not contain any Listed Buildings or Scheduled Monuments and does not form part of the setting of any heritage assets.

2.27. The Sandridge Conservation Area (which contains a number of Listed Buildings) is located approx. 80m to the south, however the Conservation Area is separated visually and physically by the existing residential estates along Langley Grove. Accordingly, the site is not constrained by any heritage assets.

Social Infrastructure and Sustainability

2.28. The Regulation 19 SADC Local Plan identifies Sandridge as falling within a 6th Tier (out of 7 Tiers) settlement within the hierarchy, being one of the District's 'Green Belt Settlements'. Other such villages identified within this tier include Annables, Kimsbourne Green, Colney Heath, Folly Fields, Gustard Wood, Lea Valley Estate, Radlett Road, Frogmore, Sleapshyde and Smallford.

2.29. However, Sandridge is well served by a range of shops, community facilities (e.g. village hall and playing fields), retail and employment space, Public Houses, a Primary School and public transport services. Sandridge is therefore considered to be more comparable to the District's 5th Tier settlements such as Bricket Wood and Chiswell Green than to the other Green Belt settlements which generally offer very little by way of public services and facilities.

2.30. Moreover, the proximity of St Albans City Centre (just 2.5 miles / 4km to the south) is also considered to be a significant factor contributing towards the sustainability of Sandridge as a suitable location to support growth given the travel distances involved and the ability to utilise sustainable modes of transport. Accordingly, it is considered that Sandridge should be viewed as an intrinsically sustainable location capable of contributing towards the growth of the wider St Albans City area should additional 'omission sites' be required to make up any identified shortfalls.

Overall Site Suitability

2.31. The above highlights the opportunity presented by the site to contribute towards the District's housing needs and demonstrates that there are no insurmountable physical, environmental or technical constraints precluding the development of land north of Sandridge. The site therefore presents a key opportunity to deliver the District's spatial and sustainable development objectives over the next Plan period.

Site Availability

2.32. The site is under single ownership and comprises managed arable agricultural land on the northern edge of Sandridge. There are no legal constraints to the availability of the land for development.

2.33. The landowner is willing to make the site available for development and is actively promoting the site through the emerging Local Plan and engaging with local stakeholders as part of this process.

2.34. It is therefore anticipated that subject to the removal of the Green Belt designation, that the site will be available for development in the early part of the new Local Plan period.

Site Viability

2.35. The site comprises managed arable agricultural land (i.e. 'Greenfield' land) and accordingly it is not anticipated that there will be any abnormal costs associated with the development of this site as may be expected on previously developed ('Brownfield') land.

2.36. As such, it is to be acknowledged that the site is wholly capable of delivering the Council's policies, particularly with regards to Affordable Housing provision.

Conclusions

- The site is suitable for residential development with no insurmountable environmental, technical or social infrastructure constraints;
- The site is located within a sustainable location, suitable to accommodate new development;
- The site is available for development now and is being actively promoted by a willing landowner;
- Residential development is confirmed to be a viable opportunity at this site; and
- The enclosed Illustrative Masterplan (**Appendix 5**) represents a deliverable, sympathetic and sustainable vision for the site for up to 150 high-quality new homes and for the purposes of preparing the new Local Plan, the site should be treated as a deliverable source of housing land with an expectation of completions achievable in the early part of the new plan period, subject to the removal of the Green Belt designation.

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[Please see attachment for full submission including Appendices]

Conclusions

- The site is suitable for residential development with no insurmountable environmental, technical or social infrastructure constraints;
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326 - Hilary Hunter

Submission Number: 326 Submission Date: 08/11/24 09:00

Respondent: Hilary Hunter

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I live at [redacted] close to the junction with Roundwood Park and the Roundwood park comprehensive school. I have daily problems with parents parking as it is impossible to see past the parked cars as I try to get out of my house. It is near impossible to see moving vehicles which come round the corner too fast and likely to hit both my car and other cars coming into the road. Further houses will make life even more dangerous. Currently there are builders vehicles parked all day as work is going on in Roundwood Park .

Roundwood Lane is a narrow lane and passing vehicles need to slow down to pass each other safely. I personally have twice had my wing mirrors destroyed by school parents large cars driving too fast. These have cost me over £100 each time. Extra traffic means more accidents.

The water supply to the road is often poor and more houses mean extra pressure on water, gas and electricity and internet supply.

I have been told by the fire brigade that the land behind our houses absorbs water like a sponge until it finally discharges large quantities which flow past the Bell public House onto the A1081.

More houses mean more Sewage with difficulties with inadequate pipe work.

Currently Falconers Field is designated green belt land. This is for the purpose of keeping people healthier especially with breathing problems causing people being unable to work and contribute to the National Economy. In the past we have proved the council to dishonest in their attempts to turn the land into brown belt. Are we to assume that this practice will continue? If houses are built what is to stop further development down to the M1?

I am aware of more detailed objections by my fellow residents and back their submissions wholeheartedly. I wish to take my point seriously and cease the planning to an area and town already with overcrowding problems.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hunter_H_[R].pdf

327 - Gary lees

Submission Number: 327 Submission Date: 08/11/24 09:00

Respondent: Pegasus Group Tom Beardsmore

On Behalf Of Clowes Developments : Gary lees

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

These submissions to the Regulation 19 Draft Local Plan consultation are made on behalf of Clowes Developments who has an interest in circa 74 hectares of land either side of the M25 motorway west of Junction 21a, the northern parcel lying south of Noke Lane, Chiswell Green and the southern parcel lying west of Bricket Wood. The land parcels are identified on the enclosed site location plan.

Chapter 1 Spatial Strategy

It is contended that the draft plan fails all four tests of soundness in not giving sufficient consideration to plan for more homes or more employment floorspace, given the clear evidence of increased needs for both of these in St Albans and across the South West Hertfordshire Market Area (HMA).

Housing Need

Whilst the draft plan is seeking to provide for the Standard Method housing figure, it should be noted that:

1. This is a capped figure, and thus below actual housing need;
2. There is a very high, local affordable housing need; and
3. There is unmet need from neighbouring authorities in the Housing Market Area.

The Sustainability Appraisal (SA) notes that the PPG states: "*Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered*". The uncapped housing need figure is 1,165 dpa and would result in the need to allocate land for a further 4,709 dwellings.

The SA also acknowledges that the PPG states: "*An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.*" The Local Housing Needs Assessment (LHNA, 2024) identifies a need for 449 affordable homes to rent per annum plus a need for 353 per annum affordable home ownership, a total affordable housing need over the plan period of 13,233 dwellings. There is thus a desperate affordable housing need that planning for additional homes would help alleviate.

The Duty to Cooperate (DtC) requires strategic policy-making authorities to cooperate with each other, and other bodies, when preparing policies which address strategic matters (such as meeting housing needs) and to produce Statements of Common Ground (SoCG). The SoCG published alongside this Regulation 19 consultation is unsigned, but identifies that an approach to accommodating unmet housing needs that may exist within the wider Housing Market Area is a Strategic Matter to be addressed. Given the decision of Three Rivers to not proceed with their new local plan, there exists significant unmet need across the HMA. There is no evidence of any 'effective' joint work to address this strategic issue; just noting this issue in the SoCG fails to meet the DtC requirement of engaging effectively.

Whilst the SA acknowledges there are implications for the matter of planning for unmet need across the sub-region as a consequence of the proposed changes to the NPPF (including a 75% increase on the present standard method calculation for St Albans), this is also evidentially the case under the existing NPPF as well.

The SA does not consider a growth option higher than 12% above the (capped) standard method requirement. In light of the actual housing and affordable housing needs in St Albans being substantially higher than the standard method figure, it is a failure of the SA to not test a higher growth option as a reasonable alternative.

NPPF paragraph 61 sets out circumstances where a figure higher than the standard method might be justified; not only does the plan fail to respond positively to these and also fails to take account of unmet need from elsewhere in the HMA, the plan's housing figure also fails to provide for an appropriate flexibility allowance. This should be at least 10% of the standard method figure to allow for potential non-delivery and ensure the quantum of housing being planned for is actually delivered over the plan period.

Plan period: it would be confusing for monitoring purposes to have a plan that does not start and end at the same point in the year. 31st March is an accepted start and finish point and it would therefore be logical for this local plan to start at 31st March 2024.

Employment Need

The SA is quite dismissive of testing a higher growth strategy with increased employment land on the basis that 'none of the sites in question would deliver new employment land'. The northern parcel of the land as identified on the attached site location plan is subject to a Planning Performance Agreement with the City Council to consider the merits of the site to deliver a new stadium for St Albans City Football Club along with enabling development. The principle of a new stadium for the football club is supported by the New Local Plan at Policy COM5. One of the enabling development options being considered is employment. The site has been put forward for consideration as a potential employment site and the HELAA 2021/22 Report Annex 17 Employment includes this site as STS 19-21. There then appears to be no further assessment of the site for employment purposes as part of the plan making process.

The South West Herts Economic Study (SWHES) 2024 identifies a need for just 1.5 ha of industrial and storage & distribution land within St Albans over a 20-year period. However, Savills has considered this study and do not agree with its findings on the following grounds:

The SWHES sets out a range of demand estimation methods and identifies the Net Absorption method as its preferred. This scenario relies in part on elements of the Savills demand estimation method outlined in the "Levelling Up – The Logic of Logistics" report prepared for the BPF. Savills consider this estimation method the strongest because it is based directly on market indicators.

The three other estimation methods (past completions, labour demand and labour supply) have significant limitations which typically result in inaccurate estimates of future land demand, particularly in the Industrial and Logistics (I&L) sector. These methods have no direct relationship to market realities and the growth drivers that support demand.

Whilst the fact that the SWHES has stated a preference for the Net Absorption method for estimating need is welcome, it has not been applied entirely correctly or to its fullest. There are several reasons why the estimation method falls short. It does not take account of current and future growth drivers that will continue to underpin I&L demand such as online retailing and housing growth. Also, given St. Albans proximity to Greater London, and its excellent transport infrastructure, it doesn't account for how new I&L floorspace in St Albans could help to address the loss of land in Greater London. Finally, the plot ratios uses in the SWHES are too high at 40%. From Savills' experience, a plot ratio of around 35% is more reflective of modern I&L occupier requirements.

Based on Savills' own demand methodology, apportioning FEMA down to St Albans results in demand for between 43 ha and 71 ha of land over a 20-year period. This is a significantly higher demand requirement than that estimated in the SWHES. I consider Savills' demand estimates demonstrate that the Council has not allocated enough of the right land for I&L uses, and that quantitatively a strong needs case can be made for further I&L development in the FEMA and St Albans specifically. The Subject Site will help to meet this demand.

Although the Council has allocated two large sites for employment, neither is fully oriented towards meeting the Council's need for new I&L premises. The East Hemel Hempstead draft allocation is located in the Herts Innovation Quarter and primarily oriented towards office and R&D activities. The SRFI is nationally significant infrastructure and its capacity to meet local or even sub-regional need is limited. The Subject Site is uniquely positioned to provide St Albans and the sub-region with highly deliverable, strategically located Class A I&L premises.

Whilst the study confirms that hyperscale data centres fall outside of its scope, it does recognise that Herts is an attractive location for these uses and that the development of data centres is now established as critical national infrastructure, with the evidence demonstrating there is significant demand for large scale centres and that this should be expected to continue to increase.

Notwithstanding the plan will not be assessed against the new version of the NPPF, and thus does not need to identify strategic sites for data centre uses as proposed in the NPPF changes to paragraphs 84 & 85, the ministerial statement of Chris Bryant MP of 12th September 2024 is now government policy that plan will need to have regard to. This statement confirms UK Data Infrastructure, including data centres, as Critical National Infrastructure. The statement also confirms the government's commitment to explore further how to ensure the right conditions are in place to drive necessary capacity expansion to support economic growth and innovation. The plan does not provide any policies or proposals to assist in ensuring data centre demand – which is known to be high in Hertfordshire – is provided for or to assist in directing such uses to appropriate locations.

The SA in support of the Reg 19 draft local plan fails to consider any reasonable alternatives in relation to employment growth – including the northern parcel of the subject site that has been put forward for employment development. It is also noted that employment levels actually decreased in St Albans between 2015 and 2021, an alarming statistic that points to an unsustainable, aging population and one that requires a local plan to plan positively to meet the needs of younger generations by providing the homes and jobs to enable them to stay and prosper in the District.

For all the above reasons, the Spatial Strategy of the draft Plan fails the Duty to Cooperate and all four tests of soundness.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024 11 08 - GL - St Albans Local Plan Reg 19 - Clowes Developments_[R].pdf
2. EMS2629 003-01 - Location Plan_[R].pdf

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Chapter 3 – Sustainable Use of Land and Green Belt

The Green Belt Review appears to have been determinative in the allocation of sites for development as part of the Regulation 19 draft local plan. It is contended that the Green Belt Review, Parts 1 & 2, are flawed for the following reasons.

The Green Belt Review Part 1 is an assessment of GB purposes at a high level dating from 2013, used in support of the previous, now withdrawn draft local plan. Our objections then remain the same now, particularly with regard to the parcel north of the M25, the table below providing a summary of likely impacts on Green Belt purposes:

Table 1: Summary of likely impacts on Green Belt purposes [see attached file]

The 2023 Green Belt Review Part 2 by Arup provides a more granular assessment of sites and locations. This review is based on the application of buffers of 250m and 400m from existing built form as the key factors informing the consideration of sites. Indeed, the Part 2 report states at 4.2.1 "*Sites that were not adjacent to existing urban areas (or the buffers) were thus excluded for the assessment on the basis that their release would (a) not contribute to a sustainable pattern of development; and (b) undermine the integrity of the Green Belt by creating hole(s) within its fabric*". This arbitrary approach without proper regard to Green Belt openness or purposes has thus unfairly constrained the site selection process.

The assessment of land parcels against the five Green Belt purposes is also questioned, particularly with regard to my client's land interests at parcels SA-137 and SA-160. GB purpose 2 is to prevent neighbouring towns from merging, but as Chiswell Green and Bricket Wood are not towns, it is difficult to understand how SA-137 and SA-160 preform so poorly. In respect of GB purpose 3 to assist in safeguarding the countryside from encroachment, parcel SA-160 is both physically and visually constrained by the M25 and M1 motorways, yet the score in the report is the most harmful. Whilst the western part of parcel SA-137 is considered to perform poorly, the eastern part is not (as noted above in respect of comments submitted to the Part 1 review). These are just a few examples of questionable scoring.

As a consequence, the Green Belt Review is considered to fail the justified and effective tests of soundness.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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Part B - Local Plan Sites

Comment Number: 3

Type:

* Site

Number:

New site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

These submissions to the Regulation 19 Draft Local Plan consultation are made on behalf of Clowes Developments who has an interest in circa 74 hectares of land either side of the M25 motorway west of Junction 21a, the northern parcel lying south of Noke Lane, Chiswell Green and the southern parcel lying west of Bricket Wood. The land parcels are identified on the enclosed site location plan.

Chapter 1 Spatial Strategy

It is contended that the draft plan fails all four tests of soundness in not giving sufficient consideration to plan for more homes or more employment floorspace, given the clear evidence of increased needs for both of these in St Albans and across the South West Hertfordshire Market Area (HMA).

Housing Need

Whilst the draft plan is seeking to provide for the Standard Method housing figure, it should be noted that:

1. This is a capped figure, and thus below actual housing need;
2. There is a very high, local affordable housing need; and
3. There is unmet need from neighbouring authorities in the Housing Market Area.

The Sustainability Appraisal (SA) notes that the PPG states: "*Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered*". The uncapped housing need figure is 1,165 dpa and would result in the need to allocate land for a further 4,709 dwellings.

The SA also acknowledges that the PPG states: "*An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.*" The Local Housing Needs Assessment (LHNA, 2024) identifies a need for 449 affordable homes to rent per annum plus a need for 353 per annum affordable home ownership, a total affordable housing need over the plan period of 13,233 dwellings. There is thus a desperate affordable housing need that planning for additional homes would help alleviate.

The Duty to Cooperate (DtC) requires strategic policy-making authorities to cooperate with each other, and other bodies, when preparing policies which address strategic matters (such as meeting housing needs) and to produce Statements of Common Ground (SoCG). The SoCG published alongside this Regulation 19 consultation is unsigned, but identifies that an approach to accommodating unmet housing needs that may exist within the wider Housing Market Area is a Strategic Matter to be addressed. Given the decision of Three Rivers to not proceed with their new local plan, there exists significant unmet need across the HMA. There is no evidence of any 'effective' joint work to address this strategic issue; just noting this issue in the SoCG fails to meet the DtC requirement of engaging effectively.

Whilst the SA acknowledges there are implications for the matter of planning for unmet need across the sub-region as a consequence of the proposed changes to the NPPF (including a 75% increase on the present standard method calculation for St Albans), this is also evidentially the case under the existing NPPF as well.

The SA does not consider a growth option higher than 12% above the (capped) standard method requirement. In light of the actual housing and affordable housing needs in St Albans being substantially higher than the standard method figure, it is a failure of the SA to not test a higher growth option as a reasonable alternative.

NPPF paragraph 61 sets out circumstances where a figure higher than the standard method might be justified; not only does the plan fail to respond positively to these and also fails to take account of unmet need from elsewhere in the HMA, the plan's housing figure also fails to provide for an appropriate flexibility allowance. This should be at least 10% of the standard method figure to allow for potential non-delivery and ensure the quantum of housing being planned for is actually delivered over the plan period.

Plan period: it would be confusing for monitoring purposes to have a plan that does not start and end at the same point in the year. 31st March is an accepted start and finish point and it would therefore be logical for this local plan to start at 31st March 2024.

Employment Need

The SA is quite dismissive of testing a higher growth strategy with increased employment land on the basis that 'none of the sites in question would deliver new employment land'. The northern parcel of the land as identified on the attached site location plan is subject to a Planning Performance Agreement with the City Council to consider the merits of the site to deliver a new stadium for St Albans City Football Club along with enabling development. The principle of a new stadium for the football club is supported by the New Local Plan at Policy COM5. One of the enabling development options being considered is employment. The site has been put forward for consideration as a potential employment site and the HELAA 2021/22 Report Annex 17 Employment includes this site as STS 19-21. There then appears to be no further assessment of the site for employment purposes as part of the plan making process.

The South West Herts Economic Study (SWHES) 2024 identifies a need for just 1.5 ha of industrial and storage & distribution land within St Albans over a 20-year period. However, Savills has considered this study and do not agree with its findings on the following grounds:

The SWHES sets out a range of demand estimation methods and identifies the Net Absorption method as its preferred. This scenario relies in part on elements of the Savills demand estimation method outlined in the "Levelling Up – The Logic of Logistics" report prepared for the BPF. Savills consider this estimation method the strongest because it is based directly on market indicators.

The three other estimation methods (past completions, labour demand and labour supply) have significant limitations which typically result in inaccurate estimates of future land demand, particularly in the Industrial and Logistics (I&L) sector. These methods have no direct relationship to market realities and the growth drivers that support demand.

Whilst the fact that the SWHES has stated a preference for the Net Absorption method for estimating need is welcome, it has not been applied entirely correctly or to its fullest. There are several reasons why the estimation method falls short. It does not take account of current and future growth drivers that will continue to underpin I&L demand such as online retailing and housing growth. Also, given St. Albans proximity to Greater London, and its excellent transport infrastructure, it doesn't account for how new I&L floorspace in St Albans could help to address the loss of land in Greater London. Finally, the plot ratios uses in the SWHES are too high at 40%. From Savills' experience, a plot ratio of around 35% is more reflective of modern I&L occupier requirements.

Based on Savills' own demand methodology, apportioning FEMA down to St Albans results in demand for between 43 ha and 71 ha of land over a 20-year period. This is a significantly higher demand requirement than that estimated in the SWHES. I consider Savills' demand estimates demonstrate that the Council has not allocated enough of the right land for I&L uses, and that quantitatively a strong needs case can be made for further I&L development in the FEMA and St Albans specifically. The Subject Site will help to meet this demand.

Although the Council has allocated two large sites for employment, neither is fully oriented towards meeting the Council's need for new I&L premises. The East Hemel Hempstead draft allocation is located in the Herts Innovation Quarter and primarily oriented towards office and R&D activities. The SRFI is nationally significant infrastructure and its capacity to meet local or even sub-regional need is limited. The Subject Site is uniquely positioned to provide St Albans and the sub-region with highly deliverable, strategically located Class A I&L premises.

Whilst the study confirms that hyperscale data centres fall outside of its scope, it does recognise that Herts is an attractive location for these uses and that the development of data centres is now established as critical national infrastructure, with the evidence demonstrating there is significant demand for large scale centres and that this should be expected to continue to increase.

Notwithstanding the plan will not be assessed against the new version of the NPPF, and thus does not need to identify strategic sites for data centre uses as proposed in the NPPF changes to paragraphs 84 & 85, the ministerial statement of Chris Bryant MP of 12th September 2024 is now government policy that plan will need to have regard to. This statement confirms UK Data Infrastructure, including data centres, as Critical National Infrastructure. The statement also confirms the government's commitment to explore further how to ensure the right conditions are in place to drive necessary capacity expansion to support economic growth and innovation. The plan does not provide any policies or proposals to assist in ensuring data centre demand – which is known to be high in Hertfordshire – is provided for or to assist in directing such uses to appropriate locations.

The SA in support of the Reg 19 draft local plan fails to consider any reasonable alternatives in relation to employment growth – including the northern parcel of the subject site that has been put forward for employment development. It is also noted that employment levels actually decreased in St Albans between 2015 and 2021, an alarming statistic that points to an unsustainable, aging population and one that requires a local plan to plan positively to meet the needs of younger generations by providing the homes and jobs to enable them to stay and prosper in the District.

For all the above reasons, the Spatial Strategy of the draft Plan fails the Duty to Cooperate and all four tests of soundness.

Chapter 3 – Sustainable Use of Land and Green Belt

The Green Belt Review appears to have been determinative in the allocation of sites for development as part of the Regulation 19 draft local plan. It is contended that the Green Belt Review, Parts 1 & 2, are flawed for the following reasons.

The Green Belt Review Part 1 is an assessment of GB purposes at a high level dating from 2013, used in support of the previous, now withdrawn draft local plan. Our objections then remain the same now, particularly with regard to the parcel north of the M25, the table below providing a summary of likely impacts on Green Belt purposes:

Table 1: Summary of likely impacts on Green Belt purposes [see attached file]

The 2023 Green Belt Review Part 2 by Arup provides a more granular assessment of sites and locations. This review is based on the application of buffers of 250m and 400m from existing built form as the key factors informing the consideration of sites. Indeed, the Part 2 report states at 4.2.1 "*Sites that were not adjacent to existing urban areas (or the buffers) were thus excluded for the assessment on the basis that their release would (a) not contribute to a sustainable pattern of development; and (b) undermine the integrity of the Green Belt by creating hole(s) within its fabric*". This arbitrary approach without proper regard to Green Belt openness or purposes has thus unfairly constrained the site selection process.

The assessment of land parcels against the five Green Belt purposes is also questioned, particularly with regard to my client's land interests at parcels SA-137 and SA-160. GB purpose 2 is to prevent neighbouring towns from merging, but as Chiswell Green and Bricket Wood are not towns, it is difficult to understand how SA-137 and SA-160 preform so poorly. In respect of GB purpose 3 to assist in safeguarding the countryside from encroachment, parcel SA-160 is both physically and visually constrained by the M25 and M1 motorways, yet the score in the report is the most harmful. Whilst the western part of parcel SA-137 is considered to perform poorly, the eastern part is not (as noted above in respect of comments submitted to the Part 1 review). These are just a few examples of questionable scoring.

As a consequence, the Green Belt Review is considered to fail the justified and effective tests of soundness.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024 11 08 - GL - St Albans Local Plan Reg 19 - Clowes Developments_[R].pdf
2. EMS2629 003-01 - Location Plan_[R].pdf

Sustainability Appraisal Note

Comment Number: 2

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

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1. EMS2629 003-01 - Location Plan_[R].pdf
2. 2024 11 08 - GL - St Albans Local Plan Reg 19 - Clowes Developments_[R].pdf

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328 - Charlie Thompson

Submission Number: 328 Submission Date: 07/11/24 09:00

Respondent: Hertfordshire County Council (Growth and Infrastructure Unit) Charlie Thompson

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Air Quality
We support draft Policy HW1 – Air and Noise Pollution, which requires air and noise pollution assessments for developments located in areas which may exceed national legislative air quality limits. To strengthen this policy, we recommend the following should be included:

•
Enforcement of no development granted permission in an Air Quality Management Area.

•
considers unfavourably any applications for schools, care homes and other vulnerable communities that are within an AQMA or immediately adjacent to known traffic hotspots;

•
requires a detailed Air Pollution Modelling for Major developments to ensure that more mitigation, additional to the default for such developments, is required where ‘adverse impacts’ are predicted.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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Paragraph 35 and 36 of the 2023 NPPF require that local plans be compliant with national policy. To do so they must comply with the other policies of the NPPF.
The successful delivery of the Hemel Garden Communities (HGC) programme in St Albans will be reliant on the agreement and delivery of on-site infrastructure within the site allocations in the Dacorum & St Albans local plans as well as off-site infrastructure across the settlement of Hemel Hempstead. The local plan as respects the HGC programme must therefore meet NPPF requirements for both infrastructure delivery and dealing with relevant cross-boundary issues. NPPF paragraphs 16 (c) and 25 make explicit the need for infrastructure cooperation across boundaries where appropriate.
Both the St Albans and the Dacorum local plans include an Infrastructure Delivery Plan as evidence to support their own local plans. This is needed to evidence the

requirement at NPPF paragraph 11 (a) that plan-making demonstrate sustainable development. Paragraph 110 places further requirements on plans to include policies to deliver infrastructure that ensures positive outcomes. However, the St Albans IDP, prepared by Arup following extensive engagement with HCC, does not include the infrastructure required to deliver the Hemel Garden Communities allocations in St Albans.
The successful delivery of HGC requires a similar IDP to that which supports this plan. The HGC IDP will need to identify the strategic-cross boundary infrastructure that will be required to mitigate HGC's growth, as well as the infrastructure that will need to be delivered beyond the plan periods of the emerging St Albans and Dacorum local plans. The HGC IDP is currently being prepared and should be available for the examination of the emerging local plans that allocate the HGC land parcels for development. The output of that work, as it relates to the identification, timing, costing, location and delivery agents of infrastructure, will be needed to ensure the necessary mitigations to deliver HGC allocations are incorporated into the plan and tested at examination.
The soundness of the plan would benefit from a clearer, more refined policy that will govern the delivery of (cross-boundary) infrastructure required to facilitate the delivery of the garden community. Any decision-maker for any application within St Albans must be directed to consider the strategic cross-boundary impacts of development of this scale in this location when making their decision. Such a policy would provide a framework to ensure applications deliver mitigations identified in both the St Albans IDP and HGC IDP where appropriate.

The county council recommends the below changes to policy as respects Hemel Garden Communities:

Part A LG2: The cost apportionment sentence (No.5, Page 26) in Strategy Policy HGC1 – Transformation of Hemel Hempstead of the DBC Local Plan to 2041 Pre-Submission Version for Approval is not in the corresponding SADC policy. For consistency, we suggest it is added into the SADC Policy LG2:

The methodology for infrastructure apportionment and cost sharing is set out in the Local Plans Infrastructure Delivery Plans (IDPs). Infrastructure, contributions and wider funding will be required to deliver on and off-site infrastructure, in accordance with the above documents

Part B LG3: Suggest amending the text as at present working assumptions are that the Household Waste Recycling centre is to come forward separately from the district council provision.

Delivery of Key Projects including a Household Waste, a Recycling Centre, and Local Authorities Depot facilities to meet the needs of new and existing communities

Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:

The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Paragraph 35 and 36 of the 2023 NPPF require that local plans be effective. To do so they must be considered deliverable within the plan period.

Policy LG2 under the 'delivery' heading states that Compulsory Purchase Order (CPO)powers may be required in order to deliver the Hemel Garden Communities (HGC) scheme:

High quality new development, and infrastructure will be planned and phased in a timely manner to ensure infrastructure and transformation opportunities are maximised. To enable this, the Council and other relevant bodies will consider use of statutory powers including compulsory purchase.

This paragraph is vague and does not resolve which bodies the plan expects to be responsible for exercising CPO powers for which purpose. Local authorities have CPO powers for different purposes, such as those available to HCC under the Highways Acts for highways purposes and those available to the LPA under the

Town and County Planning Act 1990 for planning purposes. These powers are statutory and available irrespective of the local plan. However, the exercise of CPO powers comes with substantial lead in times and legal complexity and risk. The Hemel Garden Communities (HGC) allocation also relies on infrastructure being delivered prior to occupation to enable behaviour change and mode shift. Therefore if it is anticipated that CPO powers will be required to deliver the HGC programme, there needs to be clarity on who is leading the process, under what authority, and for what purpose, to avoid risks to the delivery of land or key infrastructure at the point it is required.

Therefore to be considered deliverable any expectation that any authority should be responsible for land assembly or delivery of key infrastructure prior to occupation should be clearly made at the outset.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the plan must:

1. Incorporate the completed HGC IDP into the evidence base of the local plan (including viability testing the outputs); and
2. Include a new strategic policy either in place of or preceding policies LG2 and/or LG3 that requires all HGC development to comply with the HGC IDP.

Firstly, the completed HGC IDP must be included as part of the evidence base for the local plan and tested as part of the examination process. NPPF paragraph 20 expects plans to make sufficient infrastructure provision, while paragraph34 requires plans to set level of development contributions that will be required to support the plan. The HGC IDP will evidence the infrastructure schemes that will be required to support HGC as a whole. This work is ongoing with the support of HCC, and we expect that this should be available to be inform the local plan examination. This point is made to ensure that appropriate provisions are made in the plan to ensure infrastructure required to fund growth in Hemel Hempstead as a whole is understood, fixed in local plan policy and funding sought from all development schemes that will benefit from the infrastructure.

Secondly, a new strategic policy should set a clear framework for the delivery of the HGC programme as a whole within St Albans. This could potentially replace parts of policy LG2. This would leave the remainder of LG2 and LG3 as subsidiary non-strategic policies setting out some of the intended policy outcomes. The below policy wording is suggested as a draft pending further discussion, for example, as to the exact documents that need to be prepared at HGC scale to evidence the infrastructure needed before applications can be determined:

Policy SP(X): Phased Development and Infrastructure Funding in Hemel Hempstead Garden Community

1. ***Charter Principles and HGC Spatial Vision****: Development proposals should reflect the Hemel Garden Communities (HGC) Charter Principles and HGC Spatial Vision which set out the ambition for the development of Hemel Hempstead and the wider area. Applications should also promote the four thematic pillars of the HGC Vision*
2. ***Growth Area Proposals:*** *Planning applications within the growth area should also adhere to the requirements of Policies LG2 – Support for Transformation of Hemel Hempstead, LG3 – Hemel Garden Communities Growth Areas Place Principles and LG4 – Large, Medium and Small Sites*
3. ***Phased Development****: Development sites within the Hemel Hempstead Garden Community area (HGC) shall only be permitted once the infrastructure requirements of the wider garden community are comprehensively identified, planned and set out in a comprehensive, and iterative, IDP. This includes, but is not limited to, transportation networks, utilities, educational facilities, healthcare services, and green spaces.*
4. ***Strategic Contributions****: Development proposals will be required to make a wider strategic contribution in terms of safeguarding or reserving land and funding and/or delivering strategic infrastructure that is required to mitigate the impacts of new development on the Hemel Hempstead settlement and the surrounding area, as identified in the Hemel Hempstead Garden Community Infrastructure Delivery Plan (HGC IDP).*
5. ***Evidence Base Compliance****: Planning permission shall only be granted once key HGC documents are in place, including the HGC IDP [and any SPDs or Development Framework Document, or a more detailed form of the Framework Plan] and proposals can demonstrate compliance with the*
6. ***Cross-Boundary Effects****: Any application must consider and assess cross-boundary impacts between St Albans and Dacorum, including cumulative impacts with other anticipated developments within the local plan(s) including windfall sites.*
7. ***Comprehensive Masterplan Proposals****: Individual masterplan proposals must accord with development aspirations of the entire HGC area and contribute positively to the transformation of Hemel Hempstead, and must not prejudice or impede the provision of strategic infrastructure*

in the phased manner identified in the HGC IDP. Any such masterplan is to be prepared and agreed between the landowner/developer and the Council. Where applications have already been submitted to the Council a masterplan should be agreed prior to the or as part of the grant of planning permission.

8. ***Monitoring and Review**: The implementation of this policy will be monitored regularly by the establishment of a stakeholder Hemel Hempstead Infrastructure Review Group (and any necessary subgroups) to ensure compliance, effectiveness. Adjustments to the policy may be made based on the outcomes of these reviews so that the local authorities have the ability to address any emerging issues or changing circumstances.*

Taken together, these modifications would ensure that the decision-maker has a cross-boundary IDP that takes into account the cross-boundary impacts on the transport network (and other key infrastructure, such as secondary schools, for example) before them when approving any planning application within the HGC area. This would, in turn, fulfil the requirements and outcomes of the NPPF at paragraphs 11 and 110.

To be considered sound the plan must clarify who is expected to use CPO powers and for what purpose.

Under the Town and Country Planning Act 1990 the LPA holds CPO powers to enable regeneration and development of land. If the policy wording at LG2 is intended to refer to these powers, the supporting text should clarify this position and ensure that they are used to assemble land for both housing and infrastructure as a single package as follows:

3.45 The Town and Country Planning Act 1990 grants St Albans City and District Council and Dacorum Borough Council, as the LPAs responsible for Hemel Garden Communities, CPO powers to enable development. The LPAs expect to use these powers, if required, to assemble land and provide for key infrastructure aligned to housing delivery

This would give some further clarity to the expected use of CPO powers if these are the powers to which the LPA is referring in the plan

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 5A HGC IDP Evidence and Strategy_[R].pdf
2. 10 HGC (non soundness issue)_[R].pdf
3. 6 HGC CPO Mechanism_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

HCC is a partner in the HGC programme and as Highway Authority has a statutory responsibility for and interest in the successful delivery of the HGC programme. It is therefore essential that HCC be able to participate in any discussion on the delivery of the HGC sites and infrastructure policy.

HCC is a partner in the HGC programme and as Highway Authority has a statutory responsibility for and interest in the successful delivery of key infrastructure.

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be compliant with national policy. To do so they must comply with the other policies of the NPPF.
The successful delivery of the Hemel Garden Communities (HGC) programme in St Albans will be reliant on the agreement and delivery of on-site infrastructure within the site allocations in the Dacorum & St Albans local plans as well as off-site infrastructure across the settlement of Hemel Hempstead. The local plan as respects the HGC programme must therefore meet NPPF requirements for both infrastructure delivery and dealing with relevant cross-boundary issues. NPPF paragraphs 16 (c) and 25 make explicit the need for infrastructure cooperation across boundaries where appropriate.
Both the St Albans and the Dacorum local plans include an Infrastructure Delivery Plan as evidence to support their own local plans. This is needed to evidence the

requirement at NPPF paragraph 11 (a) that plan-making demonstrate sustainable development. Paragraph 110 places further requirements on plans to include policies to deliver infrastructure that ensures positive outcomes. However, the St Albans IDP, prepared by Arup following extensive engagement with HCC, does not include the infrastructure required to deliver the Hemel Garden Communities allocations in St Albans.
The successful delivery of HGC requires a similar IDP to that which supports this plan. The HGC IDP will need to identify the strategic-cross boundary infrastructure that will be required to mitigate HGC's growth, as well as the infrastructure that will need to be delivered beyond the plan periods of the emerging St Albans and Dacorum local plans. The HGC IDP is currently being prepared and should be available for the examination of the emerging local plans that allocate the HGC land parcels for development. The output of that work, as it relates to the identification, timing, costing, location and delivery agents of infrastructure, will be needed to ensure the necessary mitigations to deliver HGC allocations are incorporated into the plan and tested at examination.
The soundness of the plan would benefit from a clearer, more refined policy that will govern the delivery of (cross-boundary) infrastructure required to facilitate the delivery of the garden community. Any decision-maker for any application within St Albans must be directed to consider the strategic cross-boundary impacts of development of this scale in this location when making their decision. Such a policy would provide a framework to ensure applications deliver mitigations identified in both the St Albans IDP and HGC IDP where appropriate.

The county council recommends the below changes to policy as respects Hemel Garden Communities:

Part A LG2: The cost apportionment sentence (No.5, Page 26) in Strategy Policy HGC1 – Transformation of Hemel Hempstead of the DBC Local Plan to 2041 Pre-Submission Version for Approval is not in the corresponding SADC policy. For consistency, we suggest it is added into the SADC Policy LG2:

The methodology for infrastructure apportionment and cost sharing is set out in the Local Plans Infrastructure Delivery Plans (IDPs). Infrastructure, contributions and wider funding will be required to deliver on and off-site infrastructure, in accordance with the above documents

Part B LG3: Suggest amending the text as at present working assumptions are that the Household Waste Recycling centre is to come forward separately from the district council provision.

Delivery of Key Projects including a Household Waste, a Recycling Centre, and Local Authorities Depot facilities to meet the needs of new and existing communities

Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:

The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Paragraph 35 and 36 of the 2023 NPPF require that local plans be effective to be considered sound. This means they must deal with cross-boundary matters.

It is an agreed principle that the Hemel Garden Communities (HGC) programme should deliver a new recycling centre. The HCC Local Authority Collected Waste Spatial Strategy (WSS) provides an assessment of desirable waste management facilities required in Hertfordshire over the period to 2031 and beyond. The WSS identifies that the existing Hemel Hempstead recycling centre is highly unsuitable, as the condition of the centre is very poor, the centre lacks sufficient capacity for a variety of waste streams, and it is too small to adequately deal with the level of demand which can cause long queues onto the industrial estate. The 2024 Dacorum local plan recognises and need at strategic policy HGC2, which is similar to St Albans policy LG3, but does not identify a location

Previous work to investigate expansion into neighbouring land demonstrated this was unfeasible due to the cost of remediating contaminated land. An indicative area of search focusing along the A414 corridor has been included within the WSS, and historic site searches have not produced a viable alternative location for an RC to serve Hemel Hempstead.

The plan does include policy at Pillar 2 within policy LG3 in part A in support of the delivery of a recycling centre, as follows:

Delivery of Key Projects including a Household Waste Recycling Centre and Local Authorities Depot facilities to meet the needs of new and existing communities;

However, this policy applies across all of the HGC programme and does not bind any of the HGC sites in St Albans to deliver a site should the masterplan process identify a location within St Albans, or indeed direct the masterplan process to resolve this cross-boundary issue. There is no

corresponding policy at allocation H2 in Part B. Nor does this policy refer to the potential for a training centre. Therefore, there is only partial provision in policy against which the decision-maker can consider an application.

It is possible that a location in St Albans is suitable. HCC have since been engaging with Hertfordshire Futures on the possibility of a combined recycling centre and reuse training facility being delivered as part of the Land East of Hemel Hempstead (Central) site. This would therefore meet both service provision/mitigation and economic development objectives. This includes the provision of apprenticeships, workshops, and training. This employment aspects makes the expansion of Maylands within the St Albans district boundary a suitable host for this facility. This proposal is not yet agreed and is dependent on further feasibility work, but HCC considers this proposal for a joint recycling and training centre to be in principle acceptable.

Therefore, to deal with cross boundary matters and therefore to make the plan sound, the plan should provide for a recycling and training centre to be provided within allocation H2 at Part B if the masterplan for HGC identifies this as the preferred solution.

Access to Healthy Food
HCC Public Health support Strategic Policy SP13 – Health and Wellbeing which seeks to provide access to healthy foods, including through access to shops and food growing.
In terms of food growing, we have reviewed the draft Local Plan, and we feel that the Plan provides suitable policies to safeguard allotment spaces. The Strategic Policy protects existing allotments and considers that new developments should seek to create new allotments where appropriate. This Strategic Policy is strengthened through draft Policy NEB3 – Non-Designated Local Green Space which restricts loss of allotments unless suitable replacement for the allotments is provided, or evidence demonstrates that there is no need for the allotments. In addition, draft Policy LG3 – Hemel Garden Communities Growth Areas Place Principles includes the requirement for green infrastructure for food growing.
Turning to improving access to healthy food through the built environment, it is our opinion that the draft Local Plan does not have a policy which supports this. We recommend that the plan should include a policy on promoting healthy food environments to reduce obesity risk
and other forms of malnutrition. An example of well evidenced policies, supported by HCC's Public Health Team, include those which restrict and prevent the proliferation of hot food takeaways (HFTs) such as:
•
A limit on how many hot food takeaway units is located within a street in Town Centre or Local Centres; and
•
The introduction of a Hot Food Takeaway Management Zone restricting the introduction of new HFTs within 400 metres walking distance of the boundary of a nursery, primary school, secondary school, community college or youth facility. Hertfordshire County Councils Whole Systems Obesity Team has developed the Healthy Food Environmental Tool to assist Local Authority's to map the areas to be covered by a takeaway management zone policy: https://hcc-phei.shinyapps.io/healthy_food_environments/
The preferred policy recommended by HCC's Public Health team would be the introduction of takeaway outlet management zones which are the most common planning policy relating to improving food environments adopted by local authorities1 Evidence finds these policies to be effective in preventing the proliferation of HFTs within these areas as well as bringing health benefits to the local communities in which they are implemented23. Further research also identifies that takeaway management zones are associated with net economic benefits for local authorities, national government, and the NHS. This is due to the relatively low economic contribution of takeaways to the high street in comparison to the higher economic contribution of potential alternative uses in addition to cost savings associated with a reduced burden of BMI-related diseases4.

St Albans National Child Measurement Programme data5 (3 years data combined, 2020/21 – 22/23) for prevalence of children living with overweight/obesity in reception (17.26%) and year 6 (23.45) are favourable in comparison to the Hertfordshire averages (19.26% and 31.11% respectively). Just 4 of 20 electoral wards (Colney Heath, Cunningham, Park Street and Redbourn) had a prevalence of reception aged children living with overweight (including obesity) greater than the Hertfordshire average (19.26%). Similarly, just 4 of 20 electoral wards (London Colney, Cunningham, Sopwell, Park Street) had a prevalence of year 6 aged children living with overweight (including obesity) greater than the Hertfordshire average (31.11%).

However, some electoral wards in St Albans have a relatively high density of existing fast-food outlets with St Peters (2.37 outlets per 1000 of the population), Harpenden West (1.7 outlets per 1000 of the population), Sopwell (1.04 outlets per 100 of the population) in

1 Public health England. Using the planning system to promote healthy weight environments. Published February 7 2020. Accessed July 8th, 2024. https://assets.publishing.service.gov.uk/media/5e3ae46240f0b60915732cc3/PHE_Planning_healthy_weight_environments_guidance__1_.pdf
2 Rahilly et al. 2024. Changes in the number of new takeaway food outlets associated with adoption of management zones around schools: a natural evaluation in England.
3 Rogers et al. 2024. Health impacts of takeaway management zones around schools in six different local authorities across England: a public health modelling study using PRIMEtime.
4 Derbyshire, D.W., et al., The economic impacts of Local Authority takeaway management zones around schools. Social Science Research network, 2024 (pre-print).
5 Department of Health & Social Care, (2024). Obesity Profile. https://fingertips.phe.org.uk/profile/national-child-measurement-programme/data#page/3/gid/1938133288/pat/501/par/E07000240/ab/aeE05004793/bd/9310/5/age/200/sex/4/cat/1/cp/1/yr/3/cid/4/tom/1
Accessed: 10 October 2024

comparison to the Hertfordshire average (0.86 outlets per 1000 of the population). Large numbers of these outlets are typically located in the wards surrounding the city centre with St Peters (0.98 minutes), Clarence (1.55 minutes) and Sopwell (1.73 minutes) being the 3 electoral wards with the shortest average distances residents must travel by car to reach a fast-food outlet.

The wards surrounding St Albans City centre also contain many primary and secondary schools (Appendix 1). Of the 9 secondary schools within the area highlighted in Appendix 1, 4 (44.44%) had at least 1 HFT within a 400-metre radius of the school site. Of the 18 Primary schools, 13 (72.22%) had at least 1 HFT within a 400-metre radius of the school site. This emphasises the existing high exposure to HFTs currently experienced by children in this area of the district.

Whilst current childhood overweight and obesity statistics generally appear favourable, the introduction of policies such as those recommended above would work preventatively, alongside other interventions, to ensure health does not worsen in the District. Justification for the implementation of a HFT management zone surrounding schools is strongest in the wards surrounding St Albans City Centre due to the existing high exposure to HFTs experienced by children in this area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the plan must:

1. Incorporate the completed HGC IDP into the evidence base of the local plan (including viability testing the outputs); and
2. Include a new strategic policy either in place of or preceding policies LG2 and/or LG3 that requires all HGC development to comply with the HGC IDP.

Firstly, the completed HGC IDP must be included as part of the evidence base for the local plan and tested as part of the examination process. NPPF paragraph 20 expects plans to make sufficient infrastructure provision, while paragraph34 requires plans to set level of development contributions that will be required to support the plan. The HGC IDP will evidence the infrastructure schemes that will be required to support HGC as a whole. This work is ongoing with the support of HCC, and we expect that this should be available to be inform the local plan examination. This point is made to ensure that appropriate provisions are made in the plan to ensure infrastructure required to fund growth in Hemel Hempstead as a whole is understood, fixed in local plan policy and funding sought from all development schemes that will benefit from the infrastructure.

Secondly, a new strategic policy should set a clear framework for the delivery of the HGC programme as a whole within St Albans. This could potentially replace parts of policy LG2. This would leave the remainder of LG2 and LG3 as subsidiary non-strategic policies setting out some of the intended policy outcomes. The below policy wording is suggested as a draft pending further discussion, for example, as to the exact documents that need to be prepared at HGC scale to evidence the infrastructure needed before applications can be determined:

Policy SP(X): Phased Development and Infrastructure Funding in Hemel Hempstead Garden Community

1. ***Charter Principles and HGC Spatial Vision****: Development proposals should reflect the Hemel Garden Communities (HGC) Charter Principles and HGC Spatial Vision which set out the ambition for the development of Hemel Hempstead and the wider area. Applications should also promote the four thematic pillars of the HGC Vision*
2. ***Growth Area Proposals:*** *Planning applications within the growth area should also adhere to the requirements of Policies LG2 – Support for Transformation of Hemel Hempstead, LG3 – Hemel Garden Communities Growth Areas Place Principles and LG4 – Large, Medium and Small Sites*
3. ***Phased Development****: Development sites within the Hemel Hempstead Garden Community area (HGC) shall only be permitted once the infrastructure requirements of the wider garden community are comprehensively identified, planned and set out in a comprehensive, and iterative, IDP. This includes, but is not limited to, transportation networks, utilities, educational facilities, healthcare services, and green spaces.*
4. ***Strategic Contributions****: Development proposals will be required to make a wider strategic contribution in terms of safeguarding or reserving land and funding and/or delivering strategic infrastructure that is required to mitigate the impacts of new development on the Hemel Hempstead settlement and the surrounding area, as identified in the Hemel Hempstead Garden Community Infrastructure Delivery Plan (HGC IDP).*
5. ***Evidence Base Compliance****: Planning permission shall only be granted once key HGC documents are in place, including the HGC IDP [and any SPDs or Development Framework Document, or a more detailed form of the Framework Plan] and proposals can demonstrate compliance with the*
6. ***Cross-Boundary Effects****: Any application must consider and assess cross-boundary impacts between St Albans and Dacorum, including cumulative impacts with other anticipated developments within the local plan(s) including windfall sites.*
7. ***Comprehensive Masterplan Proposals****: Individual masterplan proposals must accord with development aspirations of the entire HGC area and contribute positively to the transformation of Hemel Hempstead, and must not prejudice or impede the provision of strategic infrastructure in the phased manner identified in the HGC IDP. Any such masterplan is to be prepared and*

agreed between the landowner/developer and the Council. Where applications have already been submitted to the Council a masterplan should be agreed prior to the or as part of the grant of planning permission.

8. ***Monitoring and Review**: The implementation of this policy will be monitored regularly by the establishment of a stakeholder Hemel Hempstead Infrastructure Review Group (and any necessary subgroups) to ensure compliance, effectiveness. Adjustments to the policy may be made based on the outcomes of these reviews so that the local authorities have the ability to address any emerging issues or changing circumstances.*

Taken together, these modifications would ensure that the decision-maker has a cross-boundary IDP that takes into account the cross-boundary impacts on the transport network (and other key infrastructure, such as secondary schools, for example) before them when approving any planning application within the HGC area. This would, in turn, fulfil the requirements and outcomes of the NPPF at paragraphs 11 and 110.

To be considered sound the plan should:

1. Include a recycling centre in the IDP;
2. Provide that allocation H2 and Part B provide a recycling and training centre if the masterplan for the site does not provide for this in the HGC allocations in Dacorum;
3. Amend policy LG3 to ensure that the masterplan give further clarity that the recycling centre and the District depot are separate facilities; and
4. add recycling centres to the list of defined community infrastructure.

Firstly, the Dacorum Regulation 19 local plan Infrastructure Delivery Plan schedule Includes the following:

A new Recycling Centre at Hemel Hempstead Delivery of a new Recycling Centre at East Hemel Hempstead or North Hemel Hempstead. Cost index to Quarter 1 2023.

Since there remains the possibility that the new recycling centre will need to be delivered in East Hemel Hempstead it is appropriate that this be included within the Infrastructure Delivery Plan schedule for the St Albans plan. This will make clear that this piece of infrastructure is required and may be required to be delivered within the boundary of St Albans district.

Secondly, the plan could address point 2 by amending policy at allocation H2 at Part B to require allocation H2 at Part B to deliver a recycling centre should this be the agreed location identified in the HGC masterplan. It would not yet be appropriate to require the delivery of a recycling and training centre in policy at allocation H2 in Part B as the evidence is not in place to identify a specific location. However, the policy will need to provide a mechanism for the delivery of a recycling centre within St Albans if the masterplan identifies that Maylands, is the agreed location.

Part B H2: *The delivery of a site of not less than 2ha for a recycling centre and associated training centre, if the agreed masterplan for the whole Hemel Garden Communities allocation in St Albans and Dacorum provides for this to be delivered in St Albans.*

Thirdly, the plan should clarify that the two LPA and HCC waste facilities are separate facilities. This would ensure that the masterplan identifies a location for the recycling centre within the whole cross boundary HGC masterplan in addition to the LPA municipal waste depot:

Part A LG3: *Delivery of Key Projects including a Household Waste Recycling Centre and a Local Authorities Depot facilities to meet the needs of new and existing communities;*

Finally, the LPA could consider adding recycling centres to the list of defined community infrastructure at Strategic Policy LG7. This would give new recycling centres positive policy weight in the planning balance, if delivered in Maylands, and prevent their loss to other uses once delivered:

1. *Cemeteries and burial and crematorium facilities, [deleted text]*

[deleted text].vii. Flood defences.; and

1. *Recycling centres.*

Taken together, these amendments would require that the cross-boundary HGC masterplan identify a suitable location for a recycling centre and, if this is provided in St Albans, gives it positive policy weight so it can be positively considered in the planning balance.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 5A HGC IDP Evidence and Strategy_[R].pdf
2. 10 HGC (non soundness issue)_[R].pdf
3. 7 Hemel RC_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

HCC is a partner in the HGC programme and as Highway Authority has a statutory responsibility for and interest in the successful delivery of the HGC programme. It is therefore essential that HCC be able to participate in any discussion on the delivery of the HGC sites and infrastructure policy.

Recycling centres are a statutory HCC function as Waste Disposal Authority and therefore HCC has a considerable interest the delivery of an appropriate facility within the HGC programme.

LG4 - Large, Medium and Small Sites

Comment Number: 27

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We support draft Policy LG4 - Large, Medium and Small Sites which requires developments to provide contributions towards enhancing open spaces. We also support draft Policy NEB12 which sets out green space standards for the creation of new green spaces.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

LG5 - Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

To be considered sound the plan must be effective and therefore capable of having a realistic possibility of delivery over the plan period and positively prepared by having a strategy to meeting its assessed needs.

The policies map shows four secondary schools at East Hemel Hempstead (North), East Hemel Hempstead (South), Land West of London Colney, and adjacent to Oaklands College. These are allocated under policy COM1 but retained in the green belt.

Secondary schools (except for natural turf playing fields) are inappropriate development in the green belt and will therefore applications for these schools will need to demonstrate Very Special Circumstances.

Policies COM1 and LG5 gives policy support to the provision of schools within the Green Belt in the planning balance. However these do not alter the need for applications for these schools to demonstrate Very Special Circumstances, which is the higher test and the test that will apply to these schools in accordance with national policy. This is implied within policy LG5, which qualifies the support that policy gives to the provision of schools within the green belt with firstly the need for proposals to be considered in accordance with national policy and secondly where Very Special Circumstances can be demonstrated. While it is recognised and welcomed that the LPA supports secondary school provision in these locations policies COM1 and LG5 do not and can not substitute for green belt release in a manner consistent with national policy.

NPPF paragraph 99 requires plans proactively meet their education need, including in the preparation of plans. To be considered sound the plan must meet its education need. It is therefore contradictory for the plan to rely on the delivery of schools but retain these schools in the green belt, as it could make the education strategy in the plan undeliverable. In practice this would mean

that at development management stage these schools would need to meet a higher test (of Very Special Circumstances than) at development management stage than residential allocations. This would mean that necessary school places would not be delivered.

This issue was considered by the Inspector at the examination into the soundness of the Three Rivers Site Allocations document in 2014. They concluded that 'The advantages of planning decisively by removing the building zones from the Green Belt for the specified purpose intended outweigh the disadvantages of the contradictory approach of leaving them within it, and by a very clear margin.'

To be considered effective and positively prepared the plan should remove schools that are likely to be required within the plan period so that the secondary education strategy is deliverable

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the plan should:

1. Remove the build zone for the secondary school at Land East of Hemel Hempstead (North) from the green belt; and
2. Safeguard the build zone for the secondary school at Land East of Hemel Hempstead (South) and land between the green belt and the urban area pending a local plan review.

Firstly, the plan should remove a 3.56ha minimum build zone for an 8FE secondary school (being the area of building and hard standing that is inappropriate development in the green belt) for the secondary school at Land East of Hemel Hempstead (North). This school is expected to be the first school delivered as part of the Land East of Hemel Hempstead planning application, is included within allocation H2, and is expected to come to HCC ownership through the section 106 legal agreement. It is therefore necessary for the school to be delivered as part of the residential application for the Land East of Hemel Hempstead allocations and therefore removed from the green belt. It is, however,

appropriate for the school playing fields to remain in the green belt as natural turf playing pitches are an acceptable use within the green belt. Equally policy COM1 remains an appropriate policy restriction.

Secondly, the plan should remove from the green belt and safeguard the 4.36 build zone for a 10FE secondary school adjacent to Land East of Hemel

Hempstead (South). This school is also required to deliver the wider Land East of Hemel Hempstead allocations and potential cumulative growth in Dacorum and therefore the same need for the school to be deliverable applies. However, as the Land East of Hemel Hempstead (South) allocation is expected to be delivered later in the plan period and the need for the school is also dependant on growth in Hemel Hempstead itself under the control of Dacorum, the school is unlikely to be needed within the current plan period. The school is also a separate allocation and will be acquired through a purchase than a s106 legal agreement. Therefore release from the green belt via safeguarding and a plan review is the most appropriate mechanism to secure this school through the planning process.

A similar approach can be seen in the delivery of the secondary school at HAT1 North West Hatfield, where the build zone for the school was removed from the green belt while the playing fields remain within both the allocation and the green belt.

Conversely, the need for the school at Oaklands College is likely to stretch further into the next plan period as many of the broad locations are not expected to deliver until the second half of the plan period and secondary pupil yield can take ten years to build up as parents move into new developments and have children who age through the school system. This school is also meeting a cumulative need rather than one individual site. Similarly delivery of a school at Land West of London Colney is highly dependant on the spatial pattern of growth in Hertsmere, which is currently uncertain. It is right that the plan identify school sites now to meet the long term demand from sites allocated in the St Albans local plan now. However as the timing, quantum, and spatial pattern of need is still uncertain and dependant on factors beyond the control of the local plan and HCC, removing both or either school from the green belt at this stage is unlikely to meet the exceptional circumstances test. Conversely, if the need for these schools were to occur earlier than planned this would genuinely constitute Very Special Circumstances. It is therefore not necessary for the plan to release the schools at Oaklands College and Land West of London Colney from the green belt at this stage.

This approach best balances the need for the plan to meet its education need under NPPF paragraph 99, ensure that green belts are only revised in exceptional circumstances under paragraph NPPF paragraph 144, and ensure green belt boundaries are likely to be permanent under paragraph 148 (e)

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2B Green Belt Secondary Schools_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Securing appropriate school provision is a statutory responsibility for the County Council and key to successful plan-making and as such HCC has an interest in ensuing that school provision is financially and operationally deliverable.

Strategic Policy SP4 - Housing

Comment Number: 26

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Housing and development design
HCC Public Health support Strategic Policy SP4 - Housing which seeks to provide good quality housing that meets different needs, including the provision of specialist housing for older people and people with disabilities. This policy also requires developments to provide new accessible and adaptable housing to meet the changing lifestyle needs of all occupants.
We recommend that all new housing for older people of any tenure should be built to accessible and sustainable standards, conforming to HAPPI design standards6, be digitally enabled for assistive and other technology, and encourage developers to build to energy efficient and carbon neutral specifications, and thus promoting accessible, adaptable, and dementia friendly design.
In addition to the above, all new housing for older people should investigate options such as PassivHaus and other eco-build designs for specialist older persons housing, to reduce thermal variances and the associated costs, and assist in preventing poor health outcomes in older people.
The development should contribute to the priorities regarding public health and the built environment as set out in the Housing for Older People Strategy. They should be considered during the design stage and consideration of how they have been considered should be included in a planning application e.g. as part of the Health Impact Assessment or Design and Access Statement.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

HOU2 - Affordable Housing

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure.

Policy HOU3 provides policies against which applications for specialist housing for older people will be determined are set out in policy HOU3. Paragraph (b) sets out that applications for specialist housing for older people should deliver affordable housing in accordance with affordable housing policies in HOU2. This requires proposals falling within use class C3 and over 10 units or over 0.5ha should deliver 40% affordable housing over a particular set of tenures and those falling within use class C2 and over 10 units should deliver 40% affordable housing without specifying the affordable tenure or bedroom split.

The LPA's consideration of and attempts to secure policy in support of affordable housing on older person's accommodation is strongly welcomed and follows

engagement with HCC. However, the policies HOU2 and HOU3 as drafted ties the delivery of affordable units on specialist accommodation for older people to the policies to be applied to mainstream accommodation and to use classes, which is not deliverable.

Chapter 9 of the 2024 South West Hertfordshire Housing Needs Assessment sets out three broad categories of specialist older peoples' accommodation (which is also set out in HCC's own commissioned evidence on the need for specialist accommodation for older people):

1. Housing with support, such as supported living schemes and age restricted accommodation, which fall under use class C3;
2. Housing with care, such as flexi-care and extra-care schemes, which may fall under use class C2 or C3;
3. Residential care schemes, such as nursing homes and residential care homes, which fall under use class C2

This presents four issues:

1. Residential care schemes falling under use class C2 would be required to deliver 40% affordable housing. While HCC would like to encourage providers to deliver more beds that are affordable to HCC as a purchaser of beds, this is not an affordable housing tenure under Annex 2 of the NPPF. Residential care schemes do not offer residents a housing tenure that an NPPF definition of affordable housing would apply to, as residents rent beds rather than properties;
2. The affordable housing split is determined by whether the proposal falls under use class C2 or C3. For those falling within use class C3 the tenure split in HOU2 (b) (ii) may not be appropriate as schemes may in some circumstances be undeliverable when split between market and some affordable tenures is not appropriate for specialist accommodation for older people. For housing with care schemes falling under use class C2 policy wording in HOU2 (c) is suitably flexible;
3. The 2024 SWHHNA paragraphs 9.44-9.58 sets out that whether specialist older person's housing generates an affordable housing requirement should depend on the characteristics of the development itself rather than the use class it falls under. Housing with care schemes that have substantial communal facilities and give people the option of care may fall under use class C2 despite having the characteristics of dwellings. Case law (*Rectory Homes vs. SSHCLG)* indicates that policies may allow for C2 units to accrue an affordable housing requirement in this situation.

At present the local plan is also agnostic on the wider strategy for delivering a successful specialist older people's accommodation sector in Hertfordshire.

1. It does not give support to the types of specialist accommodation for older people that are most needed in Hertfordshire. HCC's strategy is in favour of the delivery of housing with care (with care providers on site) and nursing homes rather than other forms of older person's accommodation that do not provide on-site personal or medical care. This requires residents to move home rather than age in place, often at expense and short notice, as they age and accrue further medical or care needs.

It does not require proposals for specialist accommodation for older people to consider design and delivery criteria that ensure they deliver positive outcomes for their residents. Specialist accommodation for older people should be delivered to a high standard to make it an attractive and suitable alternative to mainstream accommodation where this becomes unsuitable.

To be considered an appropriate strategy and therefore sound the local plan should therefore include suitable policies in relation to affordable specialist accommodation for older people and facilitate HCC's strategy for a successful specialist accommodation for older people sector.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan should:

1. Amend policy HOU3 to set out affordable housing requirements for specialist accommodation for older people independent of policy HOU3;
2. Set out affordable housing requirements for the types of specialist accommodation for older people based on their characteristics rather than the use class that it may fall under;
3. Set out a policy requirement for proposals for specialist accommodation for older people to have regard to HCC's guidance on their successful design and delivery; and
4. Set out the wider context and strategy for the delivery of specialist accommodation for older people in Hertfordshire in the supporting text so that this is known and understood when proposals are developed and brought forward.

Points 1 and 2 could be addressed by replacing HOU3 (b) with the following policy wording and inserting the definition of 'Care Home Accommodation' in the Glossary. This would firstly provide clarity that all specialist accommodation for older people other than care homes (which do not have the characteristics of dwellings and cannot provide an NPPF definition affordable housing tenure) accrue an affordable housing requirement irrespective of its use class in accordance with the 2024 SWHHNA and case law. This would secondly provide sufficient flexibility as to the tenures of affordable housing and bedroom sizes so these can have regard to the deliverability of each proposed scheme and, where appropriate, its wider development:

1. *[deleted text] requiring proposals (other than Care Home Accommodation) with a gain of 10 or more units to provide 40% of the units as on-site affordable housing (irrespective of whether it falls under use class C2 or C3); the mix of tenures should have regard to advice from the NHS or Hertfordshire County Council;*

And inserted into the Glossary:

Care Home Accommodation: is accommodation where personal care and accommodation are provided together as a package with no clear separation between the two, the person using the service cannot choose to receive personal care from another provider, people using the service do not hold occupancy

agreements such as tenancy agreements, licensing agreements, licences to occupy premises, or leasehold agreements or a freehold, and likely CQC-regulated activity will be 'accommodation for persons who require nursing or personal care'.

Point 3 could be addressed by inserting policy wording into HOU3 to give greater support in the planning balance to proposals that deliver housing with care on site and nursing homes that accord with HCC's guidance on the design and delivery of successful and high quality specialist accommodation for older people. This would allow development to come forward in such a way that that have a greater likelihood of addressing HCC's strategy for the area:

1. *f) Proposals for specialist older person's accommodation and people with disabilities should have regard to Hertfordshire County Council's Service Delivery and Placemaking Guide*

Point 4 could be addressed by inserting the following into the supporting text at paragraph 4.16. This would clarify HCC's overall strategy for the area, including on the issues of firstly the need for fully market, fully affordable, and split tenure housing with care schemes to be delivered on a case-by-case basis to deliver an overall affordable housing quantum and secondly the need for housing with care dwellings to provide a robust care package to have the maximum chance of enabling residents to age successfully in place.

4.16 Hertfordshire County Council's approach to affordable housing has been reflected in the policy below. [deleted text]Planning applications will need to take account of practical delivery arrangements, operator requirements and viability. [deleted text] This includes the practicality of dividing some schemes into market and affordable tenures. This could mean the delivery of fewer affordable units on some schemes and 100% affordable units on others to provide an overall quantum of affordable specialist housing for older people across the plan.

4.17 The County Council's strategy for specialist older people's accommodation requires the delivery of housing with care units that include a CQC-registered care provider on site and nursing homes over other forms of specialist older person's accommodation. This is because there are people in other forms of accommodation who have a medical or care need who would be better suited to accommodation with on site care or nursing care. Having care available on site also allows people to age in place without the need to move, often at short notice, when their needs exceed what other forms of older people's accommodation without on site care can offer. To deliver on this strategy proposals for housing with care should offer residents a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 3A Older Persons Affordable Housing_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Appropriate specialist accommodation for older people is an important part of the overall housing need for the area within which HCC has a considerable interest in its role as provider and funder of adult care services. It is therefore necessary for HCC to participate in this aspect of the examination if this is considered necessary.

HOU3 - Specialist Housing

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.

Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing.

Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make provision for this cohort.

Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day. To be considered positively prepared and therefore sound the local plan should therefore make suitable provision for this section of the community within St Albans. This representation suggests modifications that if agreed, or similar, would make the plan sound

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure.

Policy HOU3 provides policies against which applications for specialist housing for older people will be determined are set out in policy HOU3. Paragraph (b) sets out that applications for specialist housing for older people should deliver affordable housing in accordance with affordable housing policies in HOU2. This requires proposals falling within use class C3 and over 10 units or over 0.5ha should deliver 40% affordable housing over a particular set of tenures and those falling within use class C2 and over 10 units should deliver 40% affordable housing without specifying the affordable tenure or bedroom split.

The LPA's consideration of and attempts to secure policy in support of affordable housing on older person's accommodation is strongly welcomed and follows

engagement with HCC. However, the policies HOU2 and HOU3 as drafted ties the delivery of affordable units on specialist accommodation for older people to the policies to be applied to mainstream accommodation and to use classes, which is not deliverable.

Chapter 9 of the 2024 South West Hertfordshire Housing Needs Assessment sets out three broad categories of specialist older peoples' accommodation (which is also set out in HCC's own commissioned evidence on the need for specialist accommodation for older people):

1. Housing with support, such as supported living schemes and age restricted accommodation, which fall under use class C3;
2. Housing with care, such as flexi-care and extra-care schemes, which may fall under use class C2 or C3;
3. Residential care schemes, such as nursing homes and residential care homes, which fall under use class C2

This presents four issues:

1. Residential care schemes falling under use class C2 would be required to deliver 40% affordable housing. While HCC would like to encourage providers to deliver more beds that are affordable to HCC as a purchaser of beds, this is not an affordable housing tenure under Annex 2 of the NPPF. Residential care schemes do not offer residents a housing tenure that an NPPF definition of affordable housing would apply to, as residents rent beds rather than properties;
2. The affordable housing split is determined by whether the proposal falls under use class C2 or C3. For those falling within use class C3 the tenure split in HOU2 (b) (ii) may not be appropriate as schemes may in some circumstances be undeliverable when split between market and some affordable tenures is not appropriate for specialist accommodation for older people. For housing with care schemes falling under use class C2 policy wording in HOU2 (c) is suitably flexible;
3. The 2024 SWHHNA paragraphs 9.44-9.58 sets out that whether specialist older person's housing generates an affordable housing requirement should depend on the characteristics of the development itself rather than the use class it falls under. Housing with care schemes that have substantial communal facilities and give people the option of care may fall under use class C2 despite having the characteristics of dwellings. Case law (*Rectory Homes vs. SSHCLG)* indicates that policies may allow for C2 units to accrue an affordable housing requirement in this situation.

At present the local plan is also agnostic on the wider strategy for delivering a successful specialist older people's accommodation sector in Hertfordshire.

1. It does not give support to the types of specialist accommodation for older people that are most needed in Hertfordshire. HCC's strategy is in favour of the delivery of housing with care (with care providers on site) and nursing homes rather than other forms of older person's

accommodation that do not provide on-site personal or medical care. This requires residents to move home rather than age in place, often at expense and short notice, as they age and accrue further medical or care needs.

It does not require proposals for specialist accommodation for older people to consider design and delivery criteria that ensure they deliver positive outcomes for their residents. Specialist accommodation for older people should be delivered to a high standard to make it an attractive and suitable alternative to mainstream accommodation where this becomes unsuitable.

To be considered an appropriate strategy and therefore sound the local plan should therefore include suitable policies in relation to affordable specialist accommodation for older people and facilitate HCC's strategy for a successful specialist accommodation for older people sector.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure.

Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.

Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan should:

1. Set out a positive policy against which applications for children's homes can be determined at HOU3;
2. Provide appropriate context at the supporting text; and
3. allocate land for the delivery of up to 24 beds in children's homes within the site allocations at Part B.

First, policy HOU3 or an additional policy under strategic policy SP4 should set out policies against which applications for children's homes can be determined. This policy should be supportive so that these can be given positive weight in the planning balance:

The Council will support development proposals for Children's Homes to meet the needs of looked after children which are in accordance with the following requirements:

1. *Located with good access to public transport, local facilities and on a through road and not located close to motorways/dual carriageways, railways, bodies of water or industrial sites;*
2. *Detached and externally indistinguishable from surrounding dwellings; and*

1. *c) Otherwise have regard to Hertfordshire County Council's Service Provision and Placemaking Guide.*

Secondly, the supporting text should appropriately contextualise the policy following paragraph 4.16. This should define children's homes, refer to the need for accommodation for children in care, and signpost Hertfordshire County Council's Service Provision and Placemaking Guide which specifies a successful children's home, so that this can positively influence proposals before they come forward as applications.

1.1 Under the Children Act 1989, the County Council has a statutory duty to take steps that ensure, so far as reasonably practicable, that children (aged 18 and under) in their care are provided with suitable accommodation within the authority's area, unless this as a compelling reason that requires otherwise.

1.2 When a child enters the care system, the local authority acts as a corporate parent. This means that the County Council, along with its elected members, employees and partner agencies, are responsible for providing the best possible care, protection and support for these children, nurturing them to be the best version of themselves, like any good parent would.

1.3 Often this requires the placement of children at children's homes. Children's homes are homes for 1-5 children in care and an adult manager. They should not look or feel like institutional settings, they should be single dwellings that resemble family homes. These homes should offer a safe and loving environment, improving the experiences and outcomes for young people in care. This approach should apply to both short-stay and longer-term accommodations, providing a positive environment until children can safely return to their families.

1.4 Hertfordshire County Council's Service Provision and Place-Making Guide sets out what a successful children's home should be designed and delivered, to provide a safe, nurturing and loving environment for the children who live there.

Finally, table 3.1 in part A and policy wording in allocations H1, H2, H4, B2, B4, B5, B6, B7 in Part B should all require proposals for development include a children's home. Taken together these would ensure that the plan includes a strategy for the delivery of this unmet housing need:

1. In Part A table 3.1 North Hemel Hempstead, East Hemel Hempstead (North), East Hemel Hempstead (South), North East Harpenden, East St Albans, Glinwell, West of London Colney, and North West Harpenden should include within the main land uses column the following wording: *A children's home*; and
2. In Part B allocations H1, H2, H4, B2, B4, B5, B6, B7 should include the following wording: *A children's home to accommodate three children in care and one manager.*

This policy wording in Part B would deliver 24 (39 needed minus 15 existing) beds across the plan. The strategy will distribute children's homes across the district, which is crucial for encouraging children to integrate and avoiding impact on local schools and communities, while screening sites out that are generally unsuitable, such as industrial sites and those adjacent to railway lines. This

therefore sets out an appropriate strategy for meeting the unmet needs for accommodation for children in care in St Albans. Changes to Part A will ensure this can be given positive weight and delivered at development management stage.

To be considered sound the local plan should:

1. Amend policy HOU3 to set out affordable housing requirements for specialist accommodation for older people independent of policy HOU3;
2. Set out affordable housing requirements for the types of specialist accommodation for older people based on their characteristics rather than the use class that it may fall under;
3. Set out a policy requirement for proposals for specialist accommodation for older people to have regard to HCC's guidance on their successful design and delivery; and
4. Set out the wider context and strategy for the delivery of specialist accommodation for older people in Hertfordshire in the supporting text so that this is known and understood when proposals are developed and brought forward.

Points 1 and 2 could be addressed by replacing HOU3 (b) with the following policy wording and inserting the definition of 'Care Home Accommodation' in the Glossary. This would firstly provide clarity that all specialist accommodation for older people other than care homes (which do not have the characteristics of dwellings and cannot provide an NPPF definition affordable housing tenure) accrue an affordable housing requirement irrespective of its use class in accordance with the 2024 SWHHNA and case law. This would secondly provide sufficient flexibility as to the tenures of affordable housing and bedroom sizes so these can have regard to the deliverability of each proposed scheme and, where appropriate, its wider development:

1. *b) [deleted text]requiring proposals (other than Care Home Accommodation) with a gain of 10 or more units to provide 40% of the units as on-site affordable housing (irrespective of whether it falls under use class C2 or C3); the mix of tenures should have regard to advice from the NHS or Hertfordshire County Council;*

And inserted into the Glossary:

Care Home Accommodation: is accommodation where personal care and accommodation are provided together as a package with no clear separation between the two, the person using the service cannot choose to receive personal care from another provider, people using the service do not hold occupancy agreements such as tenancy agreements, licensing agreements, licences to occupy premises, or leasehold agreements or a freehold, and likely CQC-regulated activity will be 'accommodation for persons who require nursing or personal care'.

Point 3 could be addressed by inserting policy wording into HOU3 to give greater support in the planning balance to proposals that deliver housing with care on site and nursing homes that accord with HCC's guidance on the design and delivery of successful and high quality specialist accommodation for older people. This would allow development to come forward in such a way that that have a greater likelihood of addressing HCC's strategy for the area:

1. *f) Proposals for specialist older person's accommodation and people with disabilities should have regard to Hertfordshire County Council's Service Delivery and Placemaking Guide*

Point 4 could be addressed by inserting the following into the supporting text at paragraph 4.16. This would clarify HCC's overall strategy for the area, including on the issues of firstly the need for fully market, fully affordable, and split tenure housing with care schemes to be delivered on a case-by-case basis to deliver an overall affordable housing quantum and secondly the need for housing with care dwellings to provide a robust care package to have the maximum chance of enabling residents to age successfully in place.

4.16 Hertfordshire County Council's approach to affordable housing has been reflected in the policy below. [deleted text]Planning applications will need to take account of practical delivery arrangements, operator requirements and viability. [deleted text]This includes the practicality of

dividing some schemes into market and affordable tenures. This could mean the delivery of fewer affordable units on some schemes and 100% affordable units on others to provide an overall quantum of affordable specialist housing for older people across the plan.

4.17 The County Council's strategy for specialist older people's accommodation requires the delivery of housing with care units that include a CQC-registered care provider on site and nursing homes over other forms of specialist older person's accommodation. This is because there are people in other forms of accommodation who have a medical or care need who would be better suited to accommodation with on site care or nursing care. Having care available on site also allows people to age in place without the need to move, often at short notice, when their needs exceed what other forms of older people's accommodation without on site care can offer. To deliver on this strategy proposals for housing with care should offer residents a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC).

To be considered sound the plan should:

1. Clarify at HOU3 (c) that co-location should apply to housing with care schemes rather than to other forms of specialist housing for older people; and
2. Amend the policy wording in the site allocations at part B to refer to a number of housing with care beds rather than a number of schemes.

Firstly, the policy wording at HOU3 c should be amended to refer to the delivery of larger co-located housing with care schemes rather than Integrated Communities as follows. This would enable, without explicitly requiring, the co-location of housing with care schemes into a larger single scheme on larger sites delivering more units as required in the site allocations at Part B:

Provision to be made for specialist housing to meet the needs of older people and / or people with disabilities within the Broad Locations and housing sites providing 500 dwellings or more. [deleted text] 'In larger sites, it may be appropriate to develop larger housing with care schemes.';

Secondly, the policy wording in the allocations at Part B should refer to the delivery of a number of beds rather than a number of discrete housing with care facilities. This would similarly remove the implication that these be separate facilities and enable the delivery of one larger scheme on larger sites. Opportunity should also be taken to ensure the language follows Part A for clarity by referring to housing with care rather than extra care (which are interchangeable terms).

H1: The 1,500 dwelling figure above includes[deleted text] 140-160 self-contained housing with care units [deleted text], one 70¬80 bed nursing home and 6 supported living units for people with disabilities

H2: The 1,600 dwelling figure above includes [deleted text]140-160 self-contained housing with care units [deleted text], one 70¬80 bed nursing home and 6 supported living units for people with disabilities

H4: The 2,400 dwelling figure above includes [deleted text]210-240 self-contained housing with care units [deleted text], two 70¬80 bed nursing home and 9 supported living units for people with disabilities

B1: [deleted text] 70-80 self-contained housing with care units, [deleted text], one 70-80 bed nursing home and 4 supported living units for people with disabilities (these units are included within the indicative dwellings figure)

B2: [deleted text]70-80 self-contained housing with care units (these units are included within the indicative dwellings figure)

B3: [deleted text]70-80 self-contained housing with care units (these units are included within the indicative dwellings figure).

It is not clear from the tracked changes version of the Regulation 19 draft whether the non-amended wording is included; if so

B4: [deleted text]

This site has fallen below 500 units and therefore should not be mandated to deliver a housing with care scheme in accordance with HCC's general strategy.

B6: 70-80 self-contained housing with care units and 10 supported living units for people with disabilities (these units are included within the indicative dwellings figure)

Taken together, these changes would permit the colocation of housing with care schemes on larger sites, which may allow for economies of scale, rather than other forms of specialist accommodation for older people.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 1B Childrens Homes_[R].pdf
2. 3A Older Persons Affordable Housing_[R].pdf
3. 3B Older Persons Accommodation Strategy_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Accommodation for children in care is an important and increasingly sensitive part of the HCC's statutory duties. It is therefore essential to HCC that this be addressed appropriately in the planning process and that officers be invited to discuss at Examination if this is necessary.

Appropriate specialist accommodation for older people is an important part of the overall housing need for the area within which HCC has a considerable interest in its role as provider and funder of adult care services. It is therefore necessary for HCC to participate in this aspect of the examination if this is considered necessary.

Appropriate specialist accommodation for older people is an important part of the overall housing need for the area within which HCC has a considerable interest in its role as provider and funder of adult care services. It is therefore necessary for HCC to participate in this aspect of the examination if this is considered necessary.

Strategic Policy SP7 - Community Infrastructure

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so its policies must set out a strategy to meet the assessed needs of the area.

HCC has a statutory duty to secure sufficient early years provision under the Childcare Acts 2006 and 2016. This includes, but is not limited to, provision within day nurseries for 0-2 year olds, school nursery classes for 3-4 year olds, and school wraparound care for 5-11 year olds. HCC must therefore ensure sufficiency for all three early years cohorts that tend to receive care in different types of settings.

The 2023 Spring Budget increased parents' access to entitlement for early years support for all children under 3 by September 2025 and sets an expectation that all parents should be able to expect wraparound care by September 2026. This means that the plan needs to make sufficient provision for all of these early years cohorts (0-2, 3-4, and 5-11), with 0-2 being a particular area of need as these are often provided in private day nurseries rather than school settings.

The Regulation 19 draft plan includes childcare facilities within the list of land uses within some broad locations within the supporting text at Part A table 3.1. This follows engagement with HCC at Regulation 18 stage and is welcome. However, policy in Part B does not require that these be provided within the corresponding allocations themselves. While policy wording in Part B does include reference to early years provision within new primary schools for those sites that are delivering new primary schools, these only tend to provide care to 3-4 and 5-11 year olds and not 0-2 year olds. Therefore HCC does not have certainty that the strategy for sufficient early years for 0-2 year olds will be delivered.

Policy COM1 gives policy support to proposals delivering childcare for 0-2 year olds and nursery for 3-4 year olds. This is strongly welcomed. However this is not the only childcare cohort. As part of its statutory sufficiency duty HCC must also ensure sufficient wraparound care for 5-11 year olds. Similarly, policy strategic policy SP7 gives policy support to proposals including nursery provision, which could be taken that only proposals for provision for 3-4 year olds should be given policy weight (as this can refer only this is cohort in some contexts). Again while policy support is welcome, it should ensure that policy support is given to the full range of settings for different age groups.

To be considered positively prepared and therefore sound the local plan should therefore set out a strategy for childcare provision in the allocations in Part B and clarify policy support for all childcare cohorts in the policies at Part A. This representation suggests a modification that if agreed, or similar, would make the plan sound.

Draft Policy SP7 - Community Infrastructure seeks to support and protect existing community infrastructure. This policy also seeks to safeguard existing sport facilities by only permitted development on these facilities if the development is for an alternative sport and recreational provision and the needs for which outweigh the loss. We support this policy to protect existing sport facilities and draft Policy NEB12, which provides guidance on how to determine sport pitch provision requirements for new housing developments.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan should:

1. Allocate land within broad locations for childcare provision (primarily relating to 0-2 year olds)
2. Clarify that childcare provision needs to be made for all three age groups

Firstly, the local plan should set out a strategy for childcare for 0-2 year olds in the allocations at Part B in addition to provision for 3-4 and 5-11 year olds at new and expanded primary schools. This would ensure that there is a reasonable prospect of there being sufficient provision for this cohort when sites are delivered.

Policy in allocations H1 and H2 should each include:

A childcare setting capable of providing 30 places including 0-2 year olds.

Policy in allocations H4 should each include:

A childcare setting capable of providing 50 places including 0-2 year olds.

Policy in allocations B3 should include:

A childcare setting capable of providing 30 places including 0-2 year olds.

Taken together these would deliver a strategy for childcare across the St Albans plan.

The evidence base for assessing childcare has changed since the Regulation 18 consultation to better take account of existing supply, and the need for new facilities in Harpenden and in St Albans no longer exists. Therefore the references to childcare facilities in table 3.1 at East St Albans and North East Harpenden should be removed.

Secondly, the local plan at Part A should clarify that it gives policy support to all forms of early years provision. This would ensure positive weight can be given to the delivery of all early years settings irrespective of which age group to which they provide care.

Strategic policy SP7 should state:

1. *Secondary and primary schools, Sixth Forms and further education, early*

education including nursery and childcare provision and special needs services;

Policy COM1 should state:

1. *a) Major residential development will be required to make appropriate provision for new schools and early years facilities ([deleted text]including 0-2, 3–4, and 5-11-year-olds [deleted text]) either on-site or by making a suitable contribution towards the improvement or expansion of nearby existing facilities.*

Taken together these changes at Part B would include a strategy for meeting the demand for childcare places for 0-2 year olds and at part A give decision-makers supportive policy to ensure this can be delivered at development management stage

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 1A Childcare Allocations_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Childcare sufficiency is a statutory HCC responsibility and therefore an area of significant interest.

COM1 - Education

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so its policies must set out a strategy to meet the assessed needs of the area.

HCC has a statutory duty to secure sufficient early years provision under the Childcare Acts 2006 and 2016. This includes, but is not limited to, provision within day nurseries for 0-2 year olds, school nursery classes for 3-4 year olds, and school wraparound care for 5-11 year olds. HCC must therefore ensure sufficiency for all three early years cohorts that tend to receive care in different types of settings.

The 2023 Spring Budget increased parents' access to entitlement for early years support for all children under 3 by September 2025 and sets an expectation that all parents should be able to expect wraparound care by September 2026. This means that the plan needs to make sufficient provision for all of these early years cohorts (0-2, 3-4, and 5-11), with 0-2 being a particular area of need as these are often provided in private day nurseries rather than school settings.

The Regulation 19 draft plan includes childcare facilities within the list of land uses within some broad locations within the supporting text at Part A table 3.1. This follows engagement with HCC at Regulation 18 stage and is welcome. However, policy in Part B does not require that these be provided within the corresponding allocations themselves. While policy wording in Part B does include reference to early years provision within new primary schools for those sites that are

delivering new primary schools, these only tend to provide care to 3-4 and 5-11 year olds and not 0-2 year olds. Therefore HCC does not have certainty that the strategy for sufficient early years for 0-2 year olds will be delivered.

Policy COM1 gives policy support to proposals delivering childcare for 0-2 year olds and nursery for 3-4 year olds. This is strongly welcomed. However this is not the only childcare cohort. As part of its statutory sufficiency duty HCC must also ensure sufficient wraparound care for 5-11 year olds. Similarly, policy strategic policy SP7 gives policy support to proposals including nursery provision, which could be taken that only proposals for provision for 3-4 year olds should be given policy weight (as this can refer only this is cohort in some contexts). Again while policy support is welcome, it should ensure that policy support is given to the full range of settings for different age groups.

To be considered positively prepared and therefore sound the local plan should therefore set out a strategy for childcare provision in the allocations in Part B and clarify policy support for all childcare cohorts in the policies at Part A. This representation suggests a modification that if agreed, or similar, would make the plan sound.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be appropriate for the outcomes that they intend to secure.

Policy wording at Part B allocations B1 and B2 states that the primary schools delivered within these allocations should include an all weather pitch (AWP). Part A policies COM1 and COM3 also states that all school should come with a Community Use Agreement (CUA) securing community access to new playing pitches.

It is not clear what the intention of this policy is and therefore what it requires HCC and SACDC (as the authority with sports and leisure responsibilities) to deliver on site. An AWP usually refers to a pitch with artificial grass (an AGP) that can be used more intensively than natural turf. An AGP is not required to deliver a school curriculum, and so are not usually included on a primary school site alongside other enhanced facilities that are needed to enable community use like floodlights, changing rooms, and showers. Moreover, to be usable by a primary school, an AGP would have to be an appropriate size for a school (a junior pitch) rather than for community use (an adult pitch) if that is what is intended. Conversely an AWP could refer to a multi-use games area (MUGA) which is a painted macadam surface enabling multiple sports. While these are provided as standard they too lack enhanced facilities like fencing that are required to enable community use.

Moreover, the requirement at Part A policies COM1 and COM3 for a CUA on all new schools could be interpreted as to require all new schools – not just those at sites B1 and B2 – to have some form of enhanced facilities to enable community access, as the facilities provided on a standard school site will not, on their own, meet the standards required to enable community use, as described above. As facilities on school sites must first and foremost enable a school curriculum, community access will be limited in practice if enhanced facilities are not provided: natural turf pitches would need time to recover outside of school hours to be usable for school PE lessons and the absence of floodlighting limits use in the evening in winter. This reading therefore contradicts the allocations at Part B.

The plan does not include a coherent strategy for the funding and delivery of enhanced facilities on school sites where they are required. Part B allocation B2 does explicitly state that the site should provide contributions for an all-weather pitch, but this wording is not included in allocation B1. The Infrastructure Delivery Plan schedule identifies AWPs generally as a need arising from all Broad Locations to meet the District's sports and leisure duties (and identifies the LPA as the funding body), including on sites B1 and B2 (reference 35 and 36). However, it only lists this as 'desirable', and identifies only that the need attributable to development only justifies a fraction of the overall cost. This means there is a risk that policy could require something that is only partially funded and therefore undeliverable in practice.

To be considered appropriate and therefore sound the local plan should therefore clarify first the intention of Part A policies COM1 and COM3 as to whether it requires all schools to have an AWP to satisfy the CUA requirement and secondly clarify the delivery and funding mechanism for AWPs on schools where they are provided (whether just on sites B1 or B2 or all new schools) to meet the Districts sports and leisure requirement rather than an education need. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be justified and therefore a reasonable strategy based on evidence.

Previous drafts of the St Albans plan, including the Regulation 18 draft, have referred to a primary school at Ariston to meet a preexisting shortfall in places within the St Albans settlement. The regulation 19 draft refers to this on the policies map as a dot without a fixed boundary and within Part A policy COM1 which states:

1. *e) St Albans is an area of high primary school need and with growth there will likely be a long term need for the provision of a new primary school. A site has been identified at the former Ariston site. St Albans has an identified need for a new secondary school in the long term. A site has been identified at East St Albans near Oaklands College.*

While the LPA's support for school provision is welcomed, the preexisting shortfall that justified this allocation in the past no longer exists. As per HCC's education statement, the demand arising from growth in St Albans settlement can be met through the delivery of new schools at East St Albans and North St Albans broad locations, with a balance met through expansions of existing schools and through existing capacity in the area.

To be considered sound the plan should therefore remove the Ariston primary school from Part A policy COM1 and the policies map.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.

The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.

HCC's *Guide to Developer Infrastructure Contributions* and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.

Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):

A 3FE primary school, including Early Years provision, to serve the new community.

Or, in relation to secondary schools:

A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.

These examples' policy wording implicitly limits the deliverability of the schools:

1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;

2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.

The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.

HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.

Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan should:

1. Allocate land within broad locations for childcare provision (primarily relating to 0-2 year olds)
2. Clarify that childcare provision needs to be made for all three age groups

Firstly, the local plan should set out a strategy for childcare for 0-2 year olds in the allocations at Part B in addition to provision for 3-4 and 5-11 year olds at new and expanded primary schools. This would ensure that there is a reasonable prospect of there being sufficient provision for this cohort when sites are delivered.

Policy in allocations H1 and H2 should each include:

A childcare setting capable of providing 30 places including 0-2 year olds.

Policy in allocations H4 should each include:

A childcare setting capable of providing 50 places including 0-2 year olds.

Policy in allocations B3 should include:

A childcare setting capable of providing 30 places including 0-2 year olds.

Taken together these would deliver a strategy for childcare across the St Albans plan.

The evidence base for assessing childcare has changed since the Regulation 18 consultation to better take account of existing supply, and the need for new facilities in Harpenden and in St Albans no longer exists. Therefore the references to childcare facilities in table 3.1 at East St Albans and North East Harpenden should be removed.

Secondly, the local plan at Part A should clarify that it gives policy support to all forms of early years provision. This would ensure positive weight can be given to the delivery of all early years settings irrespective of which age group to which they provide care.

Strategic policy SP7 should state:

1. *Secondary and primary schools, Sixth Forms and further education, early*

education including nursery and childcare provision and special needs services;

Policy COM1 should state:

1. *a) Major residential development will be required to make appropriate provision for new schools and early years facilities ([deleted text]including 0-2, 3–4, and 5-11-year-olds [deleted text]) either on-site or by making a suitable contribution towards the improvement or expansion of nearby existing facilities.*

Taken together these changes at Part B would include a strategy for meeting the demand for childcare places for 0-2 year olds and at part A give decision-makers supportive policy to ensure this can be delivered at development management stage

To be considered sound the local plan should:

1. Clarify which schools need to deliver enhanced facilities to meet a wider sports and leisure requirement; and
2. Clarify the funding and livery mechanism for enhanced facilities.

Assuming that the intention of the local plan is that only the new schools at sites B1 and B2 need to deliver a junior AGP to meet a wider sports and leisure requirement, CUAs at other schools will only need to enable limited community access to standard school facilities, and SACDC as the local authority responsible for sports and leisure in St Albans will be the funding body (either from themselves or through development), this could be achieved through

amendments to the supporting text and policy as follows:

Supporting Text: 7.19 Schools may make school facilities, such as playing pitches or sports halls, available for community use. New schools may include enhanced sports facilities to meet the Council's sports and leisure strategy and responsibilities. Where there is an intention to deliver these on a new school site, the Council as the local authority with sports and leisure responsibilities will fully fund these through planning obligations or other funding mechanisms. The policy requirement for a community use agreement alone does not imply that enhanced facilities must be provided. Schools without enhanced facilities can also support community access but will be operationally limited and may not be sufficient to meet a formal sports and leisure need.

Part B B1: A 2FE primary school, including Early Years provision, to serve the new and wider community. This should include provision of an all weather artificial grass junior playing pitch available for community use.

Part B B2: A site for and appropriate contributions towards a 2 FE primary school, including Early Years provision and an all weather artificial grass junior sports pitch available for community use.

But see other changes suggested to the wording on school site sizes made separately.

These changes would clarify that the requirement for a CUA does not mean an AWP or other enhanced facilities are required except where explicitly stated in sites B1 and B2 and that the AWP required on sites B1 and B2 is a junior AGP. They also clarify the roles and responsibilities for the delivery and funding of an AWP on any site to avoid the risk that the school becomes undeliverable

at development management stage as the delivery mechanism and funding are not agreed. This would, in turn, clarify the outcome that the policy intends to achieve and ensure a deliverable strategy for achieving it.

To be considered sound the plan should remove the Ariston primary school from the policies map by removing the blue dot from Map 4 and modifying policy COM1 as follows:

1. *e)[deleted text] St Albans has an identified need for a new secondary school in the long term. A site has been identified at East St Albans near Oaklands College.*

This would ensure that policy includes only schools that are needed to deliver the primary education strategy for the St Albans settlement.

To be considered sound the plan should:

1. Revise policy wording at Part B so that allocations deliver school sites that enable the maximum required school capacity that HCC needs to plan for;
2. Amend policy wording in Part A table 3.1 and Part B allocation B4 to refer to a 6FE secondary school; and
3. Amend policy COM1 to give policy support to post-16 provision on an equal footing to early years, primary, and secondary education phases.

Firstly, the plan should replace policy referring to delivery of schools of a particular capacity to school sites of a particular capacity. This would enable the transfer of land to HCC on which HCC can build a school, and permit schools to be opened in phases at a lower capacity as pupil yield demands. References to post-16 education should also be included so that there is an appropriate policy hook for school sites to be large enough to include a 6th form, and to seek s106 contributions for post-16 provision:

revise policy wording in the site allocations in Part B as follows:

H1: A 3FE primary school site and contributions, including Early Years provision, to serve the new community and appropriate contributions towards secondary school provision, including post-16 education.

H2: A 3FE primary school site and contributions, including Early Years provision, to serve the new community.

An 8FE secondary school site and contributions to serve the new and existing communities, including post-16 education.

H4: One new 3FE and one new 2FE primary school site and contributions, including Early Years provision, to serve the new community, and appropriate contributions towards secondary school provision, including post-16 education.

B1: A 2FE primary school site and contributions, including Early Years provision, to serve the new and wider community. This should include provision of an all weather playing pitch available for community use.

But see also comments provided separately in relation to all-weather pitches.

B2: [deleted text]A 2 FE primary school site and contributions, including Early Years provision and an all weather sports pitch available for community use.

But see also comments provided separately in relation to all-weather pitches.

B3: A new 2FE primary school site and contributions, including Early Years provision, to serve the new and wider community.

B4: A new 2FE primary school site and contributions, including Early Years provision, to serve the new and wider community.

[deleted text]A 6FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road and appropriate secondary education contributions, including post-16 education

This also ensures that the secondary school is the correct size following the Regulation 18 consultation.

B6: [deleted text]*An 8FE secondary school site within adjoining HCC land ownership and appropriate secondary education contributions, including post-16 education.*

Part A table 3.1 should also refer to a 6FE rather than an 8FE school at East St Albans:

86FE secondary school site

Secondly, references to post-16 education should also be included at policy COM1 so that there is an appropriate policy hook for school sites to be large enough to include a 6th form, and to seek s106 contributions for post-16 provision and provision of 6th form provision can be given consideration in the decision-making process:

Policy COM1 should also be amended to refer to post-16 education so that there is an appropriate policy hook to secure contributions and land towards 6th forms as part of new secondary school capacity, as follows:

Major residential development will be required to make appropriate provision for new schools and early years facilities (nursery 3–4-year-olds and childcare 0-2-year-olds) and post-16 education provision either on-site or by making a suitable contribution towards the improvement or expansion of nearby existing facilities.

But see also comments provided separately in relation to the nursery and childcare wording).

Taken together these changes would ensure that school sites are provided in such a way that would enable HCC to deliver and open up schools flexibly and ensure sites are suitably sized and funded, including for 6th form provision.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 1A Childcare Allocations_[R].pdf
2. 2A All Weather Pitches_[R].pdf
3. 2C Ariston Primary School_[R].pdf
4. 2D School Delivery Details_[R].pdf
5. 2020 10 17 updated education statement_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Childcare sufficiency is a statutory HCC responsibility and therefore an area of significant interest.

Securing appropriate school provision is a statutory responsibility for the County Council and key to successful plan-making and as such HCC has an interest in ensuing that school provision is financially and operationally deliverable.

COM3 - Community, Leisure and Sports Facilities

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be appropriate for the outcomes that they intend to secure.

Policy wording at Part B allocations B1 and B2 states that the primary schools delivered within these allocations should include an all weather pitch (AWP). Part A policies COM1 and COM3 also states that all school should come with a Community Use Agreement (CUA) securing community access to new playing pitches.

It is not clear what the intention of this policy is and therefore what it requires HCC and SACDC (as the authority with sports and leisure responsibilities) to deliver on site. An AWP usually refers to a pitch with artificial grass (an AGP) that can be used more intensively than natural turf. An AGP is not required to deliver a school curriculum, and so are not usually included on a primary school site alongside other enhanced facilities that are needed to enable community use like floodlights, changing rooms, and showers. Moreover, to be usable by a primary school, an AGP would have to be an appropriate size for a school (a junior pitch) rather than for community use (an adult pitch) if that is what is intended. Conversely an AWP could refer to a multi-use games area (MUGA) which is a painted macadam surface enabling multiple sports. While these are provided as standard they too lack enhanced facilities like fencing that are required to enable community use.

Moreover, the requirement at Part A policies COM1 and COM3 for a CUA on all new schools could be interpreted as to require all new schools – not just those at sites B1 and B2 – to have some form of enhanced facilities to enable community access, as the facilities provided on a standard school site will not, on their own, meet the standards required to enable community use, as described above. As facilities on school sites must first and foremost enable a school curriculum, community access will be limited in practice if enhanced facilities are not provided: natural turf pitches would need time to recover outside of school hours to be usable for school PE lessons and the absence of floodlighting limits use in the evening in winter. This reading therefore contradicts the allocations at Part B.

The plan does not include a coherent strategy for the funding and delivery of enhanced facilities on school sites where they are required. Part B allocation B2 does explicitly state that the site should provide contributions for an all-weather pitch, but this wording is not included in allocation B1. The Infrastructure Delivery Plan schedule identifies AWPs generally as a need arising from all Broad Locations to meet the District's sports and leisure duties (and identifies the LPA as the funding body), including on sites B1 and B2 (reference 35 and 36). However, it only lists this as

‘desirable’, and identifies only that the need attributable to development only justifies a fraction of the overall cost. This means there is a risk that policy could require something that is only partially funded and therefore undeliverable in practice.

To be considered appropriate and therefore sound the local plan should therefore clarify first the intention of Part A policies COM1 and COM3 as to whether it requires all schools to have an AWP to satisfy the CUA requirement and secondly clarify the delivery and funding mechanism for AWPs on schools where they are provided (whether just on sites B1 or B2 or all new schools) to meet the Districts sports and leisure requirement rather than an education need. This representation suggests modifications that if agreed, or similar, would make the plan sound.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan should:

1. Clarify which schools need to deliver enhanced facilities to meet a wider sports and leisure requirement; and
2. Clarify the funding and livery mechanism for enhanced facilities.

Assuming that the intention of the local plan is that only the new schools at sites B1 and B2 need to deliver a junior AGP to meet a wider sports and leisure requirement, CUAs at other schools will only need to enable limited community access to standard school facilities, and SACDC as the local authority responsible for sports and leisure in St Albans will be the funding body (either from themselves or through development), this could be achieved through

amendments to the supporting text and policy as follows:

Supporting Text: 7.19 Schools may make school facilities, such as playing pitches or sports halls, available for community use. New schools may include enhanced sports facilities to meet the Council’s sports and leisure strategy and responsibilities. Where there is an intention to deliver these on a new school site, the Council as the local authority with sports and leisure responsibilities will fully fund these through planning obligations or other funding mechanisms. The policy requirement for a community use agreement alone does not imply that enhanced facilities must be provided. Schools without enhanced facilities can also support community access but will be operationally limited and may not be sufficient to meet a formal sports and leisure need.

Part B B1: A 2FE primary school, including Early Years provision, to serve the new and wider community. This should include provision of an all weather artificial grass junior playing pitch available for community use.

Part B B2: A site for and appropriate contributions towards a 2 FE primary school, including Early Years provision and an all weather artificial grass junior sports pitch available for community use.

But see other changes suggested to the wording on school site sizes made separately.

These changes would clarify that the requirement for a CUA does not mean an AWP or other enhanced facilities are required except where explicitly stated in sites B1 and B2 and that the AWP required on sites B1 and B2 is a junior AGP. They also clarify the roles and responsibilities for the delivery and funding of an AWP on any site to avoid the risk that the school becomes undeliverable

at development management stage as the delivery mechanism and funding are not agreed. This would, in turn, clarify the outcome that the policy intends to achieve and ensure a deliverable strategy for achieving it.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2A All Weather Pitches_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Securing appropriate school provision is a statutory responsibility for the County Council and key to successful plan-making and as such HCC has an interest in ensuing that school provision is financially and operationally deliverable.

Strategic Policy SP8 - Transport Strategy

Comment Number: 31

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Movement and access
HCC Public Health support Strategic Policy SP8 – Transport Strategy, which prioritises active and sustainable transport modes and restrictions on car journeys. We are pleased to see that this policy refers to the HCC Travel Plan Guidance which requires developments to submit a travel plan to embed sustainable and active travel at an early stage of the design process. This policy also requires developments to be in sustainable locations with provision for walking and cycling.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be effective to be considered sound. To do so its policies must be deliverable over the plan period and dealt with rather than deferred.

Policy, both in Part A and Part B, refers to sites 'supporting' and 'contributing to' their required transport infrastructure mitigation. For example, strategic policy SP14 at Part A requires proposals for development to 'provide, finance and / or contribute' to infrastructure and allocation B1 at Part B requires that the site deliver 'Contributions / enhancements to support relevant schemes'. Policy therefore rightly requires that mitigation be made, and HCC supports the intention of the plan to ensure mitigation is made. However it leaves issues of the delivery mechanism and timing to the decision-maker. This specific allocation is only taken as an example, and the same principle applies to all allocations.

NPPF paragraphs 108, 109, and 100 govern how LPAs must consider sustainable transport provision in plan-making. Paragraph 108 sets a number of objectives including ensuring impacts on the network are addressed and pursuing opportunities to maximise active and public transport. The 2024 draft consultation NPPF further requires a vision led approach at paragraphs at paragraph 122.

To achieve this, the infrastructure required to achieve shift towards active and sustainable modes of transport must be provided by default prior to the first occupation. To do otherwise risks unsustainable behaviours being embedded prior to infrastructure being delivered and take-up therefore being lower than that is needed to make development acceptable a decision-making stage. Policy TRA1 requires that on major development 'Active and sustainable connections to key destinations are deliverable at an early stage of development'. However, policy on infrastructure delivery does not dovetail with this requirement and therefore risks undermining this in practice. As stated above, policy is agnostic on delivery of financial contribution via a s106 agreement or CIL (if adopted) or directly via a s278 agreement. It is unlikely however that delivery of transport infrastructure via a financial contribution, even if sufficient to pay for infrastructure, can deliver infrastructure in sufficient time. Instead, this issue is deferred to development management stage.

Therefore for the aspirations of the plan to be considered deliverable and therefore sound the plan should take a more proactive approach to the delivery mechanism of infrastructure so that the aspirations of policy TRA1 are delivered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the plan should:

1. Amend policy IMP1 at Part A to ensure that proposals demonstrate how transport schemes required to make sites sustainable will be delivered;
2. Amend policy in the site allocations at Part B to refer to delivery of infrastructure rather than just contributions; and
3. Amend the Infrastructure Impact Assessments to refer to delivery of infrastructure rather than just contributions;

Firstly, policy TRA1 should be strengthened to ensure that transport infrastructure will be delivered in the real world rather than be merely deliverable in the abstract. Demonstrating deliverability in the abstract is not a sufficiently robust test as applicants would not have to demonstrate that the delivery mechanism, as well as the scheme itself, ensures delivery at an early stage of development.

Major proposals must demonstrate as appropriate how...Active and sustainable connections to key destinations [deleted text] will be delivered at an early stage of development;

Similarly, policy TRA3 should be amended along similar lines to ensure that infrastructure is delivered in practice for proposals generating heavy goods vehicle movements:

Encourage and enable Heavy Goods Vehicles to use the primary route network by means of signing and traffic management.

Secondly, the policy wording in the site allocations at Part B should be amended to give support to delivery of infrastructure (irrespective of the delivery mechanism) rather than wording that implies making a financial contribution that may be incapable of being secured, spent, and delivered early in the development.

For example, at allocation B1 (taken as an example only):

Contributions / [deleted text] to delivery of support relevant schemes in the LCWIP and GTPs as indicated in the TIA.

[deleted text]Improvements via delivery or contributions to the transport network (including walking and cycling links) and public transport services upgrades / improvements, including off-site improvements to Harpenden Road, Sandridgebury Lane, Valley Road, Ancient Briton junction and King William IV junction, links to St Albans City Centre, station and education, aligned to schemes in the GTPs and LCWIP.

Similar wording appears in all the allocations and should be amended along the lines of the above.

Finally, the TIAs should be amended on similar lines, again taking allocation B1 as an example:

5. Settlement Strategy – St Albans (Indicative Contributions)

This site will make significant contributions or direct delivery of infrastructure to

St Albans Settlement Strategy.

Taken together, these amendments would ensure that both the scheme and the delivery mechanism align to provide infrastructure early in the build out of development, thereby enabling sustainable travel behaviours and mode shift in line with the NPPF sustainable development objective

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 5B Highways Infrastructure Delivery_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

TRA3 - Development Generating New Lorry Movements

Comment Number: 39

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be effective to be considered sound. To do so its policies must be deliverable over the plan period and dealt with rather than deferred.

Policy, both in Part A and Part B, refers to sites ‘supporting’ and ‘contributing to’ their required transport infrastructure mitigation. For example, strategic policy SP14 at Part A requires proposals for development to ‘provide, finance and / or contribute’ to infrastructure and allocation B1 at Part B requires that the site deliver ‘Contributions / enhancements to support relevant schemes’. Policy therefore rightly requires that mitigation be made, and HCC supports the intention of the plan to ensure mitigation is made. However it leaves issues of the delivery mechanism and timing to the decision-maker. This specific allocation is only taken as an example, and the same principle applies to all allocations.

NPPF paragraphs 108, 109, and 100 govern how LPAs must consider sustainable transport provision in plan-making. Paragraph 108 sets a number of objectives including ensuring impacts on the network are addressed and pursuing opportunities to maximise active and public transport. The 2024 draft consultation NPPF further requires a vision led approach at paragraphs at paragraph 122.

To achieve this, the infrastructure required to achieve shift towards active and sustainable modes of transport must be provided by default prior to the first occupation. To do otherwise risks unsustainable behaviours being embedded prior to infrastructure being delivered and take-up therefore being lower than that is needed to make development acceptable a decision-making stage. Policy TRA1 requires that on major development 'Active and sustainable connections to key destinations are deliverable at an early stage of development'. However, policy on infrastructure delivery does not dovetail with this requirement and therefore risks undermining this in practice. As stated above, policy is agnostic on delivery of financial contribution via a s106 agreement or CIL (if adopted) or directly via a s278 agreement. It is unlikely however that delivery of transport infrastructure via a financial contribution, even if sufficient to pay for infrastructure, can deliver infrastructure in sufficient time. Instead, this issue is deferred to development management stage.

Therefore for the aspirations of the plan to be considered deliverable and therefore sound the plan should take a more proactive approach to the delivery mechanism of infrastructure so that the aspirations of policy TRA1 are delivered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the plan should:

1. Amend policy IMP1 at Part A to ensure that proposals demonstrate how transport schemes required to make sites sustainable will be delivered;
2. Amend policy in the site allocations at Part B to refer to delivery of infrastructure rather than just contributions; and
3. Amend the Infrastructure Impact Assessments to refer to delivery of infrastructure rather than just contributions;

Firstly, policy TRA1 should be strengthened to ensure that transport infrastructure will be delivered in the real world rather than be merely deliverable in the abstract. Demonstrating deliverability in the abstract is not a sufficiently robust test as applicants would not have to demonstrate that the delivery mechanism, as well as the scheme itself, ensures delivery at an early stage of development.

Major proposals must demonstrate as appropriate how...Active and sustainable connections to key destinations [deleted text] will be delivered at an early stage of development;

Similarly, policy TRA3 should be amended along similar lines to ensure that infrastructure is delivered in practice for proposals generating heavy goods vehicle movements:

Encourage and enable Heavy Goods Vehicles to use the primary route network by means of signing and traffic management.

Secondly, the policy wording in the site allocations at Part B should be amended to give support to delivery of infrastructure (irrespective of the delivery mechanism) rather than wording that implies making a financial contribution that may be incapable of being secured, spent, and delivered early in the development.

For example, at allocation B1 (taken as an example only):

Contributions / [deleted text] to delivery of support relevant schemes in the LCWIP and GTPs as indicated in the TIA.

[deleted text] Improvements via delivery or contributions to the transport network (including walking and cycling links) and public transport services upgrades / improvements, including off-site improvements to Harpenden Road, Sandridgebury Lane, Valley Road, Ancient Briton junction and King William IV junction, links to St Albans City Centre, station and education, aligned to schemes in the GTPs and LCWIP.

Similar wording appears in all the allocations and should be amended along the lines of the above.

Finally, the TIAs should be amended on similar lines, again taking allocation B1 as an example:

5. Settlement Strategy – St Albans (Indicative Contributions)

This site will make significant contributions or direct delivery of infrastructure to

St Albans Settlement Strategy.

Taken together, these amendments would ensure that both the scheme and the delivery mechanism align to provide infrastructure early in the build out of development, thereby enabling sustainable travel behaviours and mode shift in line with the NPPF sustainable development objective

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 5B Highways Infrastructure Delivery_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

TRA4 - Parking

Comment Number: 32

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy TRA4 - Parking, provides parking standards for new developments. This policy supports active travel in numerous ways. First, it provides a requirement for bicycle parking to encourage more people to cycle instead of drive. It also states new development at Broad Locations should demonstrate alternatives to car use to reduce car parking spaces. This policy also supports car clubs to reduce private car parking spaces, bike share schemes and

electric vehicle charging points in new developments. We support this policy as this will have a positive impact on residents' health and wellbeing by supporting active travel over private car use.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 37

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Quality local space, play and recreation
We are pleased to see that the draft Local Plan seeks to preserve existing urban and rural green space/ green infrastructure and enhancement, or creation of new areas are developed to encourage public access through draft Strategic Policy SP10 and draft policies NEB2, NEB3, NEB4, NEB6 and NEB10.
We support the Plan's landscape-led approach to retain and enhance existing green infrastructure in new developments. We recommend that there should be an expectation on developers that the provision of open space and green infrastructure should come forward at an early stage of development to encourage healthy, sustainable behaviours from the outset.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

NEB2 - Local Green Spaces

Comment Number: 34

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

NEB3 - Non-Designated Local Green Space

Comment Number: 28

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 35

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 36

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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We support the Plan's landscape-led approach to retain and enhance existing green infrastructure in new developments. We recommend that there should be an expectation on developers that the provision of open space and green infrastructure should come forward at an early stage of development to encourage healthy, sustainable behaviours from the outset.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

NEB10 - Landscape and Design

Comment Number: 33

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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We support the Plan's landscape-led approach to retain and enhance existing green infrastructure in new developments. We recommend that there should be an expectation on developers that the provision of open space and green infrastructure should come forward at an early stage of development to encourage healthy, sustainable behaviours from the outset.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 29

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We support draft Policy LG4 - Large, Medium and Small Sites which requires developments to provide contributions towards enhancing open spaces. We also support draft Policy NEB12 which sets out green space standards for the creation of new green spaces.

Draft Policy SP7 - Community Infrastructure seeks to support and protect existing community infrastructure. This policy also seeks to safeguard existing sport facilities by only permitted development on these facilities if the development is for an alternative sport and recreational provision and the needs for which outweigh the loss. We support this policy to protect existing sport facilities and draft Policy NEB12, which provides guidance on how to determine sport pitch provision requirements for new housing developments.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

DES2 - Public Space

Comment Number: 30

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We are pleased to see that the Plan includes a policy on Public Space (draft Policy DES2) which provides design requirements for public spaces. We are satisfied that this policy will help deliver safe, well maintained, and attractive places that will encourage social interaction, civic engagement, and recreation.
In terms of greenspaces, we are pleased to see a policy safeguarding Local Green Spaces in the St Albans Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

Chapter 13 - Health and Wellbeing

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Thank you for the opportunity to comment on the draft St Albans Local Plan.
HCC Public Health seeks to support District and Borough Council's in the development of their Local Plans by providing policy recommendations to ensure that Local Plans comply with national and local policy, whilst also improving the health and wellbeing of Hertfordshire residents.
National and Local Policy
The NPPF, in its planning objective 8b, sets out that the planning system has a social objective to support strong, vibrant, and healthy communities and to support communities' health and social wellbeing. This should be seen as an equal consideration to environmental and economic objectives. Paragraph 92 requires planning to aim to achieve healthy places which enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs (Para 92c).
The Hertfordshire Health and Wellbeing Strategy 2022 – 20265 sets out the vision and strategic priorities for improving health and wellbeing and reducing health inequalities in the County. This strategy outlines three key overarching ambitions and six themed strategic outcomes we are collectively aspiring to in Hertfordshire.
We recommend that Planning Officers refer to the Hertfordshire Health and Wellbeing Planning Guidance1, Public Health England's Spatial Planning for Health evidence resource2, the NHS England 'Putting Health into Place, 10 Principles' Guidance document 2019 and the TCPA's 'Planning for Healthy Places' guidance document 2024.
This sets out our expectation in terms of the delivery of healthy development and communities and focusses on the principle of 'designing in' health and wellbeing as an essential part of the planning process. In doing so, this recognises the wider determinants of health as a diverse range of social, economic, and environmental factors which influence people's mental and physical health.
Strategic Objective and Spatial Strategy
HCC Public Health are pleased to see that healthy places and high-quality design is included as an objective of the draft Local Plan. This objective reflects the Council's aspirations to improve health and wellbeing through the natural and built environment, which HCC Public Health fully supports.
In addition to this, we support the Spatial Strategy for the St Albans District, which promotes improving the quality and sustainability of new development, active travel, increasing tree planting, access to greenspaces, community infrastructure and renewable energy production; all of which will have a positive impact on health and wellbeing. To strengthen the Plan's Spatial Strategy, we recommend that the spatial strategy includes references to the detailed policies in the Plan which the spatial strategy supports, in accordance with the Town and Country Planning Association's Planning for Healthy Places Guidance (2024).
Health Impact Assessments
HCC Public Health recommend that a Health Impact Assessment (HIA) should be conducted during the preparation of a Local Plan to ensure that health and wellbeing are fully considered. Where it is not possible to conduct a standalone HIA, it is recommended that HIA guidance from Wales Health Impact Assessment Unit is used to expand upon the health elements of the Strategic Environmental Assessment (SEA) or Sustainability Appraisal. This will ensure that the draft Local Plan policies optimise health benefits.

We support draft Policy HW5, which requires HIA for major developments. We are pleased to see that the draft policy refers to our position statement for HIAs and the catchment requirements for an HIA is clearly defined. To strengthen this policy, we recommend that scope/key themes of the HIA should be included within the wording of the policy to ensure wider health impacts are considered. The key themes that should be included within the scope of the HIA are:

•
Housing quality and design
•
Access to healthcare services and other social infrastructure
•
Access to open space and nature
•
Air quality, noise, and neighbourhood amenity
•
Accessibility and active travel
•
Crime reduction and community safety
•
Access to healthy food
•
Access to work and training
•
Social cohesion and lifetime neighbourhoods
•
Minimising the use of resources
•
Climate change

In addition to a HIA policy for major developments, A desktop HIA is recommended by HCC Public Health for new proposals for hot food takeaways in areas of high deprivation, poor health, elderly, or vulnerable groups, and/or high levels of childhood obesity. When this is the case, applicants are advised to complete a desktop HIA template in Appendix 8 of the HCC HIA Guidance and Toolkit 2023 and submit it alongside a planning application to the local authority in support of their planning application. Where an HIA has identified an issue that may have a significant adverse impact, the applicant should set out how this has been addressed and mitigated as part of the proposal.

We also recommend that the Local Plan should also have a policy which requires a HIA or an incorporated HIA into a sustainability appraisal for all planning policy documents to ensure that all policies and guidance optimise health and wellbeing benefits.

Air Quality

We support draft Policy HW1 – Air and Noise Pollution, which requires air and noise pollution assessments for developments located in areas which may exceed national legislative air quality limits. To strengthen this policy, we recommend the following should be included:

•
Enforcement of no development granted permission in an Air Quality Management Area.
•
considers unfavourably any applications for schools, care homes and other vulnerable communities that are within an AQMA or immediately adjacent to known traffic hotspots;
•
requires a detailed Air Pollution Modelling for Major developments to ensure that more mitigation, additional to the default for such developments, is required where ‘adverse impacts’ are predicted.

Access to Healthy Food

HCC Public Health support Strategic Policy SP13 – Health and Wellbeing which seeks to provide access to healthy foods, including through access to shops and food growing.

In terms of food growing, we have reviewed the draft Local Plan, and we feel that the Plan provides suitable policies to safeguard allotment spaces. The Strategic Policy protects existing allotments and considers that new developments should seek to create new allotments where appropriate. This Strategic Policy is strengthened through draft Policy NEB3 – Non-Designated Local Green Space which restricts loss of allotments unless suitable replacement for the allotments is provided, or evidence demonstrates that there is no need for the allotments. In addition, draft Policy LG3 – Hemel Garden Communities Growth Areas Place Principles includes the requirement for green infrastructure for food growing.

Turning to improving access to healthy food through the built environment, it is our opinion that the draft Local Plan does not have a policy which supports this. We recommend that the plan should include a policy on promoting healthy food environments to reduce obesity risk and other forms of malnutrition. An example of well evidenced policies, supported by HCC's Public Health Team, include those which restrict and prevent the proliferation of hot food takeaways (HFTs) such as:

- A limit on how many hot food takeaway units is located within a street in Town Centre or Local Centres; and
- The introduction of a Hot Food Takeaway Management Zone restricting the introduction of new HFTs within 400 metres walking distance of the boundary of a nursery, primary school, secondary school, community college or youth facility. Hertfordshire County Councils Whole Systems Obesity Team has developed the Healthy Food Environmental Tool to assist Local Authority's to map the areas to be covered by a takeaway management zone policy: https://hcc-phei.shinyapps.io/healthy_food_environments/

The preferred policy recommended by HCC's Public Health team would be the introduction of takeaway outlet management zones which are the most common planning policy relating to improving food environments adopted by local authorities1 Evidence finds these policies to be effective in preventing the proliferation of HFTs within these areas as well as bringing health benefits to the local communities in which they are implemented23. Further research also identifies that takeaway management zones are associated with net economic benefits for local authorities, national government, and the NHS. This is due to the relatively low economic contribution of takeaways to the high street in comparison to the higher economic contribution of potential alternative uses in addition to cost savings associated with a reduced burden of BMI-related diseases4.

St Albans National Child Measurement Programme data5 (3 years data combined, 2020/21 – 22/23) for prevalence of children living with overweight/obesity in reception (17.26%) and year 6 (23.45) are favourable in comparison to the Hertfordshire averages (19.26% and 31.11% respectively). Just 4 of 20 electoral wards (Colney Heath, Cunningham, Park Street and Redbourn) had a prevalence of reception aged children living with overweight (including obesity) greater than the Hertfordshire average (19.26%). Similarly, just 4 of 20 electoral wards (London Colney, Cunningham, Sopwell, Park Street) had a prevalence of year 6 aged children living with overweight (including obesity) greater than the Hertfordshire average (31.11%).

However, some electoral wards in St Albans have a relatively high density of existing fast-food outlets with St Peters (2.37 outlets per 1000 of the population), Harpenden West (1.7 outlets per 1000 of the population), Sopwell (1.04 outlets per 100 of the population) in

1 Public health England. Using the planning system to promote healthy weight environments. Published February 7 2020. Accessed July 8th, 2024. https://assets.publishing.service.gov.uk/media/5e3ae462400b6091573 2cc3/PHE_Planning_healthy_weight_environments_guidance__1_.pdf

2 Rahilly et al. 2024. Changes in the number of new takeaway food outlets associated with adoption of management zones around schools: a natural evaluation in England.

3 Rogers et al. 2024. Health impacts of takeaway management zones around schools in six different local authorities across England: a public health modelling study using PRIMEtime.

4 Derbyshire, D.W., et al., The economic impacts of Local Authority takeaway management zones around schools. Social Science Research network, 2024 (pre-print).
5 Department of Health & Social Care, (2024). Obesity Profile. [illegible]
Accessed: 10 October 2024
comparison to the Hertfordshire average (0.86 outlets per 1000 of the population). Large numbers of these outlets are typically located in the wards surrounding the city centre with St Peters (0.98 minutes), Clarence (1.55 minutes) and Sopwell (1.73 minutes) being the 3 electoral wards with the shortest average distances residents must travel by car to reach a fast-food outlet.
The wards surrounding St Albans City centre also contain many primary and secondary schools (Appendix 1). Of the 9 secondary schools within the area highlighted in Appendix 1, 4 (44.44%) had at least 1 HFT within a 400-metre radius of the school site. Of the 18 Primary schools, 13 (72.22%) had at least 1 HFT within a 400-metre radius of the school site. This emphasises the existing high exposure to HFTs currently experienced by children in this area of the district.
Whilst current childhood overweight and obesity statistics generally appear favourable, the introduction of policies such as those recommended above would work preventatively, alongside other interventions, to ensure health does not worsen in the District. Justification for the implementation of a HFT management zone surrounding schools is strongest in the wards surrounding St Albans City Centre due to the existing high exposure to HFTs experienced by children in this area.
Housing and development design
HCC Public Health support Strategic Policy SP4 -Housing which seeks to provide good quality housing that meets different needs, including the provision of specialist housing for older people and people with disabilities. This policy also requires developments to provide new accessible and adaptable housing to meet the changing lifestyle needs of all occupants.
We recommend that all new housing for older people of any tenure should be built to accessible and sustainable standards, conforming to HAPPI design standards6, be digitally enabled for assistive and other technology, and encourage developers to build to energy efficient and carbon neutral specifications, and thus promoting accessible, adaptable, and dementia friendly design.
In addition to the above, all new housing for older people should investigate options such as PassivHaus and other eco-build designs for specialist older persons housing, to reduce thermal variances and the associated costs, and assist in preventing poor health outcomes in older people.
The development should contribute to the priorities regarding public health and the built environment as set out in the Housing for Older People Strategy. They should be considered during the design stage and consideration of how they have been considered should be included in a planning application e.g. as part of the Health Impact Assessment or Design and Access Statement.
6 https://www.housinglin.org.uk/Topics/browse/Design-building/HAPPI
Community spaces and open spaces
HCC Public Health recommend that JSNA data should be used at the locality level to identify community needs. We support the Local Plan's objective of providing community infrastructure in sustainable locations.
We support draft Policy SP13 – Health and Wellbeing which seeks to encourage designs that reduce community severance and improve opportunities for social interaction. In addition, this policy requires major developments to provide appropriate public open space, including a children's play space.
We support draft Policy LG4 -Large, Medium and Small Sites which requires developments to provide contributions towards enhancing open spaces. We also support draft Policy NEB12 which sets out green space standards for the creation of new green spaces.
Draft Policy SP7 -Community Infrastructure seeks to support and protect existing community infrastructure. This policy also seeks to safeguard existing sport facilities by only permitted development on these facilities if the development is for an alternative sport and recreational

provision and the needs for which outweigh the loss. We support this policy to protect existing sport facilities and draft Policy NEB12, which provides guidance on how to determine sport pitch provision requirements for new housing developments.
We are pleased to see that the Plan includes a policy on Public Space (draft Policy DES2) which provides design requirements for public spaces. We are satisfied that this policy will help deliver safe, well maintained, and attractive places that will encourage social interaction, civic engagement, and recreation.
In terms of greenspaces, we are pleased to see a policy safeguarding Local Green Spaces in the St Albans Local Plan.
Healthy Streets
HCC Public Health recommend planning authorities should include a policy in the Local Plan which requires developments to:
• include the Healthy Streets approach and its 10 evidence-based Healthy Streets Indicators, which focus on creating healthier places for people to live in:
1) Everyone feels welcome 2) Easy to cross
3) Shade and shelter
4) Places to stop and rest
5) Not too noisy
6) People choose to walk and cycle
7) People feel safe
8) Things to see and do
9) People feel relaxed
10) Clean air
• Prioritise and balance the ten Healthy Streets Indicators to improve social, economic, and environmental sustainability through how streets are designed and managed.
• Establish expectations from the start, with this approach so new developments have clearer air, provide opportunities for cycling and walking and help make communities green, healthier, and more attractive places, so there is a low noise environment, a relaxing environment where people can spend time and have the opportunity to be physical active every day, as part of their everyday routine.
•
With use of a range of free tools for measuring the Healthy Streets Indicators, Developers, designers and engineers can quantify how street designs affect the 10 Healthy Streets Indicators and generate a quantified score for an existing street or a plan. Other available tools such as the new Development Check can be used in the early stages of planning new streets to ensure the development maximises its Healthy Streets potential.
•
Healthy Streets | Making streets healthy places for everyone
Active Design
HCC Public Health are pleased to see that the draft Local Plan seeks to maximise opportunities for encouraging physical activity by referring to Sport England's and Public Health England's Active Design guidance in draft Policy SP13: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design.
We recommend the checklist in the Active Design guidance should be used for informing the design and consideration of the planning application e.g., as part of the Health Impact Assessment or Design and Access Statement. The planning authority may wish to consider this by way of a condition to request details to be submitted and approved which demonstrate how promoting physical activity has been considered in the design and layout of the development.
Movement and access

HCC Public Health support Strategic Policy SP8 – Transport Strategy, which prioritises active and sustainable transport modes and restrictions on car journeys. We are pleased to see that this policy refers to the HCC Travel Plan Guidance which requires developments to submit a travel plan to embed sustainable and active travel at an early stage of the design process. This policy also requires developments to be in sustainable locations with provision for walking and cycling.
Draft Policy TRA4 -Parking, provides parking standards for new developments. This policy supports active travel in numerous ways. First, it provides a requirement for bicycle parking to encourage more people to cycle instead of drive. It also states new development at Broad Locations should demonstrate alternatives to car use to reduce car parking spaces. This policy also supports car clubs to reduce private car parking spaces, bike share schemes and
electric vehicle charging points in new developments. We support this policy as this will have a positive impact on residents' health and wellbeing by supporting active travel over private car use.
Local economy and employment
We recommend planning authorities to include a policy in the Local Plan that sets out an expectation that new development will provide inclusive, non-car reliant, means of access between employment zones, new communities, and public transport hub.
HCC Public Health recommend new commercial/business/industrial zones or town centre regeneration to provide accessible, inclusive, safe, well maintained, and sustainable infrastructure for non-car users.
Quality local space, play and recreation
We are pleased to see that the draft Local Plan seeks to preserve existing urban and rural green space/ green infrastructure and enhancement, or creation of new areas are developed to encourage public access through draft Strategic Policy SP10 and draft policies NEB2, NEB3, NEB4, NEB6 and NEB10.
We support the Plan's landscape-led approach to retain and enhance existing green infrastructure in new developments. We recommend that there should be an expectation on developers that the provision of open space and green infrastructure should come forward at an early stage of development to encourage healthy, sustainable behaviours from the outset.
Conclusion
HCC Public Health is pleased to see a variety of health-related policies embedded in the St Albans draft Local Plan. It is clear to see that the Planning Officers have a good understanding of how the planning system can positively shape our environments to improve health inequalities through Local Plans. The recommendations provided above will help strengthen the proposed draft policies to achieve the Plan's objective of creating healthy places. If you would like to discuss the points

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non objection) attached letter_[R].pdf
2. 11 Public Health (non soundness issue)_[R].pdf

Strategic Policy SP13 - Health and Wellbeing

Comment Number: 24

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Access to Healthy Food
HCC Public Health support Strategic Policy SP13 – Health and Wellbeing which seeks to provide access to healthy foods, including through access to shops and food growing.
In terms of food growing, we have reviewed the draft Local Plan, and we feel that the Plan provides suitable policies to safeguard allotment spaces. The Strategic Policy protects existing allotments and considers that new developments should seek to create new allotments where appropriate. This Strategic Policy is strengthened through draft Policy NEB3 – Non-Designated Local Green Space which restricts loss of allotments unless suitable replacement for the allotments is provided, or evidence demonstrates that there is no need for the allotments. In addition, draft Policy LG3 – Hemel Garden Communities Growth Areas Place Principles includes the requirement for green infrastructure for food growing.
Turning to improving access to healthy food through the built environment, it is our opinion that the draft Local Plan does not have a policy which supports this. We recommend that the plan should include a policy on promoting healthy food environments to reduce obesity risk
and other forms of malnutrition. An example of well evidenced policies, supported by HCC's Public Health Team, include those which restrict and prevent the proliferation of hot food takeaways (HFTs) such as:
•
A limit on how many hot food takeaway units is located within a street in Town Centre or Local Centres; and The introduction of a Hot Food Takeaway Management Zone restricting the introduction of new HFTs within 400 metres walking distance of the boundary of a nursery, primary school, secondary school, community college or youth facility.
HCC's Whole Systems Obesity Team has developed the Healthy Food Environmental Tool to assist Local Authority's to map the areas to be covered by a takeaway management zone policy: https://hcc-phei.shinyapps.io/healthy_food_environments/
The preferred policy recommended by HCC's Public Health team would be the introduction of takeaway outlet management zones which are the most common planning policy relating to improving food environments adopted by local authorities1 Evidence finds these policies to be effective in preventing the proliferation of HFTs within these areas as well as bringing health benefits to the local communities in which they are implemented23. Further research also identifies that takeaway management zones are associated with net economic benefits for local authorities, national government, and the NHS. This is due to the relatively low economic contribution of takeaways to the high street in comparison to the higher economic contribution of potential alternative uses in addition to cost savings associated with a reduced burden of BMI-related diseases4.
St Albans National Child Measurement Programme data5 (3 years data combined, 2020/21 – 22/23) for prevalence of children living with overweight/obesity in reception (17.26%) and year 6 (23.45) are favourable in comparison to the Hertfordshire averages (19.26% and 31.11% respectively). Just 4 of 20 electoral wards (Colney Heath, Cunningham, Park Street and Redbourn) had a prevalence of reception aged children living with overweight (including obesity) greater than the Hertfordshire average (19.26%). Similarly, just 4 of 20 electoral wards (London Colney, Cunningham, Sopwell, Park Street) had a prevalence of year 6 aged children living with overweight (including obesity) greater than the Hertfordshire average (31.11%).

However, some electoral wards in St Albans have a relatively high density of existing fast-food outlets with St Peters (2.37 outlets per 1000 of the population), Harpenden West (1.7 outlets per 1000 of the population), Sopwell (1.04 outlets per 100 of the population) in comparison to the Hertfordshire average (0.86 outlets per 1000 of the population). Large numbers of these outlets are typically located in the wards surrounding the city centre with St Peters (0.98 minutes), Clarence (1.55 minutes) and Sopwell (1.73 minutes) being the 3 electoral wards with the shortest average distances residents must travel by car to reach a fast-food outlet.
The wards surrounding St Albans City centre also contain many primary and secondary schools (Appendix 1). Of the 9 secondary schools within the area highlighted in Appendix 1, 4 (44.44%) had at least 1 HFT within a 400-metre radius of the school site. Of the 18 Primary schools, 13 (72.22%) had at least 1 HFT within a 400-metre radius of the school site. This emphasises the existing high exposure to HFTs currently experienced by children in this area of the district.
Whilst current childhood overweight and obesity statistics generally appear favourable, the introduction of policies such as those recommended above would work preventatively, alongside other interventions, to ensure health does not worsen in the District. Justification for the implementation of a HFT management zone surrounding schools is strongest in the wards surrounding St Albans City Centre due to the existing high exposure to HFTs experienced by children in this area.

We support draft Policy SP13 – Health and Wellbeing which seeks to encourage designs that reduce community severance and improve opportunities for social interaction. In addition, this policy requires major developments to provide appropriate public open space, including a children's play space.

Active Design
HCC Public Health are pleased to see that the draft Local Plan seeks to maximise opportunities for encouraging physical activity by referring to Sport England's and Public Health England's Active Design guidance in draft Policy SP13: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design. We recommend the checklist in the Active Design guidance should be used for informing the design and consideration of the planning application e.g., as part of the Health Impact Assessment or Design and Access Statement. The planning authority may wish to consider this by way of a condition to request details to be submitted and approved which demonstrate how promoting physical activity has been considered in the design and layout of the development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

HW1 - Air and Noise Pollution

Comment Number: 23

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Air Quality
We support draft Policy HW1 – Air and Noise Pollution, which requires air and noise pollution assessments for developments located in areas which may exceed national legislative air quality limits. To strengthen this policy, we recommend the following should be included:

•
Enforcement of no development granted permission in an Air Quality Management Area.

•
considers unfavourably any applications for schools, care homes and other vulnerable communities that are within an AQMA or immediately adjacent to known traffic hotspots;

•
requires a detailed Air Pollution Modelling for Major developments to ensure that more mitigation, additional to the default for such developments, is required where 'adverse impacts' are predicted.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

HW5 - Health Impact Assessments

Comment Number: 40

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We support draft Policy HW5, which requires HIA for major developments. We are pleased to see that the draft policy refers to our position statement for HIAs and the catchment requirements for an HIA is clearly defined. To strengthen this policy, we recommend that scope/key themes of the HIA should be included within the wording of the policy to ensure wider health impacts are considered. The key themes that should be included within the scope of the HIA are:

•
Housing quality and design
•
Access to healthcare services and other social infrastructure
•
Access to open space and nature
•
Air quality, noise, and neighbourhood amenity
•
Accessibility and active travel
•
Crime reduction and community safety
•
Access to healthy food
•
Access to work and training
•
Social cohesion and lifetime neighbourhoods
•
Minimising the use of resources
•
Climate change

In addition to a HIA policy for major developments, A desktop HIA is recommended by HCC Public Health for new proposals for hot food takeaways in areas of high deprivation, poor health, elderly, or vulnerable groups, and/or high levels of childhood obesity. When this is the case, applicants are advised to complete a desktop HIA template in Appendix 8 of the HCC HIA Guidance and Toolkit 2023 and submit it alongside a planning application to the local authority in support of their planning application. Where an HIA has identified an issue that may have a significant adverse impact, the applicant should set out how this has been addressed and mitigated as part of the proposal.

We also recommend that the Local Plan should also have a policy which requires a HIA or an incorporated HIA into a sustainability appraisal for all planning policy documents to ensure that all policies and guidance optimise health and wellbeing benefits.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 11 Public Health (non soundness issue)_[R].pdf
2. 11 Public Health (non objection) attached letter_[R].pdf

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be based on appropriate evidence.
The evidence base for the local plan includes a suite of PNP Paribas Real Estate viability appraisals for the sites in Hemel Garden Communities (HGC) and the Broad Locations. These viability appraisals rightly include indicative s106 contributions as a policy cost to determine the residual land value and the viability of the site. All the viability appraisals include these costs under five headings: education, healthcare, sports and community, green infrastructure, and transport infrastructure.
The viability appraisals include an allowance of (usually) £11,813 per unit on most sites for primary education, where provided, an allowance of £8,882 per unit-

£11,813 per unit for secondary education, and an allowance of £1,655-£3,314 per unit for sport and community.
It is not clear how these allowances were calculated and what infrastrucutre is intended to be included within them. Nor is it clear what that indexation base date is for these figures so they can be compared to the GDV (assumed to be 2024) on a like for like basis.
HCC's own evidence, set out in the Guide to Developer Infrastructure Contributions, shows that an allowance of £11,640 per unit is required for a greenfield site for primary education (including nursery) and £11,331 per unit for secondary education (including 6th form) with an indexation base date of 2024. These allowances made may therefore not be sufficient.
It is not clear what is intended to be included in the 'sport and community' heading. However HCC will also need to seek s106 contributions for SEND education, 0-2 childcare, 5-11 childcare, libraries, youth, waste (transfer stations), and fire and rescue services in addition to transport and mainstream education. These are services for which HCC has projects to deliver as mitigation. Therefore, assuming that these are not intended to be included in other headings, the £1,655-£3,314 per unit allowance will need to be sufficient to include both these and any other obligations that the LPA may require (such as gyms, offsite playing pitches, and offsite children's play areas). HCC's own evidence, set out in the Guide to Developer Infrastructure Contributions, shows that an allowance of £2,164 needs to be made for these services with an indexation base date of 2024. The HGC sites will need to make an additional allowance of £146 per unit for the waste (recycling centre) project. The sport and community allowance made may therefore not be sufficient to deliver infrastructure for which HCC and the LPA have responsibility.
The viability appraisals for Glinwell, East St Albans, North East Harpenden, North West Harpenden, West of Redbourn, West of London Colney, and Harper Lane make no allowance for secondary education. This is a serious omission as HCC has a statutory duty to secure sufficient secondary education provision and mitigation must be made through the s106 process. The viability evidence here may also be insufficient to deliver this form of infrastructure.

The viability appraisals for the Hemel Garden Communities (HGC) allocations assume a level of contributions based on £6,826 per home for active travel, £11,000 per home for transport requirements, and £385,000 for mobility hub. However, as per our representations on policies LG2 and LG3, the cross-boundary HGC IDP has not yet been drafted and therefore the likely cost of mitigation is not yet known. While the quantum of infrastructure is unknown the residual land value and viability cannot be considered conclusive.
Paragraph 58 of the NPPF emphasises that viability is determined at the plan-making stage. It is therefore vital that viability appraisals contain realistic allowances for planning obligations (and all other policy costs). To do otherwise could risk residual land values being found unrealistically high, in turn creating expectations that cause delay at decision-making stake and sites with marginal viability being found viable solely based on lack of funding for mitigation. This could potentially risk the deliverability of the wider infrastructure strategy.
SP14 sets out policies that govern the viability appraisal process. However, this does not include a policy that would allow SACDC to require a viability review mechanism to reappraise the viability of a site at completion.

To be considered based on evidence and therefore sound the local plan should therefore ensure the viability evidence base includes realistic planning obligations for HCC services that will be needed to deliver infrastructure and mitigate the impact of development.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be compliant with national policy. To do so they must comply with the other policies of the NPPF.

The successful delivery of the Hemel Garden Communities (HGC) programme in St Albans will be reliant on the agreement and delivery of on-site infrastructure within the site allocations in the Dacorum & St Albans local plans as well as off-site infrastructure across the settlement of Hemel Hempstead. The local plan as respects the HGC programme must therefore meet NPPF requirements for both infrastructure delivery and dealing with relevant cross-boundary issues. NPPF paragraphs 16 (c) and 25 make explicit the need for infrastructure cooperation across boundaries where appropriate.

Both the St Albans and the Dacorum local plans include an Infrastructure Delivery Plan as evidence to support their own local plans. This is needed to evidence the

requirement at NPPF paragraph 11 (a) that plan-making demonstrate sustainable development. Paragraph 110 places further requirements on plans to include policies to deliver infrastructure that ensures positive outcomes. However, the St Albans IDP, prepared by Arup following extensive engagement with HCC, does not include the infrastructure required to deliver the Hemel Garden Communities allocations in St Albans.

The successful delivery of HGC requires a similar IDP to that which supports this plan. The HGC IDP will need to identify the strategic-cross boundary infrastructure that will be required to mitigate HGC's growth, as well as the infrastructure that will need to be delivered beyond the plan periods of the emerging St Albans and Dacorum local plans. The HGC IDP is currently being prepared and should be available for the examination of the emerging local plans that allocate the HGC land parcels for development. The output of that work, as it relates to the identification, timing, costing, location and delivery agents of infrastructure, will be needed to ensure the necessary mitigations to deliver HGC allocations are incorporated into the plan and tested at examination.

The soundness of the plan would benefit from a clearer, more refined policy that will govern the delivery of (cross-boundary) infrastructure required to facilitate the delivery of the garden community. Any decision-maker for any application within St Albans must be directed to consider the strategic cross-boundary impacts of development of this scale in this location when making their decision. Such a policy would provide a framework to ensure applications deliver mitigations identified in both the St Albans IDP and HGC IDP where appropriate.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan evidence base should:

1. Clarify what services, obligations, or infrastructure is included within the

sport and community, green infrastructure, and healthcare headings;

2. Clarify that the there is sufficient allowance for planning obligations for both County and District infrastructure areas of responsibility in the sport and community heading;
3. Ensure that allowance for primary and secondary obligations reflects HCC's evidence and practice and is included for all sites;
4. Ensure that the viability evidence on HGC aligns with the HGC IDP when this is completed; and
5. Amend policy SP14 to permit a viability review mechamism.

Firstly, the evidence base should clarify what planning obligations for which services are included within each of the other headings. If HCC's recycling infrastructure responsibilities were included within the green infrastructure heading, for example, this could help create sufficient allowance for the remaining obligations within the sport and community heading. Conversely, if childcare is also included within the education heading further allowance would need to be made, as the per unit allowance in the viability report already undershoots HCC's evidence. The viability appraisals should also confirm the indexation base date for its evidence on planning obligations matches that of the GDV to ensure a like for like comparison; if the planning obligations evidence base is from an earlier date an allowance for indexation on the difference needs to be included.

Secondly, once the above has been confirmed the viability evidence should ensure that there is sufficient allowance within the sport and community heading for £2,188 per unit for HCC non-education non-transport services (plus £146 per unit in HGC) in addition to any further District requirements within the sports and community planning obligation allowance. This would ensure that the viability evidence contains a suitable allowance for both County and District community and sports infrastructure, if not provided for under other headings.

Thirdly, the viability evidence must ensure that an allowance is made for secondary education on all sites, as this will be required to ensure that sufficient secondary school places can be provided as sites are delivered, and therefore needs to be reflected in viability evidence. This should reflect the likely costs as per HCC's Guide to Developer Infrastructure Contributions as the most realistic cost of mitigation.

Fourthly, the viability evidence should also be reconsidered following the publication and agreement of the HGC IDP to confirm that the HGC sites remain viable when the actual cost of the suite of transport interventions is known. Policy SP14 should also ensure that any further viability evidence includes both the SACDC IDP and the cross boundary HGC IDP:

1. *g) Expect that infrastructure requirements set out in the Infrastructure Delivery Plan and the Hemel Garden Communities IDP will be delivered. Where infrastructure requirements could render major development unviable, proposals should be supported by an independent and transparent viability assessment that accords with Planning Practice Guidance. Where viability constraints are demonstrated by evidence, the Council will:*

Finally, policy SP14 should be amended to require that any site with a viability issue include a viability review mechanism in the s106 legal agreement to determine whether the viability situation has improved upon completion:

1. *Refuse planning permission if the development would be unsustainable without the inclusion of the unfunded infrastructure requirements, taking into account reasonable contributions from elsewhere, and.*
2. *Use an appropriate mechanism to review the viability of the development at the completion to determine whether the viability has improved*

Taken together this would ensure that the viability evidence reflects what is required in terms of planning obligations and other policy costs to deliver the infrastructure and thereby ensure that required infrastructure has a reasonable prospect of delivery. This would ensure that the viability evidence is robust and has the greatest chance of remaining valid at decision-making stage.

To be considered sound the plan must:

1. Incorporate the completed HGC IDP into the evidence base of the local plan (including viability testing the outputs); and
2. Include a new strategic policy either in place of or preceding policies LG2 and/or LG3 that requires all HGC development to comply with the HGC IDP.

Firstly, the completed HGC IDP must be included as part of the evidence base for the local plan and tested as part of the examination process. NPPF paragraph 20 expects plans to make sufficient infrastructure provision, while paragraph34 requires plans to set level of development contributions that will be required to support the plan. The HGC IDP will evidence the infrastructure schemes that will be required to support HGC as a whole. This work is ongoing with the support of HCC, and we expect that this should be available to be inform the local plan examination. This point is made to ensure that appropriate provisions are made in the plan to ensure infrastructure required to fund growth in Hemel Hempstead as a whole is understood, fixed in local plan policy and funding sought from all development schemes that will benefit from the infrastructure.

Secondly, a new strategic policy should set a clear framework for the delivery of the HGC programme as a whole within St Albans. This could potentially replace parts of policy LG2. This would leave the remainder of LG2 and LG3 as subsidiary non-strategic policies setting out some of the intended policy outcomes. The below policy wording is suggested as a draft pending further discussion, for example, as to the exact documents that need to be prepared at HGC scale to evidence the infrastructure needed before applications can be determined:

Policy SP(X): Phased Development and Infrastructure Funding in Hemel Hempstead Garden Community

1. ***Charter Principles and HGC Spatial Vision****: Development proposals should reflect the Hemel Garden Communities (HGC) Charter Principles and HGC Spatial Vision which set out the ambition for the development of Hemel Hempstead and the wider area. Applications should also promote the four thematic pillars of the HGC Vision*
2. ***Growth Area Proposals:*** *Planning applications within the growth area should also adhere to the requirements of Policies LG2 – Support for Transformation of Hemel Hempstead, LG3 – Hemel Garden Communities Growth Areas Place Principles and LG4 – Large, Medium and Small Sites*
3. ***Phased Development****: Development sites within the Hemel Hempstead Garden Community area (HGC) shall only be permitted once the infrastructure requirements of the wider garden community are comprehensively identified, planned and set out in a comprehensive, and iterative, IDP. This includes, but is not limited to, transportation networks, utilities, educational facilities, healthcare services, and green spaces.*

4. ***Strategic Contributions**: Development proposals will be required to make a wider strategic contribution in terms of safeguarding or reserving land and funding and/or delivering strategic infrastructure that is required to mitigate the impacts of new development on the Hemel Hempstead settlement and the surrounding area, as identified in the Hemel Hempstead Garden Community Infrastructure Delivery Plan (HGC IDP).*
5. ***Evidence Base Compliance**: Planning permission shall only be granted once key HGC documents are in place, including the HGC IDP [and any SPDs or Development Framework Document, or a more detailed form of the Framework Plan] and proposals can demonstrate compliance with the*
6. ***Cross-Boundary Effects**: Any application must consider and assess cross-boundary impacts between St Albans and Dacorum, including cumulative impacts with other anticipated developments within the local plan(s) including windfall sites.*
7. ***Comprehensive Masterplan Proposals**: Individual masterplan proposals must accord with development aspirations of the entire HGC area and contribute positively to the transformation of Hemel Hempstead, and must not prejudice or impede the provision of strategic infrastructure in the phased manner identified in the HGC IDP. Any such masterplan is to be prepared and agreed between the landowner/developer and the Council. Where applications have already been submitted to the Council a masterplan should be agreed prior to the or as part of the grant of planning permission.*
8. ***Monitoring and Review**: The implementation of this policy will be monitored regularly by the establishment of a stakeholder Hemel Hempstead Infrastructure Review Group (and any necessary subgroups) to ensure compliance, effectiveness. Adjustments to the policy may be made based on the outcomes of these reviews so that the local authorities have the ability to address any emerging issues or changing circumstances.*

Taken together, these modifications would ensure that the decision-maker has a cross-boundary IDP that takes into account the cross-boundary impacts on the transport network (and other key infrastructure, such as secondary schools, for example) before them when approving any planning application within the HGC area. This would, in turn, fulfil the requirements and outcomes of the NPPF at paragraphs 11 and 110.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 4 Viability Evidence_[R].pdf
2. 5A HGC IDP Evidence and Strategy_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

HCC a statutory responsibility to deliver services as mitigation for development and is reliant on securing planning obligations to do so. Therefore HCC has a considerable interest in this matter.

HCC is a partner in the HGC programme and as Highway Authority has a statutory responsibility for and interest in the successful delivery of the HGC programme. It is therefore essential that HCC be able to participate in any discussion on the delivery of the HGC sites and infrastructure policy.

IMP1 - Additional Infrastructure Requirements for Strategic Scale Development

Comment Number: 38

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be effective to be considered sound. To do so its policies must be deliverable over the plan period and dealt with rather than deferred.

Policy, both in Part A and Part B, refers to sites 'supporting' and 'contributing to' their required transport infrastructure mitigation. For example, strategic policy SP14 at Part A requires proposals for development to 'provide, finance and / or contribute' to infrastructure and allocation B1 at Part B requires that the site deliver 'Contributions / enhancements to support relevant schemes'. Policy therefore rightly requires that mitigation be made, and HCC supports the intention of the plan to ensure mitigation is made. However it leaves issues of the delivery mechanism and timing to the decision-maker. This specific allocation is only taken as an example, and the same principle applies to all allocations.

NPPF paragraphs 108, 109, and 100 govern how LPAs must consider sustainable transport provision in plan-making. Paragraph 108 sets a number of objectives including ensuring impacts on the network are addressed and pursuing opportunities to maximise active and public transport. The 2024 draft consultation NPPF further requires a vision led approach at paragraphs at paragraph 122.

To achieve this, the infrastructure required to achieve shift towards active and sustainable modes of transport must be provided by default prior to the first occupation. To do otherwise risks unsustainable behaviours being embedded prior to infrastructure being delivered and take-up therefore being lower than that is needed to make development acceptable a decision-making stage. Policy TRA1 requires that on major development 'Active and sustainable connections to key destinations are deliverable at an early stage of development'. However, policy on infrastructure delivery does not dovetail with this requirement and therefore risks undermining this in practice. As stated above, policy is agnostic on delivery of financial contribution via a s106 agreement or CIL (if adopted) or directly via a s278 agreement. It is unlikely however that delivery of transport infrastructure via a financial contribution, even if sufficient to pay for infrastructure, can deliver infrastructure in sufficient time. Instead, this issue is deferred to development management stage.

Therefore for the aspirations of the plan to be considered deliverable and therefore sound the plan should take a more proactive approach to the delivery mechanism of infrastructure so that the aspirations of policy TRA1 are delivered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the plan should:

1. Amend policy IMP1 at Part A to ensure that proposals demonstrate how transport schemes required to make sites sustainable will be delivered;
2. Amend policy in the site allocations at Part B to refer to delivery of infrastructure rather than just contributions; and
3. Amend the Infrastructure Impact Assessments to refer to delivery of infrastructure rather than just contributions;

Firstly, policy TRA1 should be strengthened to ensure that transport infrastructure will be delivered in the real world rather than be merely deliverable in the abstract. Demonstrating deliverability in the abstract is not a sufficiently robust test as applicants would not have to demonstrate that the delivery mechanism, as well as the scheme itself, ensures delivery at an early stage of development.

Major proposals must demonstrate as appropriate how...Active and sustainable connections to key destinations [deleted text] will be delivered at an early stage of development;

Similarly, policy TRA3 should be amended along similar lines to ensure that infrastructure is delivered in practice for proposals generating heavy goods vehicle movements:

Encourage and enable Heavy Goods Vehicles to use the primary route network by means of signing and traffic management.

Secondly, the policy wording in the site allocations at Part B should be amended to give support to delivery of infrastructure (irrespective of the delivery mechanism) rather than wording that implies making a financial contribution that may be incapable of being secured, spent, and delivered early in the development.

For example, at allocation B1 (taken as an example only):

Contributions / [deleted text] to delivery of support relevant schemes in the LCWIP and GTPs as indicated in the TIA.

[deleted text] Improvements via delivery or contributions to the transport network (including walking and cycling links) and public transport services upgrades / improvements, including off-site improvements to Harpenden Road, Sandridgebury Lane, Valley Road, Ancient Briton junction and King William IV junction, links to St Albans City Centre, station and education, aligned to schemes in the GTPs and LCWIP.

Similar wording appears in all the allocations and should be amended along the lines of the above.

Finally, the TIAs should be amended on similar lines, again taking allocation B1 as an example:

5. Settlement Strategy – St Albans (Indicative Contributions)

This site will make significant contributions or direct delivery of infrastructure to

St Albans Settlement Strategy.

Taken together, these amendments would ensure that both the scheme and the delivery mechanism align to provide infrastructure early in the build out of development, thereby enabling sustainable travel behaviours and mode shift in line with the NPPF sustainable development objective

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 5B Highways Infrastructure Delivery_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

Part B - Local Plan Sites

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be effective to be considered sound. To do so its policies must be deliverable over the plan period and dealt with rather than deferred.

Policy, both in Part A and Part B, refers to sites 'supporting' and 'contributing to' their required transport infrastructure mitigation. For example, strategic policy SP14 at Part A requires proposals for development to 'provide, finance and / or contribute' to infrastructure and allocation B1 at Part B requires that the site deliver 'Contributions / enhancements to support relevant schemes'. Policy therefore rightly requires that mitigation be made, and HCC supports the intention of the plan to ensure mitigation is made. However it leaves issues of the delivery mechanism and timing to the decision-maker. This specific allocation is only taken as an example, and the same principle applies to all allocations.

NPPF paragraphs 108, 109, and 100 govern how LPAs must consider sustainable transport provision in plan-making. Paragraph 108 sets a number of objectives including ensuring impacts on the network are addressed and pursuing opportunities to maximise active and public transport. The 2024 draft consultation NPPF further requires a vision led approach at paragraphs at paragraph 122.

To achieve this, the infrastructure required to achieve shift towards active and sustainable modes of transport must be provided by default prior to the first occupation. To do otherwise risks unsustainable behaviours being embedded prior to infrastructure being delivered and take-up therefore being lower than that is needed to make development acceptable a decision-making stage. Policy TRA1 requires that on major development 'Active and sustainable connections to

key destinations are deliverable at an early stage of development'. However, policy on infrastructure delivery does not dovetail with this requirement and therefore risks undermining this in practice. As stated above, policy is agnostic on delivery of financial contribution via a s106 agreement or CIL (if adopted) or directly via a s278 agreement. It is unlikely however that delivery of transport infrastructure via a financial contribution, even if sufficient to pay for infrastructure, can deliver infrastructure in sufficient time. Instead, this issue is deferred to development management stage.

Therefore for the aspirations of the plan to be considered deliverable and therefore sound the plan should take a more proactive approach to the delivery mechanism of infrastructure so that the aspirations of policy TRA1 are delivered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the plan should:

1. Amend policy IMP1 at Part A to ensure that proposals demonstrate how transport schemes required to make sites sustainable will be delivered;
2. Amend policy in the site allocations at Part B to refer to delivery of infrastructure rather than just contributions; and
3. Amend the Infrastructure Impact Assessments to refer to delivery of infrastructure rather than just contributions;

Firstly, policy TRA1 should be strengthened to ensure that transport infrastructure will be delivered in the real world rather than be merely deliverable in the abstract. Demonstrating deliverability in the abstract is not a sufficiently robust test as applicants would not have to demonstrate that the delivery mechanism, as well as the scheme itself, ensures delivery at an early stage of development.

Major proposals must demonstrate as appropriate how...Active and sustainable connections to key destinations [deleted text] will be delivered at an early stage of development;

Similarly, policy TRA3 should be amended along similar lines to ensure that infrastructure is delivered in practice for proposals generating heavy goods vehicle movements:

Encourage and enable Heavy Goods Vehicles to use the primary route network by means of signing and traffic management.

Secondly, the policy wording in the site allocations at Part B should be amended to give support to delivery of infrastructure (irrespective of the delivery mechanism) rather than wording that implies making a financial contribution that may be incapable of being secured, spent, and delivered early in the development.

For example, at allocation B1 (taken as an example only):

Contributions / [deleted text]to delivery of support relevant schemes in the LCWIP and GTPs as indicated in the TIA.

[deleted text]Improvements via delivery or contributions to the transport network (including walking and cycling links) and public transport services upgrades / improvements, including off-site improvements to Harpenden Road, Sandridgebury Lane, Valley Road, Ancient Briton junction and King William IV junction, links to St Albans City Centre, station and education, aligned to schemes in the GTPs and LCWIP.

Similar wording appears in all the allocations and should be amended along the lines of the above.

Finally, the TIAs should be amended on similar lines, again taking allocation B1 as an example:

5. Settlement Strategy – St Albans (Indicative Contributions)

This site will make significant contributions or direct delivery of infrastructure to

St Albans Settlement Strategy.

Taken together, these amendments would ensure that both the scheme and the delivery mechanism align to provide infrastructure early in the build out of development, thereby enabling sustainable travel behaviours and mode shift in line with the NPPF sustainable development objective

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 5B Highways Infrastructure Delivery.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so its policies must set out a strategy to meet the assessed needs of the area.
HCC has a statutory duty to secure sufficient early years provision under the Childcare Acts 2006 and 2016. This includes, but is not limited to, provision within day nurseries for 0-2 year olds, school nursery classes for 3-4 year olds, and school wraparound care for 5-11 year olds. HCC must therefore ensure sufficiency for all three early years cohorts that tend to receive care in different types of settings.

The 2023 Spring Budget increased parents' access to entitlement for early years support for all children under 3 by September 2025 and sets an expectation that all parents should be able to expect wraparound care by September 2026. This means that the plan needs to make sufficient provision for all of these early years

cohorts (0-2, 3-4, and 5-11), with 0-2 being a particular area of need as these are often provided in private day nurseries rather than school settings.
The Regulation 19 draft plan includes childcare facilities within the list of land uses within some broad locations within the supporting text at Part A table 3.1. This follows engagement with HCC at Regulation 18 stage and is welcome. However, policy in Part B does not require that these be provided within the corresponding allocations themselves. While policy wording in Part B does include reference to early years provision within new primary schools for those sites that are delivering new primary schools, these only tend to provide care to 3-4 and 5-11 year olds and not 0-2 year olds. Therefore HCC does not have certainty that the strategy for sufficient early years for 0-2 year olds will be delivered.
Policy COM1 gives policy support to proposals delivering childcare for 0-2 year olds and nursery for 3-4 year olds. This is strongly welcomed. However this is not the only childcare cohort. As part of its statutory sufficiency duty HCC must also ensure sufficient wraparound care for 5-11 year olds. Similarly, policy strategic policy SP7 gives policy support to proposals including nursery provision, which could be taken that only proposals for provision for 3-4 year olds should be given policy weight (as this can refer only this is cohort in some contexts). Again while policy support is welcome, it should ensure that policy support is given to the full range of settings for different age groups.
To be considered positively prepared and therefore sound the local plan should therefore set out a strategy for childcare provision in the allocations in Part B and clarify policy support for all childcare cohorts in the policies at Part A. This representation suggests a modification that if agreed, or similar, would make the plan sound.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.
Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing. Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's

Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make
provision for this cohort.
Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other

authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day.
To be considered positively prepared and therefore sound the local plan should therefore make suitable provision for this section of the community within St Albans. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.
The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.
HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.
Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):
A 3FE primary school, including Early Years provision, to serve the new community.
Or, in relation to secondary schools:
A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.
These examples' policy wording implicitly limits the deliverability of the schools:
1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.
The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.
HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.
Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure.

Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.
Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

The county council recommends the below changes to policy as respects Hemel Garden Communities:
Part A LG2: The cost apportionment sentence (No.5, Page 26) in Strategy Policy HGC1 – Transformation of Hemel Hempstead of the DBC Local Plan to 2041 Pre-Submission Version for Approval is not in the corresponding SADC policy. For consistency, we suggest it is added into the SADC Policy LG2:
The methodology for infrastructure apportionment and cost sharing is set out in the Local Plans Infrastructure Delivery Plans (IDPs). Infrastructure, contributions and wider funding will be required to deliver on and off-site infrastructure, in accordance with the above documents.

Part B LG3: Suggest amending the text as at present working assumptions are that the Household Waste Recycling centre is to come forward separately from the district council provision.
Delivery of Key Projects including a Household Waste, a Recycling Centre, and Local Authorities Depot facilities to meet the needs of new and existing communities
Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy in allocations H1 and H2 should each include:
A childcare setting capable of providing 30 places including 0-2 year olds.
Policy in allocations H4 should each include:
A childcare setting capable of providing 50 places including 0-2 year olds.

In Part B allocations H1, H2, H4, B2, B4, B5, B6, B7 should include the following wording: A children's home to accommodate three children in care and one manager.

H1: A 3FE primary school site and contributions, including Early Years provision, to serve the new community and appropriate contributions towards secondary school provision, including post-16 education.
H2: A 3FE primary school site and contributions, including Early Years provision, to serve the new community.
An 8FE secondary school site and contributions to serve the new and existing communities, including post-16 education.
H4: One new 3FE and one new 2FE primary school site and contributions, including Early Years provision, to serve the new community, and appropriate contributions towards secondary school provision, including post-16 education.

H1: The 1,500 dwelling figure above includes [deleted text] 140-160 self-contained housing with care units [deleted text], one 70- 80 bed nursing home and 6 supported living units for people with disabilities
H2: The 1,600 dwelling figure above includes [deleted text]140-160 self-contained housing with care units [deleted text], one 70- 80 bed nursing home and 6 supported living units for people with disabilities
H4: The 2,400 dwelling figure above includes [deleted text]210-240 self-contained housing with care units [deleted text], two 70- 80 bed nursing home and 9 supported living units for people with disabilities

Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2D School Delivery Details_[R].pdf
2. 3B Older Persons Accommodation Strategy_[R].pdf
3. 1A Childcare Allocations_[R].pdf
4. 1B Childrens Homes_[R].pdf
5. 10 HGC (non soundness issue)_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please see attached

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so its policies must set out a strategy to meet the assessed needs of the area.
HCC has a statutory duty to secure sufficient early years provision under the Childcare Acts 2006 and 2016. This includes, but is not limited to, provision within day nurseries for 0-2 year olds, school nursery classes for 3-4 year olds, and school wraparound care for 5-11 year olds. HCC must therefore ensure sufficiency for all three early years cohorts that tend to receive care in different types of settings.
The 2023 Spring Budget increased parents' access to entitlement for early years support for all children under 3 by September 2025 and sets an expectation that all parents should be able to expect wraparound care by September 2026. This means that the plan needs to make sufficient provision for all of these early years

cohorts (0-2, 3-4, and 5-11), with 0-2 being a particular area of need as these are often provided in private day nurseries rather than school settings.
The Regulation 19 draft plan includes childcare facilities within the list of land uses within some broad locations within the supporting text at Part A table 3.1. This follows engagement with HCC at Regulation 18 stage and is welcome. However, policy in Part B does not require that these be provided within the corresponding allocations themselves. While policy wording in Part B does include reference to early years provision within new primary schools for those sites that are

delivering new primary schools, these only tend to provide care to 3-4 and 5-11 year olds and not 0-2 year olds. Therefore HCC does not have certainty that the strategy for sufficient early years for 0-2 year olds will be delivered.
Policy COM1 gives policy support to proposals delivering childcare for 0-2 year olds and nursery for 3-4 year olds. This is strongly welcomed. However this is not the only childcare cohort. As part of its statutory sufficiency duty HCC must also ensure sufficient wraparound care for 5-11 year olds. Similarly, policy strategic policy SP7 gives policy support to proposals including nursery provision, which could be taken that only proposals for provision for 3-4 year olds should be given policy weight (as this can refer only this is cohort in some contexts). Again while policy support is welcome, it should ensure that policy support is given to the full range of settings for different age groups.
To be considered positively prepared and therefore sound the local plan should therefore set out a strategy for childcare provision in the allocations in Part B and clarify policy support for all childcare cohorts in the policies at Part A. This representation suggests a modification that if agreed, or similar, would make the plan sound.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.
Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing. Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's

Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make
provision for this cohort.
Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day.
To be considered positively prepared and therefore sound the local plan should therefore make suitable provision for this section of the community within St Albans. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.

The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.

HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.

Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):

A 3FE primary school, including Early Years provision, to serve the new community.

Or, in relation to secondary schools:

A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.

These examples' policy wording implicitly limits the deliverability of the schools:

1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.

The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.

HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.

Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure.

Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines

Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.

Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

The county council recommends the below changes to policy as respects Hemel Garden Communities:
Part A LG2: The cost apportionment sentence (No.5, Page 26) in Strategy Policy HGC1 – Transformation of Hemel Hempstead of the DBC Local Plan to 2041 Pre-Submission Version for Approval is not in the corresponding SADC policy. For consistency, we suggest it is added into the SADC Policy LG2:
The methodology for infrastructure apportionment and cost sharing is set out in the Local Plans Infrastructure Delivery Plans (IDPs). Infrastructure, contributions and wider funding will be required to deliver on and off-site infrastructure, in accordance with the above documents.

Part B LG3: Suggest amending the text as at present working assumptions are that the Household Waste Recycling centre is to come forward separately from the district council provision.
Delivery of Key Projects including a Household Waste, a Recycling Centre, and Local Authorities Depot facilities to meet the needs of new and existing communities
Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy in allocations H1 and H2 should each include:

A childcare setting capable of providing 30 places including 0-2 year olds.
Policy in allocations H4 should each include:
A childcare setting capable of providing 50 places including 0-2 year olds.

In Part B allocations H1, H2, H4, B2, B4, B5, B6, B7 should include the following wording: A children's home to accommodate three children in care and one manager.

H1: A 3FE primary school site and contributions, including Early Years provision, to serve the new community and appropriate contributions towards secondary school provision, including post-16 education.
H2: A 3FE primary school site and contributions, including Early Years provision, to serve the new community.
An 8FE secondary school site and contributions to serve the new and existing communities, including post-16 education.
H4: One new 3FE and one new 2FE primary school site and contributions, including Early Years provision, to serve the new community, and appropriate contributions towards secondary school provision, including post-16 education.

H1: The 1,500 dwelling figure above includes [deleted text]140-160 self-contained housing with care units [deleted text], one 70- 80 bed nursing home and 6 supported living units for people with disabilities
H2: The 1,600 dwelling figure above includes [deleted text]140-160 self-contained housing with care units [deleted text], one 70- 80 bed nursing home and 6 supported living units for people with disabilities
H4: The 2,400 dwelling figure above includes [deleted text]210-240 self-contained housing with care units[deleted text], two 70- 80 bed nursing home and 9 supported living units for people with disabilities

Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2D School Delivery Details_[R].pdf
2. 3B Older Persons Accommodation Strategy_[R].pdf
3. 1A Childcare Allocations_[R].pdf
4. 1B Childrens Homes_[R].pdf
5. 10 HGC (non soundness issue)_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please see attached

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be effective to be considered sound. This means they must deal with cross-boundary matters.
It is an agreed principle that the Hemel Garden Communities (HGC) programme should deliver a new recycling centre. The HCC Local Authority Collected Waste Spatial Strategy (WSS) provides an assessment of desirable waste management facilities required in Hertfordshire over the period to 2031 and beyond. The WSS identifies that the existing Hemel Hempstead recycling centre is highly unsuitable, as the condition of the centre is very poor, the centre lacks sufficient capacity for a variety of waste streams, and it is too small to adequately deal with the level of demand which can cause long queues onto the industrial estate. The 2024 Dacorum local plan recognises and need at strategic policy HGC2, which is similar to St Albans policy LG3, but does not identify a location.

Previous work to investigate expansion into neighbouring land demonstrated this was unfeasible due to the cost of remediating contaminated land. An indicative area of search focusing along the A414 corridor has been included within the WSS, and historic site searches have not produced a viable alternative location for an RC to serve Hemel Hempstead.
The plan does include policy at Pillar 2 within policy LG3 in part A in support of the delivery of a recycling centre, as follows:
Delivery of Key Projects including a Household Waste Recycling Centre and Local Authorities Depot facilities to meet the needs of new and existing communities;
However, this policy applies across all of the HGC programme and does not bind any of the HGC sites in St Albans to deliver a site should the masterplan process identify a location within St Albans, or indeed direct the masterplan process to resolve this cross-boundary issue. There is no corresponding policy at allocation H2 in Part B. Nor does this policy refer to the potential for a training centre. Therefore, there is only partial provision in policy against which the decision-maker can consider an application.

It is possible that a location in St Albans is suitable. HCC have since been engaging with Hertfordshire Futures on the possibility of a combined recycling centre and reuse training facility being delivered as part of the Land East of Hemel Hempstead (Central) site. This would therefore meet both service provision/mitigation and economic development objectives. This includes the provision of apprenticeships, workshops, and training. This employment aspects makes the expansion of Maylands within the St Albans district boundary a suitable host for this facility. This proposal is not yet agreed and is dependent on further feasibility work, but HCC considers this proposal for a joint recycling and training centre to be in principle acceptable.
Therefore, to deal with cross boundary matters and therefore to make the plan sound, the plan should provide for a recycling and training centre to be provided within allocation H2 at Part B if the masterplan for HGC identifies this as the preferred solution.

The county council recommends the below changes to policy as respects Hemel Garden Communities:
Part A LG2: The cost apportionment sentence (No.5, Page 26) in Strategy Policy HGC1 – Transformation of Hemel Hempstead of the DBC Local Plan to 2041 Pre-Submission Version for Approval is not in the corresponding SADC policy. For consistency, we suggest it is added into the SADC Policy LG2:
The methodology for infrastructure apportionment and cost sharing is set out in the Local Plans Infrastructure Delivery Plans (IDPs). Infrastructure, contributions and wider funding will be required to deliver on and off-site infrastructure, in accordance with the above documents.

Part B LG3: Suggest amending the text as at present working assumptions are that the Household Waste Recycling centre is to come forward separately from the district council provision.
Delivery of Key Projects including a Household Waste, a Recycling Centre, and Local Authorities Depot facilities to meet the needs of new and existing communities
Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider

highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for
pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

To be considered sound the plan should:
1. Include a recycling centre in the IDP;
2. Provide that allocation H2 and Part B provide a recycling and training centre if the masterplan for the site does not provide for this in the HGC allocations in Dacorum;
3. Amend policy LG3 to ensure that the masterplan give further clarity that the recycling centre and the District depot are separate facilities; and
4. add recycling centres to the list of defined community infrastructure.

Firstly, the Dacorum Regulation 19 local plan Infrastructure Delivery Plan schedule
Includes the following:
A new Recycling Centre at Hemel Hempstead Delivery of a new Recycling Centre at East Hemel Hempstead or North Hemel Hempstead. Cost index to Quarter 1 2023.
Since there remains the possibility that the new recycling centre will need to be delivered in East Hemel Hempstead it is appropriate that this be included within
the Infrastructure Delivery Plan schedule for the St Albans plan. This will make
clear that this piece of infrastructure is required and may be required to be delivered within the boundary of St Albans district.
Secondly, the plan could address point 2 by amending policy at allocation H2 at
Part B to require allocation H2 at Part B to deliver a recycling centre should this be the agreed location identified in the HGC masterplan. It would not yet be
appropriate to require the delivery of a recycling and training centre in policy at
allocation H2 in Part B as the evidence is not in place to identify a specific
location. However, the policy will need to provide a mechanism for the delivery of a recycling centre within St Albans if the masterplan identifies that Maylands, is the agreed location.
Part B H2: The delivery of a site of not less than 2ha for a recycling centre and
associated training centre, if the agreed masterplan for the whole Hemel Garden
Communities allocation in St Albans and Dacorum provides for this to be delivered in St Albans.
Thirdly, the plan should clarify that the two LPA and HCC waste facilities are
separate facilities. This would ensure that the masterplan identifies a location for
the recycling centre within the whole cross boundary HGC masterplan in addition
to the LPA municipal waste depot:
Part A LG3: Delivery of Key Projects including a Household Waste Recycling
Centre and a Local Authorities Depot facilities to meet the needs of new and
existing communities;
Finally, the LPA could consider adding recycling centres to the list of defined
community infrastructure at Strategic Policy LG7. This would give new recycling
centres positive policy weight in the planning balance, if delivered in Maylands,
and prevent their loss to other uses once delivered:
vi. Cemeteries and burial and crematorium facilities, [deleted text]
[deleted text]vii. Flood defences.; and
viii. Recycling centres.
Taken together, these amendments would require that the cross-boundary HGC
masterplan identify a suitable location for a recycling centre and, if this is
provided in St Albans, gives it positive policy weight so it can be positively
considered in the planning balance.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 10 HGC (non soundness issue)_[R].pdf
2. 7 Hemel RC_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please see attached

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so its policies must set out a strategy to meet the assessed needs of the area.
HCC has a statutory duty to secure sufficient early years provision under the Childcare Acts 2006 and 2016. This includes, but is not limited to, provision within day nurseries for 0-2 year olds, school nursery classes for 3-4 year olds, and school wraparound care for 5-11 year olds. HCC must therefore ensure sufficiency for all three early years cohorts that tend to receive care in different types of settings.
The 2023 Spring Budget increased parents' access to entitlement for early years support for all children under 3 by September 2025 and sets an expectation that all parents should be able to expect wraparound care by September 2026. This means that the plan needs to make sufficient provision for all of these early years

cohorts (0-2, 3-4, and 5-11), with 0-2 being a particular area of need as these are often provided in private day nurseries rather than school settings.

The Regulation 19 draft plan includes childcare facilities within the list of land uses within some broad locations within the supporting text at Part A table 3.1. This follows engagement with HCC at Regulation 18 stage and is welcome. However, policy in Part B does not require that these be provided within the corresponding allocations themselves. While policy wording in Part B does include reference to early years provision within new primary schools for those sites that are delivering new primary schools, these only tend to provide care to 3-4 and 5-11 year olds and not 0-2 year olds. Therefore HCC does not have certainty that the strategy for sufficient early years for 0-2 year olds will be delivered.
Policy COM1 gives policy support to proposals delivering childcare for 0-2 year olds and nursery for 3-4 year olds. This is strongly welcomed. However this is not the only childcare cohort. As part of its statutory sufficiency duty HCC must also ensure sufficient wraparound care for 5-11 year olds. Similarly, policy strategic policy SP7 gives policy support to proposals including nursery provision, which could be taken that only proposals for provision for 3-4 year olds should be given policy weight (as this can refer only this is cohort in some contexts). Again while policy support is welcome, it should ensure that policy support is given to the full range of settings for different age groups.
To be considered positively prepared and therefore sound the local plan should therefore set out a strategy for childcare provision in the allocations in Part B and clarify policy support for all childcare cohorts in the policies at Part A. This representation suggests a modification that if agreed, or similar, would make the plan sound.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.
Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing. Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's

Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make
provision for this cohort.
Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day.
To be considered positively prepared and therefore sound the local plan should therefore make suitable provision for this section of the community within St Albans. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.
The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.
HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.
Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):
A 3FE primary school, including Early Years provision, to serve the new community.
Or, in relation to secondary schools:
A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.
These examples' policy wording implicitly limits the deliverability of the schools:
1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.
The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.
HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.
Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure. Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of

different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.
Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

The county council recommends the below changes to policy as respects Hemel Garden Communities:
Part A LG2: The cost apportionment sentence (No.5, Page 26) in Strategy Policy HGC1 – Transformation of Hemel Hempstead of the DBC Local Plan to 2041 Pre-Submission Version for Approval is not in the corresponding SADC policy. For consistency, we suggest it is added into the SADC Policy LG2:
The methodology for infrastructure apportionment and cost sharing is set out in the Local Plans Infrastructure Delivery Plans (IDPs). Infrastructure, contributions and wider funding will be required to deliver on and off-site infrastructure, in accordance with the above documents.

Part B LG3: Suggest amending the text as at present working assumptions are that the Household Waste Recycling centre is to come forward separately from the district council provision.
Delivery of Key Projects including a Household Waste, a Recycling Centre, and Local Authorities Depot facilities to meet the needs of new and existing communities
Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas, including a particular emphasis on improving linkages to Hemel Hempstead Station as a transport interchange

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy in allocations H1 and H2 should each include:

A childcare setting capable of providing 30 places including 0-2 year olds.
Policy in allocations H4 should each include:
A childcare setting capable of providing 50 places including 0-2 year olds.

In Part B allocations H1, H2, H4, B2, B4, B5, B6, B7 should include the following wording: A children's home to accommodate three children in care and one manager.

H1: A 3FE primary school site and contributions, including Early Years provision, to serve the new community and appropriate contributions towards secondary school provision, including post-16 education.
H2: A 3FE primary school site and contributions, including Early Years provision, to serve the new community.
An 8FE secondary school site and contributions to serve the new and existing communities, including post-16 education.
H4: One new 3FE and one new 2FE primary school site and contributions, including Early Years provision, to serve the new community, and appropriate contributions towards secondary school provision, including post-16 education.

H1: The 1,500 dwelling figure above includes [deleted text] 140-160 self-contained housing with care units [deleted text], one 70- 80 bed nursing home and 6 supported living units for people with disabilities
H2: The 1,600 dwelling figure above includes [deleted text] 140-160 self-contained housing with care units [deleted text], one 70- 80 bed nursing home and 6 supported living units for people with disabilities
H4: The 2,400 dwelling figure above includes[deleted text]210-240 self-contained housing with care units [deleted text], two 70- 80 bed nursing home and 9 supported living units for people with disabilities

Part B H1, H2, H3, H4: Suggest adding in the following text into each policy to ensure key transport schemes are included:
The provision of essential transport infrastructure, the detail of which will be identified through the HGC IDP, including mitigating the impact of traffic associated with the development; appropriate consideration of M1 Junction 8 improvements and access arrangements for wider Hemel Hempstead, the provision of appropriate financial contributions towards A414 bridge and wider highways network improvements and access arrangement for HGC and wider Hemel Hempstead, provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for
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2. 3B Older Persons Accommodation Strategy_[R].pdf
3. 1A Childcare Allocations_[R].pdf
4. 1B Childrens Homes_[R].pdf
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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please see attached

B1 - North St Albans, AL3 6DD

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be appropriate for the outcomes that they intend to secure.
Policy wording at Part B allocations B1 and B2 states that the primary schools delivered within these allocations should include an all weather pitch (AWP). Part A policies COM1 and COM3 also states that all school should come with a Community Use Agreement (CUA) securing community access to new playing pitches.

It is not clear what the intention of this policy is and therefore what it requires HCC and SACDC (as the authority with sports and leisure responsibilities) to deliver on site. An AWP usually refers to a pitch with artificial grass (an AGP) that can be used more intensively than natural turf. An AGP is not required to deliver a school curriculum, and so are not usually included on a primary school site alongside other enhanced facilities that are needed to enable community use like floodlights, changing rooms, and showers. Moreover, to be usable by a primary school, an AGP would have to be an appropriate size for a school (a junior pitch) rather than for community use (an adult pitch) if that is what is intended. Conversely an AWP could refer to a multi-use games area (MUGA) which is a painted macadam surface enabling multiple sports. While these are provided as standard they too lack enhanced facilities like fencing that are required to enable community use.
Moreover, the requirement at Part A policies COM1 and COM3 for a CUA on all new schools could be interpreted as to require all new schools – not just those at sites B1 and B2 – to have some form of enhanced facilities to enable community access, as the facilities provided on a standard school site will not, on their own, meet the standards required to enable community use, as described above. As facilities on school sites must first and foremost enable a school curriculum, community access will be limited in practice if enhanced facilities are not provided: natural turf pitches would need time to recover outside of school hours to be usable for school PE lessons and the absence of floodlighting limits use in the evening in winter. This reading therefore contradicts the allocations at Part B.

The plan does not include a coherent strategy for the funding and delivery of enhanced facilities on school sites where they are required. Part B allocation B2 does explicitly state that the site should provide contributions for an all-weather pitch, but this wording is not included in allocation B1. The Infrastructure Delivery Plan schedule identifies AWPs generally as a need arising from all Broad Locations to meet the District's sports and leisure duties (and identifies the LPA as the funding body), including on sites B1 and B2 (reference 35 and 36). However, it only lists this as 'desirable', and identifies only that the need attributable to development only justifies a fraction of the overall cost. This means there is a risk that policy could require something that is only partially funded and therefore undeliverable in practice.
To be considered appropriate and therefore sound the local plan should therefore clarify first the intention of Part A policies COM1 and COM3 as to whether it requires all schools to have an AWP to satisfy the CUA requirement and secondly clarify the delivery and funding mechanism for AWPs on schools where they are provided (whether just on sites B1 or B2 or all new schools) to meet the Districts sports and leisure requirement rather than an education need. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.
The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.
HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.
Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):
A 3FE primary school, including Early Years provision, to serve the new community.
Or, in relation to secondary schools:
A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.
These examples' policy wording implicitly limits the deliverability of the schools:
1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.
The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.

HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.
Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure. Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.
Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan should:

1. Clarify which schools need to deliver enhanced facilities to meet a wider sports and leisure requirement; and
2. Clarify the funding and livery mechanism for enhanced facilities.

Assuming that the intention of the local plan is that only the new schools at sites B1 and B2 need to deliver a junior AGP to meet a wider sports and leisure requirement, CUAs at other schools will only need to enable limited community access to standard school facilities, and SACDC as the local authority responsible for sports and leisure in St Albans will be the funding body (either from themselves or through development), this could be achieved through

amendments to the supporting text and policy as follows:

Supporting Text: 7.19 Schools may make school facilities, such as playing pitches or sports halls, available for community use. New schools may include enhanced sports facilities to meet the Council's sports and leisure strategy and responsibilities. Where there is an intention to deliver these on a new school site, the Council as the local authority with sports and leisure responsibilities will fully fund these through planning obligations or other funding mechanisms. The policy requirement for a community use agreement alone does not imply that enhanced facilities must be provided. Schools without enhanced facilities can also support community access but will be operationally limited and may not be sufficient to meet a formal sports and leisure need.

Part B B1: A 2FE primary school, including Early Years provision, to serve the new and wider community. This should include provision of an all weather artificial grass junior playing pitch available for community use.

Part B B2: A site for and appropriate contributions towards a 2 FE primary school, including Early Years provision and an all weather artificial grass junior sports pitch available for community use.

But see other changes suggested to the wording on school site sizes made separately.

These changes would clarify that the requirement for a CUA does not mean an AWP or other enhanced facilities are required except where explicitly stated in sites B1 and B2 and that the AWP required on sites B1 and B2 is a junior AGP. They also clarify the roles and responsibilities for the delivery and funding of an AWP on any site to avoid the risk that the school becomes undeliverable at development management stage as the delivery mechanism and funding are not agreed. This would, in turn, clarify the outcome that the policy intends to achieve and ensure a deliverable strategy for achieving it.

B1: A 2FE primary school site and contributions, including Early Years provision, to serve the new and wider community. This should include provision of an all weather playing pitch available for community use.

B1: [deleted text]70-80 self-contained housing with care units, [deleted text], one 70-80 bed nursing home and 4 supported living units for people with disabilities (these units are included within the indicative dwellings figure)

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2A All Weather Pitches_[R].pdf
2. 2D School Delivery Details_[R].pdf
3. 3B Older Persons Accommodation Strategy_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Securing appropriate school provision is a statutory responsibility for the County Council and key to successful plan-making and as such HCC has an interest in ensuing that school provision is financially and operationally deliverable.

B2 - North East Harpenden, AL5 5EG

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.
Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing. Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's

Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make
provision for this cohort.
Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day.
To be considered positively prepared and therefore sound the local plan should therefore make suitable provision for this section of the community within St Albans. This representation suggests modifications that if agreed, or similar, would make the plan sound.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be appropriate for the outcomes that they intend to secure.

Policy wording at Part B allocations B1 and B2 states that the primary schools delivered within these allocations should include an all weather pitch (AWP). Part A policies COM1 and COM3 also states that all school should come with a Community Use Agreement (CUA) securing community access to new playing pitches.

It is not clear what the intention of this policy is and therefore what it requires HCC and SACDC (as the authority with sports and leisure responsibilities) to deliver on site. An AWP usually refers to a pitch with artificial grass (an AGP) that can be used more intensively than natural turf. An AGP is not required to deliver a school curriculum, and so are not usually included on a primary school site alongside other enhanced facilities that are needed to enable community use like floodlights, changing rooms, and showers. Moreover, to be usable by a primary school, an AGP would have to be an appropriate size for a school (a junior pitch) rather than for community use (an adult pitch) if that is what is intended. Conversely an AWP could refer to a multi-use games area (MUGA) which is a painted macadam surface enabling multiple sports. While these are provided as standard they too lack enhanced facilities like fencing that are required to enable community use.
Moreover, the requirement at Part A policies COM1 and COM3 for a CUA on all new schools could be interpreted as to require all new schools – not just those at sites B1 and B2 – to have some form of enhanced facilities to enable community access, as the facilities provided on a standard school site will not, on their own, meet the standards required to enable community use, as described above. As facilities on school sites must first and foremost enable a school curriculum, community access will be limited in practice if enhanced facilities are not provided: natural turf pitches would need time to recover outside of school hours to be usable for school PE lessons and the absence of floodlighting limits use in the evening in winter. This reading therefore contradicts the allocations at Part B.
The plan does not include a coherent strategy for the funding and delivery of enhanced facilities on school sites where they are required. Part B allocation B2 does explicitly state that the site should provide contributions for an all-weather pitch, but this wording is not included in allocation B1. The Infrastructure Delivery Plan schedule identifies AWPs generally as a need arising from all Broad Locations to meet the District's sports and leisure duties (and identifies the LPA as the funding body), including on sites B1 and B2 (reference 35 and 36). However, it only lists this as 'desirable', and identifies only that the need attributable to development only justifies a fraction of the overall cost. This means there is a risk that policy could require something that is only partially funded and therefore undeliverable in practice.
To be considered appropriate and therefore sound the local plan should therefore clarify first the intention of Part A policies COM1 and COM3 as to whether it requires all schools to have an AWP to satisfy the CUA requirement and secondly clarify the delivery and funding mechanism for AWPs on schools where they are provided (whether just on sites B1 or B2 or all new schools) to meet the Districts sports and leisure requirement rather than an education need. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.

The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.

HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.

Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):

A 3FE primary school, including Early Years provision, to serve the new community.

Or, in relation to secondary schools:

A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.

These examples' policy wording implicitly limits the deliverability of the schools:

1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.

The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.

HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.

Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure.

Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however,

refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.

Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be considered sound the local plan should:

1. Clarify which schools need to deliver enhanced facilities to meet a wider sports and leisure requirement; and
2. Clarify the funding and livery mechanism for enhanced facilities.

Assuming that the intention of the local plan is that only the new schools at sites B1 and B2 need to deliver a junior AGP to meet a wider sports and leisure requirement, CUAs at other schools will only need to enable limited community access to standard school facilities, and SACDC as the local authority responsible for sports and leisure in St Albans will be the funding body (either from themselves or through development), this could be achieved through

amendments to the supporting text and policy as follows:

Supporting Text: 7.19 Schools may make school facilities, such as playing pitches or sports halls, available for community use. New schools may include enhanced sports facilities to meet the Council's sports and leisure strategy and responsibilities. Where there is an intention to deliver these on a new school site, the Council as the local authority with sports and leisure responsibilities will fully fund these through planning obligations or other funding mechanisms. The policy requirement for a community use agreement alone does not imply that enhanced facilities must be provided. Schools without enhanced facilities can also support community access but will be operationally limited and may not be sufficient to meet a formal sports and leisure need.

Part B B1: A 2FE primary school, including Early Years provision, to serve the new and wider community. This should include provision of an all weather artificial grass junior playing pitch available for community use.

Part B B2: A site for and appropriate contributions towards a 2 FE primary school, including Early Years provision and an all weather artificial grass junior sports pitch available for community use.

But see other changes suggested to the wording on school site sizes made separately.

These changes would clarify that the requirement for a CUA does not mean an AWP or other enhanced facilities are required except where explicitly stated in sites B1 and B2 and that the AWP required on sites B1 and B2 is a junior AGP. They also clarify the roles and responsibilities for the delivery and funding of an AWP on any site to avoid the risk that the school becomes undeliverable at development management stage as the delivery mechanism and funding are not agreed. This would, in turn, clarify the outcome that the policy intends to achieve and ensure a deliverable strategy for achieving it.

B2: [deleted text]A 2 FE primary school site
and contributions, including Early Years provision and an all weather sports pitch available for community use.
But see also comments provided separately in relation to all-weather pitches.

B2: [deleted text] 70-80 self-contained housing with care units (these units are included within the indicative dwellings figure)

In Part B allocations H1, H2, H4, B2, B4, B5, B6, B7 should include the following wording: A children's home to accommodate three children in care and one manager.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2A All Weather Pitches_[R].pdf
2. 1B Childrens Homes_[R].pdf
3. 2D School Delivery Details_[R].pdf
4. 3B Older Persons Accommodation Strategy_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Securing appropriate school provision is a statutory responsibility for the County Council and key to successful plan-making and as such HCC has an interest in ensuing that school provision is financially and operationally deliverable.

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so its policies must set out a strategy to meet the assessed needs of the area.
HCC has a statutory duty to secure sufficient early years provision under the Childcare Acts 2006 and 2016. This includes, but is not limited to, provision within day nurseries for 0-2 year olds, school nursery classes for 3-4 year olds, and school wraparound care for 5-11 year olds. HCC must therefore ensure sufficiency for all three early years cohorts that tend to receive care in different types of settings.
The 2023 Spring Budget increased parents' access to entitlement for early years support for all children under 3 by September 2025 and sets an expectation that all parents should be able to expect wraparound care by September 2026. This means that the plan needs to make sufficient provision for all of these early years

cohorts (0-2, 3-4, and 5-11), with 0-2 being a particular area of need as these are often provided in private day nurseries rather than school settings.
The Regulation 19 draft plan includes childcare facilities within the list of land uses within some broad locations within the supporting text at Part A table 3.1. This follows engagement with HCC at Regulation 18 stage and is welcome. However, policy in Part B does not require that these be provided within the corresponding allocations themselves. While policy wording in Part B does include reference to early years provision within new primary schools for those sites that are delivering new primary schools, these only tend to provide care to 3-4 and 5-11 year olds and not 0-2 year olds. Therefore HCC does not have certainty that the strategy for sufficient early years for 0-2 year olds will be delivered.
Policy COM1 gives policy support to proposals delivering childcare for 0-2 year olds and nursery for 3-4 year olds. This is strongly welcomed. However this is not the only childcare cohort. As part of its statutory sufficiency duty HCC must also ensure sufficient wraparound care for 5-11 year olds. Similarly, policy strategic policy SP7 gives policy support to proposals including nursery provision, which could be taken that only proposals for provision for 3-4 year olds should be given policy weight (as this can refer only this is cohort in some contexts). Again while policy support is welcome, it should ensure that policy support is given to the full range of settings for different age groups.
To be considered positively prepared and therefore sound the local plan should therefore set out a strategy for childcare provision in the allocations in Part B and clarify policy support for all childcare cohorts in the policies at Part A. This representation suggests a modification that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.
The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.
HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.
Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):
A 3FE primary school, including Early Years provision, to serve the new community.
Or, in relation to secondary schools:

A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.
These examples' policy wording implicitly limits the deliverability of the schools:
1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.
The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.
HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.
Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure. Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.
Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

B3: A new 2FE primary school site and contributions, including Early Years provision, to serve the new and wider community.

Policy in allocations B3 should include:
A childcare setting capable of providing 30 places including 0-2 year olds.

B3: [deleted text] 70-80 self-contained housing with care units (these units are included within the indicative dwellings figure).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2D School Delivery Details_[R].pdf
2. 3B Older Persons Accommodation Strategy_[R].pdf
3. 1A Childcare Allocations_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

please see attached

B4 - East St Albans, AL4 9JJ

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.
Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing. Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's

Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make
provision for this cohort.
Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day.
To be considered positively prepared and therefore sound the local plan should therefore make suitable provision for this section of the community within St Albans. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.

The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.

HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.

Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):

A 3FE primary school, including Early Years provision, to serve the new community.

Or, in relation to secondary schools:

A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.

These examples' policy wording implicitly limits the deliverability of the schools:

1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.

The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.

HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.

Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure.

Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.

Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

B4: A new 2FE primary school site and contributions, including Early Years provision, to serve the new and wider community. [deleted text] A 6FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road and appropriate secondary education contributions, including post-16 education.

B4: [deleted text] This site has fallen below 500 units and therefore should not be mandated to deliver a housing with care scheme in accordance with HCC's general strategy.

In Part B allocations H1, H2, H4, B2, B4, B5, B6, B7 should include the following wording: A children's home to accommodate three children in care and one manager.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 1B Childrens Homes_[R].pdf
2. 2D School Delivery Details_[R].pdf
3. 3B Older Persons Accommodation Strategy_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

please see attached

B6 - West of London Colney, AL2 1LN

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.
Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing. Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's

Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make
provision for this cohort.
Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day.
To be considered positively prepared and therefore sound the local plan should therefore make suitable provision for this section of the community within St Albans. This representation suggests modifications that if agreed, or similar, would make the plan sound.

To be considered sound the plan must be effective and therefore have a reasonable prospect of delivery.
The site allocations at Part B correctly requires proposals for development to include land and s106 contributions towards the delivery of several primary and secondary schools. This is necessary to satisfy the requirement of NPPF paragraph 99 and HCC strongly appreciates the support that the LPA have placed on sufficient education provision.
HCC's Guide to Developer Infrastructure Contributions and its technical appendices sets out how land and contributions need to be made to ensure that schools are deliverable. Proposals for sites providing schools need to make serviced land available to the County Council (at education values) and make a proportionate s106 contribution towards delivery in accordance with the CIL

regulations. Other sites will make a proportionate s106 contribution. These will be pooled to deliver schools when they are required to meet a cumulative need.
Policy in the Part B site allocations includes delivery of the following (or a similar form of words depending on the allocation):
A 3FE primary school, including Early Years provision, to serve the new community.

Or, in relation to secondary schools:
A site for, and appropriate contributions towards, an 8FE secondary school site within nearby Oaklands land ownership fronting onto Hatfield Road.
These examples' policy wording implicitly limits the deliverability of the schools:
1. It sets a hard target of the capacity of the school, which would limit the schools' ability to open in phases, which is necessary to align supply of places to demand as it builds up over time;
2. It implies in some allocations that schools sought to be developer-built, which is not the County Council's preferred method of school delivery; and
3. In some allocations policy seeks to allocate contributions towards secondary schools for which the land will not be delivered through a s106 process and will instead be delivered as an acquisition later in or following the plan period to meet a cumulative need. Tying the s106 contribution to these secondary schools therefore risks the delivery of other projects needed earlier in the plan period.
The County Council also has a responsibility to ensure sufficient post-16 education, and in Hertfordshire these are usually provided at secondary school 6th forms. The County Council's strategy for post-16 education therefore includes the delivery of 6th forms at new secondary schools and secondary school expansions. For completeness, policy should also refer to 6th form provision as this has a similar relationship to new secondary education provision as early years does to new primary education provision, and the exclusion could therefore inadvertently give the impression that one does not have policy support.
HCC also supports the principle of the plan's support for secondary education in principle. However, since the publication of the Regulation 18 plan, the strategy for East St Albans has changed and the site is now only expected to deliver a 6FE school.
Therefore to be deliverable and therefore considered sound the plan should clarify the maximum capacity of schools, that schools in the first instance should not be developer-built, and that s106 contributions for individual sites should not be tied to school sites that are needed to meet a long term cumulative need. The local plan should also ensure that post-16 education has full support within new secondary schools.

Paragraph 35 and 36 of the 2023 NPPF require that local plans be justified to be considered sound. To do so its policies must be an appropriate strategy for the outcomes that they intend to secure. Policy HOU3 includes policies against which applications for specialist housing for older people will be determined. Paragraph (c) states that 'In larger sites, it may be appropriate to co-locate specialist housing provision and develop an Integrated Community'. The Associated Retirement Community Operators, the professional body representing housing with care providers, defines Integrated Retirement Communities as a gold standard of housing with care, not as colocation of different types of specialist housing provision, such as housing with care and nursing homes. While HCC has no in-principle opposition to colocation it is not clear that this is indeed what the policy is intended to achieve.

There may be benefits to co-locating housing with care schemes (as opposed to other forms of specialist accommodation for older people) only on sites delivering a larger quantum of this form of specialist older person's accommodation. This may allow them to benefit from improved economies of scale and deliver improved communal facilities and services that smaller scheme would not be able to support themselves. Policy wording within the allocations at Part B, however, refers to delivery of discrete housing with care facilities of 70-80 units. This implies a requirement for separation. This is entirely appropriate for care homes, but there is no in principle reason why housing with care schemes cannot be co-located into a single larger scheme.
Therefore to deliver an appropriate strategy there needs to be clarity as to what the policy wording at HOU3 (c) is intended to achieve, and if there is no other rationale, the plan should clarify that HOU c and the allocations at Part B to permit multiple housing with care schemes to co-locate with each other rather than with other types of specialist accommodation for older people.

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B6: 70-80 self-contained housing with care units and 10 supported living units for people with disabilities (these units are included within the indicative dwellings figure)

B6:[deleted text]An 8FE secondary school site within adjoining HCC land ownership and appropriate secondary education contributions, including post-16 education.

In Part B allocations H1, H2, H4, B2, B4, B5, B6, B7 should include the following wording: A children's home to accommodate three children in care and one manager.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 1B Childrens Homes_[R].pdf
2. 2D School Delivery Details_[R].pdf
3. 3B Older Persons Accommodation Strategy_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please see attached

B7 - North West Harpenden, AL5 3NP

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 35 and 36 of the 2023 NPPF require that local plans be positively prepared to be considered sound. To do so they must set out a strategy to meet the area's objectively assessed needs.
Policy HOU3 sets out the LPA's policies in respect of specialist accommodation. This only provides policies for determining applications for older person's accommodation. It does not provide policies for determining applications for children's homes. Similarly, the allocations set out in Part B of the plan make no provision for the needs of the section of the community reliant on this form of housing. Children's homes are smaller units, usually indistinguishable in form from a standard residential dwelling, that provide accommodation for 1-5 children in care. They are a vital part of the care system in Hertfordshire, alongside fostering, adoption, and other more specialist forms of accommodation. Under the Children's

Act 1989 Hertfordshire County Council (HCC) has a statutory duty to provide accommodation to children in care. The 2024 draft consultation National Planning Policy Framework at paragraph 63 also makes clear that local plans should make provision for this group and at footnote 29 makes clear that the local authority's sufficiency data should be considered suitable evidence of need. While it is expected that this local plan will be examined under the 2023 NPPF, this and HCC's statutory duties taken together mean the local plan ought to make
provision for this cohort.
Since the Regulation 18 consultation HCC is seeking for local plans to address this shortfall. There is currently a shortfall of children's home bed places in Hertfordshire for children in care. The 2024 South West Hertfordshire Housing Needs Assessment at paragraphs 10.83-10.88 shows that there is a need for 19¬39 beds at children's homes. Hertfordshire County Council only has access to 15 beds in St Albans. Countywide sufficiency data shows that it cannot accommodate all its children in care within its boundaries. It currently accommodates 89 children in care within other authorities in England, which is less desirable for children in care and expensive to commission, has a further 70 children or young people on the 'waiting placement' list, and an average of 4-5 new requests each day.
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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 1B Childrens Homes_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please see attached

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329 - Mr Russell Crow

Submission Number: 329 Submission Date: 08/11/24 09:00

Respondent: Pegasus Group Mr Peter Atkin

On Behalf Of Richborough Estates : Mr Russell Crow

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 18

Type:

* Paragraph

Number:

1.10

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Duty to Cooperate

One of the key tests of legal compliance for a Local Plan is the Duty to Cooperate ('DtC'), as set out in the National Planning Policy Framework December 2023 ('the NPPF'). SADC will be fully aware of this requirement, given the failure of the Local Plan 2018 which was withdrawn in 2020 due to a failure to discharge the DtC. It is therefore concerning that the detail provided by SADC thus far on the DtC remains light. Paragraph 1.10 of the draft Local Plan makes reference to the South West Hertfordshire Joint Strategic Plan ('JSP') but this has been a slow process. Additionally, the JSP is clearly focused on longer term opportunities for growth of housing, economic and infrastructure which is not of direct relevance to the draft Local Plans requirements to meet short term needs. This is therefore currently not sufficient to demonstrate compliance with the DtC, as evidence is needed that present housing needs are deliverable across the plan period.

The draft Local Plan evidence base does include an overarching Statement of Common Ground ('SoCG', undated) agreed with adjoining authorities. This SoCG does not provide any detail on the matters that SADC is cooperating with other authorities on, such as whether there is a need to consider the distribution of potential unmet housing needs arising from authorities like Hertsmere and Three Rivers. The SoCG does not provide detail on the progress of emerging Local Plans and positions therein on housing requirements in this context, providing the impression that this has not been considered in detail from a DtC perspective. As acknowledged in the Sustainability Appraisal, this is a matter that requires careful consideration in the context of the increase in housing requirement figures resulting from the new standard method accompanying the draft NPPF 2024. Richborough understands that this matter is also raised in detail in the HBF's representations to the Regulation 19 consultation; it is an important matter that should be considered by SADC in partnership with neighbouring authorities.

On the matter of cross-boundary growth locations. The Site boundary for allocation B3 currently excludes a small area of land adjoining the M1 motorway (see Site Location Plan at **Appendix 2**) *[please see attached document]* as it is located within Dacorum Borough Council's (DBC) administrative boundary. This small parcel represents a logical inclusion as part of the proposed allocation B3 and Richborough will be engaging with and submitting representations to DBC's Regulation 19 consultation for the removal of this parcel from the Green Belt. SADC should also engage with DBC on this matter through the DtC to ensure opportunities for cross-boundary housing delivery are maximised and a bilateral Statement of Common Ground prepared on the matter. This should be done in advance of the submission of the Local Plan for Examination.

SADC is strongly encouraged to produce additional detail to demonstrate that the DtC has been complied with, and engage further with neighbouring authorities as required. This should be done prior to submission of the draft Local Plan, to ensure the Plan is capable of withstanding scrutiny at Examination. The Housing Minister Matthew Pennycook's letter of 30 July 2024 to the Planning Inspectorate made it clear that Inspectors will not tolerate long or drawn out Examinations. SADC should ensure it is satisfied that robust evidence has been provided demonstrating compliance with the DtC to minimise risks of issues being raised post submission.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. P24-2525_R002v4_SADC Reg 19 Draft Local Plan 2041_Richborough_08_11_2024_[R].pdf

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Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Housing Requirement and the Sustainability Appraisal

Richborough supports in principle the starting point established in Policy SP1 of a minimum housing requirement of at least 14,603 homes across the Plan period (equating to 885 dwellings per annum) calculated using the current standard method. This approach is in accordance with the current NPPF (paragraph 61), but does deviate from the emerging NPPF 2024 as discussed further below.

The draft Local Plan is supported by a Sustainability Appraisal (SA, September 2024) which sets out a consideration of the growth strategy and testing of reasonable alternative growth scenarios. While paragraph 5.2.28 of the SA suggests that the arguments for delivering either above or below the standard method 'cancel out', the argument provided in favour of a low growth option is weak, and relies solely on the Green Belt constraint. The argument in favour of growth above standard method is much stronger, not least because of the ability to address the significant shortfall in housing delivery and enduring issues with housing affordability (as considered in the South West Herts Local Housing Needs Assessment Update 2024), but also the substantial 'secondary benefits' that could be realised including provision of infrastructure and supporting economic growth.

SADC has ambitious employment and economic policies (Policy SP5) which would yield significant job creation in the district. New homes will be needed to support new jobs and business in the district, particularly in light of the dominant trends in growth in residents aged 65+ and the implications this has for economic growth unless a younger population is able to afford to live and work in the area.

Since publication of the draft NPPF 2024, Inspectors have made it clear that Local Plans (that have reached Examination stage) need to at the very least plan for housing requirements derived from the current standard method. As seen at the Solihull Examination in September 2024, a deficit in housing requirement that falls below the standard method is not accepted and in the case of Solihull resulted in the Local Plan being withdrawn from Examination. The Inspectors letter of 24 May 2024 post-Examination of the North Norfolk Local Plan that a deviation below the standard method requires strong and robust justification.

The draft Local Plan has therefore taken the correct approach of planning for a minimum housing requirement based on the standard method, when considered against the current NPPF 2023. The qualification of this being a minimum housing requirement is important, and Richborough encourage SADC to give detailed consideration of a higher housing requirement, particularly in the context of the Duty to Cooperate and the requirement to address unmet needs arising from neighbouring authorities; to address housing affordability; and support the ambitious employment policies SADC is pursuing. This is needed because, while the SA supports SADC's preferred growth strategy as being well balanced in respect of sustainability objectives, the SA does not categorically demonstrate that the higher growth scenarios tested would have significant adverse impacts. In addition to delivering the benefits set out at paragraph 2.6 above, higher housing growth would also enable a contribution to be made towards the unmet housing needs of neighbouring areas – if such needs are identified through the additional DtC work that has been recommended above.

SADC also need to be cognisant of the draft NPPF 2024, which provides an additional reason to consider increasing the housing requirement. The draft Local Plan's housing requirement is more than 200 dwellings per annum below the emerging standard method (difference of 659 dwellings per annum). It is noted that SADC are seeking to submit the Local Plan for Examination as soon as possible after the Regulation 19 consultation closes, ostensibly to avoid being 'caught' by the transitional arrangements of the draft NPPF 2024. While proactive progress on the Local Plan is welcomed, it is for SADC to provide confidence that this timescale allows for sufficient consideration of consultation responses and for a sound Local Plan to be submitted to avoid delays in the long term.

Notwithstanding when the Local Plan is submitted, the new housing requirements cannot be ignored. The Government has clearly iterated its commitment to increasing the delivery of housing on a national level; resulting in a significant increase in housing requirements not only for SADC, but also neighbouring authorities like Hertsmere (increase by 228 dwellings per annum), Three Rivers (increase by 99 dwellings per annum), Dacorum (increase by 297 dwellings per annum) and North Hertfordshire (increase by 82 dwellings per annum). These increases in requirements are even more profound when compared to existing delivery levels; taking North Hertfordshire as just one example, its average delivery over the period 2020/21 – 2022/23 was only 467 dwellings, which is 525 dwellings below the new standard method requirement.

In this context, it is questioned whether the approach proposed by SADC is the most effective when considered from a strategic plan making perspective. The requirement in the draft NPPF 2024 for SADC to undertake an immediate review (if the Plan is adopted with the current housing requirement) would still apply. Not only will this mean SADC having to immediately start a new Local Plan process, but planning for only the minimum homes required by the current standard method now will mean that SADC will still be faced with having to plan for a significant increase in housing requirement.

In addition, SADC's neighbouring authorities are preparing new Local Plans, and will be subject to the transitional arrangements in the NPPF 2024 in terms of planning for increased housing requirements. The DtC matter is therefore again relevant here and it is vital to consider the potential for unmet needs in this context, to ensure it can be demonstrated to the Inspector at Examination that all matters have been assessed.

Other points on Policy SP1

It is not clear why Policy SP1 refers to large urban extensions like West of Redbourn as 'Broad Locations'. This term implies that site boundaries and quantum have not been identified yet. This is clearly not the case, as all of these sites are identified as proposed allocations in Part B with clearly defined requirements.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: It is recommended that 'Broad Locations' is replaced with 'Large Urban Extensions', which would fit with the other categories of development SADC have provided for smaller sites.

The draft Local Plan also needs to be consistent throughout on the definition of Broad Locations. For example, SP1 identifies sites of more than 250 homes as being strategic, while IMP1 defines these as developments of more than 100 homes.

The final criterion of Policy SP1 suggests 'Broad Locations' will be required to provide a comprehensive approach to renewable energy such as wind and solar. There is no clarity provided for this requirement. Notwithstanding whether it is appropriate and supported by evidence, this criterion repeats requirements that are detailed in Policy SP2 in particular e) which encourages provision of on-site renewables. Proposed remedy: Delete the final criterion from SP1.

As a minor point, the colours utilised in Figure 1.2 make it difficult to differentiate between the Tier 4 and 5, and 6 and 7 settlements. This should be amended.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. P24-2525_R002v4_SADC Reg 19 Draft Local Plan 2041_Richborough_08_11_2024_[R].pdf

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Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough recognises and supports the Council's corporate objective of mitigating the impacts of climate change and the need for policies in the draft Local Plan to positively and proactively address the matter.

There is currently unnecessary duplication of policy requirements between SP1 and SP2 such as the provision of biodiversity net gain, tree planting, and renewable energy and energy efficiency measures. SP2 also repeats principles that are set out in more detail in later policies, or repeats the provisions of the NPPF. Appropriate modifications would ensure that the spatial strategy is more clearly and succinctly set out, and that unnecessary repetition of other policies is avoided.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: The NPPF (paragraph 17) requires Local Plans to include strategic policies that address the strategic priorities for the development and use of land, with regard to relevant national policy and guidance. It is recommended that this could be achieved more effectively through a consolidation of the relevant provisions of Policies SP1 and SP2 into a single 'Sustainable Development' policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. P24-2525_R002v4_SADC Reg 19 Draft Local Plan 2041_Richborough_08_11_2024_[R].pdf

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CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. P24-2525_R002v4_SADC Reg 19 Draft Local Plan 2041_Richborough_08_11_2024_[R].pdf

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CE2 - Renewable and Low Carbon Energy

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

CE1 refers to a requirement for evidence to be provided in support of planning applications, to demonstrate energy and resource efficiency. Criterion b) of CE2 appears to expand on this requirement by suggesting that this detail should be provided through an Energy Statement.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: Incorporate criterion b) from CE2 into CE1, which will make the scope required of these Energy Statements clearer, and at the same time also clarify what supporting evidence SADC are expecting from Applicants to demonstrate compliance with CE1.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. P24-2525_R002v4_SADC Reg 19 Draft Local Plan 2041_Richborough_08_11_2024_[R].pdf

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Strategic Policy SP3 - Land and the Green Belt

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The response to Chapter 1 above should be referred to for comments on the draft Local Plan's housing requirement. It is reiterated here that SADC should ensure it has robustly considered all available opportunities to deliver housing above and beyond this minimum requirement, for the reasons set out at paragraphs 2.6 – 2.13.

SADC is heavily constrained by the Green Belt which extends across the District, and the boundaries of which are drawn tight around existing settlements. There is no other available solution other than to release land from the Green Belt if sufficient growth is to take place to meet even the identified housing requirement, which is the minimum local housing need, as well as economic growth ambitions. Not releasing land from the Green Belt would result in a spatial strategy that fails to address the housing and economic needs of communities across SADC, as well as missing out on associated benefits such as increased access to services and facilities.

The significant housing and economic needs of the District, coupled with the lack of sufficient available and suitable land within the urban area, clearly constitute the 'exceptional circumstances' required under paragraph 145 of the NPPF to justify altering Green Belt boundaries. SADC's Green Belt and Exceptional Circumstances – Evidence Paper sets out the relevant evidence which forms the exceptional circumstances, referring to evidence including the Housing and Economic Land Availability Assessment, the Green Belt Review and the Site Selection Methodology.

One major piece of evidence which SADC's Evidence Paper does not currently refer to is the SA. The SA demonstrates that the proposed revisions to the Green Belt boundary, including that required to deliver West Redbourn, is in accordance with SADC's spatial strategy and allows for the creation of sustainable development. This is in the context of paragraph 147 of the NPPF which states that *'When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account'.* It is recommended that SADC incorporate the findings of the SA into their Exceptional Circumstances Evidence Paper.

West Redbourn

Richborough is fully supportive of the allocation of West Redbourn by SADC as a 'Broad Location', as confirmed by Table 3.1. As per comments made above, it is recommended that the term 'Broad Location' is replaced with 'Large Urban Extension'. Comment on the specifics of the allocation policy are made in response to Part B of the draft Local Plan (Section 10 of this Statement).

In terms of the release of West Redbourn from the Green Belt. SADC's Stage 2 Green Belt Review (2023) fully assessed the Site, as sub-parcel SA-3a (with Vistry's landownership to the south assessed as SA-1 and SA-2). The assessment confirms that the Site makes a relatively minor contribution towards the purposes of the Green Belt, and that the release of these parcels (either in isolation or as a strategic parcel) would not cause significant harm to the performance of the wider Green Belt.

Richborough agree with these conclusions on the whole, although it is questioned whether the maximum score that is provided in respect of Green Belt Purpose 3 - To Assist the Countryside from encroachment is evidenced. The highest score is provided on the basis of there being only 'some urbanising' effects on these sub-areas. However, this appears to disregard the impacts of the M1 motorway and the electricity pylons along the western boundary of the Site, which have significant urbanising impacts in this area. It is contended that the score should be reduced.

An additional small parcel of land to the north-west (shaded blue on the enclosed Site Location Plan at Appendix 1) forms part of the original promoted site. This was assessed through the Green Belt Review as part of sub-area SA-3b. Richborough disagrees with this approach; when considered 'on the ground' this area of land has a greater relationship with SA-3a, given it forms the landscaping

area for the wider site. Richborough maintains that this small area of land should be included within the allocation, as the existing vegetation could be enhanced as part of the scheme to provide valuable green infrastructure benefits.

The Site represents a logical expansion of the existing settlement. West Redbourn (Site B3) is a sustainable location for growth that is consistent with the spatial strategy set out in the draft Local Plan. This is confirmed through the assessment in the SA which agrees with West Redbourn as being sequentially preferable in both Green Belt terms and provision of appropriate quantum of growth when compared with alternative options in Redbourn. The release of the Site from the Green Belt would create revised boundaries that are defensible and capable of enduring long-term beyond the Plan period. This is in compliance with the NPPF, with the M1 providing a readily recognisable and permanent boundary to the Green Belt at this location.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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LG1 - Broad Locations

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As per comments made above, it is recommended that the term 'Broad Location' is replaced with 'Large Urban Extension'. LG1 as a whole requires amendment to confirm that the sites that are referred to are strategic allocations, as these are all specific sites identified by SADC with clear certainty in the delivery of development.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: Replace the term 'Broad Location' with 'Large Urban Extension' and amend the policy and supporting text accordingly.

Richborough is concerned that previous representations made in respect of this policy do not appear to have been considered. The policy remains unsound and should be subject to modifications to remove criteria that are duplications of other policy requirements, and criteria that are ineffective.

Proposed remedy: LG1 requires modification to ensure a sound policy is presented to Inspectors. Amendments should be made as follows:

- Criterion d) seeks 'excellence in design, energy efficiency and water management'. 'Excellence' is a subjective word and is not a defined or measurable target for Applicants to address or respond to. Excellence should be amended to 'high quality' to ensure consistency with the NPPF. The reference to energy efficiency and water management conflicts with the energy efficiency and sustainable design measures required by policies CE1 – 3. Thus, this wording is not appropriate to include in criterion d) and should be deleted.
- In the context of comments made earlier to SP1, criterion e) 'Provide appropriate renewable energy production and supply mechanisms' is unnecessary and can be deleted.
- Criterion g) requires Broad Locations to come forward in accordance with a Masterplan or Development Brief. The draft Local Plan does not identify which Broad Location allocations need to come forward in accordance with a Masterplan or Development Brief at the development management stage of the planning process. Clarity on this issue is required. Regard also needs to be had in the policy of existing local design guidance, such as the Redbourn Design Guidelines and Codes which supports the Redbourn Neighbourhood Plan (made January 2023) to ensure duplicated work is not sought or conflicting requirements established.
- Criterion r) states that Broad Locations must establish 'an appropriate Community Stewardship and Legacy body with sufficient assets to provide sustainable management of community facilities and open spaces'. It is contended that setting up such a body goes beyond what is a reasonable and practical expectation in planning terms. The co ordination of such a body may not be possible if there is limited local interest and its funding may not be viable. Furthermore, there is no clarification in the Local Plan or its evidence base as to how such a body would function and what funding expectations would entail.
- The requirement in criterion i) of 3% self-build and custom housebuilding provision does not appear to be supported by appropriate evidence. Nonetheless, this repeats the requirement of Policy HOU5 and should be deleted.
- Other criteria of the LG1 are not supported by published evidence. For example, n) requires allocations to deliver x1 new semi-mature tree per new dwelling provided. This requirement which an allocation 'must' provide is not based on any evidenced justification and it is also contended that complying with this requirement could potentially conflict with a site's character or landscaping strategy at the delivery stage and could ultimately affect anticipated site yields. Criterion n) cannot be rigidly applied in all cases and should be deleted; this matter is dealt with in any event through NEB1 and does not need to be repeated.
- Criterion u) requires the 'co-location of community facilities'. This will not be relevant to all strategic sites; the delivery of community facilities will be dependent on a variety of factors. This criterion should be amended to clarify which strategic sites this requirement will be relevant for, otherwise the policy is ineffective and does not provide sufficient clarity.
- Criterion v) 'Normally provide contributions towards the maintenance and / or upgrade of an existing community hall or village hall nearby…' is not an appropriate policy requirement. Again, this requirement will not be relevant to all strategic sites, and the matter of financial contributions and obligations is most appropriately considered at the development management stage, where the mitigation required to address impacts of development can be considered fully with regard to appropriate evidence such as the Infrastructure Delivery Plan, ensuring that appropriate obligations satisfy the relevant CIL tests in being: 1) necessary to the make the development acceptable in planning terms; 2) directly related to the development; and 3) fairly and reasonably related in scale and kind to the development.

Having regard to the above, it is suggested that a more streamlined policy, focussing solely on those requirements that are specific to strategic sites (for example ensuring coordination on sites where there are two or more landowners, and producing masterplans where appropriate) would

be more effective. This would allow LG1 to provide relevant detail to guide the delivery of strategic sites specifically, while more general policy requirements are covered by other policies. As part of this, the incorporation of Table 3.1 in the policy would be supported as providing additional clarity. LG1 should be reviewed in detail against the evidence base before making amendments, given the concerns raised above.

The concern raised above regarding criterion n) also applies to Policy NEB1, which repeats the requirement for 1 tree per new dwelling, with the added requirement that the trees should be grown 'entirely within the UK where possible'. For the reasons provided above, this is not a sound policy requirement and should be deleted from NEB1 as well.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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LG6 - Green Belt Compensatory Improvements

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough acknowledges and welcomes the inclusion of the wording that the provisions 'are required, to a degree proportionate to the development…' which introduces an important element of flexibility. Richborough also welcome the confirmation that measures forming part of a Green Belt compensation strategy can incorporate Suitable Alternative Natural Greenspace (SANG) features where this is relevant.

However, LG6 remains unclear on the timing or trigger point for the submission of a Green Belt Compensation Strategy. It is assumed that an indicative Strategy would be provided at the outline planning stage, when the detail of a scheme is sometimes not yet known, with full details to be provided at the Reserved Matters stage when matters such as planting, provision of recreational routes and landscape mitigation measures are confirmed.

It is noted that LG1 twice references the need for new woodland planting, with criterion f) of the policy specifically seeking the delivery of 'woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside'. Whilst the potential need for buffer planting is acknowledged, it may not be required or indeed be appropriate in all cases. It is contended that an additional blanket requirement for woodland planting could unnecessarily restrict developable areas, conflict with a site-specific landscaping strategy and negate the efficient use of land at an allocated site. The recommendations of a Landscape Visual Impact Assessment (LVIA) would provide the necessary guidance regarding the need to mitigate the impact of a development via new woodland planting.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy:

- Clarification should be provided on when the Green Belt Compensation Strategy would be required.
- It is also recommended that criterion f) of the policy is deleted as woodland planting may not be appropriate in all circumstances and recommendations for woodland planting will be captured in a LVIA at the planning application stage.
- Criteria b) to e) of Policy LG6 should each be amended to include 'Where possible' before each requirement. At present the policy strands are worded with no flexibility and indeed without a degree of certainty that an allocated site already possesses specific features such as blue infrastructure and public rights of way which are ready and capable of being enhanced. Clearly, this won't be the case on all sites and LG6 needs to be amended to reflect this.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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HOU1 - Housing Mix

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU1 - Housing Mix is very prescriptive and does not allow for any flexibility in approach. Market and affordable housing needs and demand will likely change over a plan period, Policy HOU1 should be alive to this potential for change and should be caveated to allow for more up to date evidence to be taken into account as part of the planning application process should it be forthcoming. Furthermore, in the case of Redbourn, the Parish Council have an adopted Neighbourhood Plan with its own local housing mix policy and requirements – which differ from the requirements set out in HOU1 which are based on the findings of the South West Herts Local Housing Needs Assessment Update (LHNA 2024).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: This conflict clearly demonstrates the need for flexible wording to be inserted into HOU1 to allow the local planning authority to determine an appropriate mix in light of the latest evidence when a planning application is under preparation. The appropriateness of a housing mix is influenced by a range of factors. The policy should be clear that the housing mix suggested in Policy HOU1 will be a starting point for discussions on the appropriate housing mix for a certain site. The policy should be amended to allow for other evidence to be provided justifying deviations from the suggested housing mix, such as site specific constraints or up to date market research undertaken by the developer.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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HOU3 - Specialist Housing

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

It is acknowledged that the LHNA sets out the importance of delivering accessible and adaptable homes. The LHNA also identifies a need for specialist older persons housing provision, although there is no agreed standard method for assessing the housing and care needs of older people. However, the relationship between the LHNA and requirements of HOU3 are not clear, particularly criterion c) which requires 'Broad Locations' of more than 500 dwellings to make provision for specialist housing to meet the needs of older people and / or people with disabilities. No clarification is provided on how this requirement relates to the need identified in Table 4.2.

This policy requirement contradicts the findings of the Infrastructure Delivery Plan (IDP, 2024) which refers to the LHNA when setting out specific requirements for the delivery of nursing homes, extra care facilities and other specialist housing at specific strategic sites. Based on this evidence, the relevant policy allocations have been amended to identify this up-to-date requirement with for example B2 - North East Harpenden required to deliver one extra-care facility. At the same time, other allocations have been amended to remove requirements for extra-care facilities such as B3 – West Redbourn where the need is no longer supported by evidence.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: On the basis that the specific policy allocations for strategic sites identify requirements to provide specialist housing provision in line with the latest evidence (i.e. the LHNA and IDP), criterion c) should be deleted from HOU3.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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HOU4 - Accessible and Adaptable Housing

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough acknowledge that the provision of a choice of attractive housing options to older households and persons with mobility issues is a component of achieving a good housing mix. In line with the comments made above in response to HOU3, SADC should ensure clear and robust evidence is available demonstrating the link between the need identified in the LHNA and the requirements in HOU4 for all new homes to comply with Building Regulations Part M4(2) standards. This evidence should also demonstrate why the optional Part M4(3)(a) standard will be required for 5% of market dwellings and Part M4(3)(b) for 10% of affordable dwellings. This will ensure the policy meets the relevant soundness tests.

It is noted that the definition provided of Part M4(3)(b) being 'wheelchair user dwellings' is incorrect, as this applies to all dwellings built to Part M4(3) standard. The difference is that M4(3)(a) dwellings are wheelchair adaptable, while M4(3)(b) dwellings are wheelchair accessible. This should be clarified in HOU4 to provide certainty.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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HOU5 - Self-Build and Custom Housebuilding

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough recognise that SADC has a duty to deliver self and custom build plots to meet the local need recorded on the local self-build register. In this regard Richborough is alive to the prospect of providing plots at West Redbourn.

Policy HOU5 b) encourages self and custom-building provision on development for 10 homes or more in suitable locations. Criterion a) of HOU5 requires Broad Location allocations to provide 3% of total dwellings to be self and custom build (CSB) plots.

The LHNA sets out a shortfall in CSB of 585 plots, which is based on a comparison of supply to October 2022 with need to October 2022. The need is based on the St Albans CSB register, although it is noted that the register does not include any specific eligibility criteria or a local connection test. This in itself throws into question whether an accurate assessment of need can be made using the register as a data source. Given the specific 3% need identified by Policy HOU5 a) SADC should publish evidence demonstrating how the requirement has been calculated with regard to both evidenced local need, the number and capacity of strategic sites and viability considerations.

This is important to ensure the policy is taking a sound approach in setting a specific requirement for strategic sites to deliver CSB plots, rather than taking a flexible approach and encouraging CSB provision so that delivery can be driven directly by local market demand.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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COM1 - Education

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough is committed to ensuring that Redbourn has the infrastructure it requires as part of delivering housing growth. Policy B3 states that the draft West Redbourn allocation will result in a need for additional primary education capacity, in the form of a new 2FE primary school with early years capacity, to be delivered on the Site. The IDP specifies the early years requirement as a nursery; reference is also made to a new 30 place childcare setting which it is assumed is intended for delivery at West Redbourn as well.

While the IDP indicates that the data source for deficit / surplus in primary school places is Hertfordshire County Council, there is no clear evidence demonstrating how a deficit in school places has been translated into a need for a new school.

Although Policy B3 now specifies delivery of an on-site school only, it is noted that the IDP (Appendix A.1) still refers to contributions towards either a new school or expansion of the existing school. The Local Plan Viability Study Strategic Site Testing: West of Redbourn does not allow for costs relating to either provision of land for a primary school, or contributions towards its delivery.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: Consistency needs to be provided across all evidence base documents to ensure there is clarity as to SADC's strategy in relation to primary school provision.

Criterion b) of COM1 states that 'The provision of playing pitches for community use will be required at new primary and secondary schools'.

The evidence supporting the need for this requirement is unclear. A review of the IDP shows that Redbourn Leisure Centre Football Pitch is being upgraded and the quality improved, so a need for a second football pitch seems unnecessary. The IDP states that Redbourn Leisure Centre Cricket Pitch needs to be relocated but this is incorrect, there is a separate cricket pitch and club already located in the centre of the village. A second cricket pitch would therefore also seem unnecessary. The needs for rugby are met at Harpenden Rugby Club.

In addition to the above, IDP Appendix 1 confirms off-site contributions will be required from West Redbourn to support delivery of associated sports provision, or enhancement of existing provision. No on-site delivery is indicated.

It is recognised that the Playing Pitch and Outdoor Sport Strategy (2024) suggest that sites of 600 or more dwellings are likely to generate demand for sports uses. However, the Strategy recommends SADC *consider* provision of playing pitches. It is clear that no need has been demonstrated for playing pitch provision at West Redbourn. Suggested policy amends are provided below – this will also address the fact that the policy is very unclear about provision required. A playing pitch could range from a small 'five-a-side' pitch to a full sized cricket field. Impacts on site capacity would thus also be wide ranging, and the impacts of this policy requirement in that regard do not appear to have been considered.

Proposed remedy: Suggested amendments to the policy wording are provided below. In addition, SADC need to provide clarity on what is meant by community use agreements and when and how such an agreement would be entered into, and the parties responsible for this agreement.

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

Please upload any supporting documents here. Do not include any signatures or other personal data.

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Strategic Policy SP8 - Transport Strategy

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: Amend the policy wording to state,

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

Please upload any supporting documents here. Do not include any signatures or other personal data.

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TRA4 - Parking

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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

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

Please upload any supporting documents here. Do not include any signatures or other personal data.

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

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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

Please upload any supporting documents here. Do not include any signatures or other personal data.

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NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough acknowledge and support the principle of providing high quality open space as part of residential developments. Indeed, it is their aspiration to deliver an attractive, healthy and biodiversity rich residential development at West Redbourn. Notwithstanding their in-principle support for the Local Plan providing a policy which promotes the delivery of new public open space, the matters of detail raise some concern.

Table 10.1, within Policy NEB12, provides a rigid set of Quantity Standards for open space typologies and numerical standards. Table 10.2 confirms that these requirements will be required to be met on-site for all development of 250+ dwellings. Based on the standards a scheme of 300 dwellings (and 2.4 people per dwelling) would need to deliver approximately 4.3ha of public open space set across six different typologies including parks and gardens (7.1 sqm per resident) and allotments (4.5 sqm per resident). The figures are based on open space standards provided by the latest Open Spaces Study (2024), which itself sets open space targets based on the level of existing provision.

Any playing pitch provision would be an additional requirement – Table 10.1 refers Applicants to the Sport England Playing Pitch Calculator, however this is not publicly available and would not take into account existing local provision and needs.

The typology and numerical requirements set out in Policy NEB12 are a useful guide, however, in practice at the Development Management stage of the planning process there will inevitably be a need for flexibility in their application to respond to local needs and site-specific circumstances. Land at West Redbourn for instance is located adjacent to an existing play area, and a new children's play area may not necessarily be required.

Some of the requirements, such as 34.6sqm per person for natural green space and 4.5sqm per person for allotments, seems excessive especially when the inflexibility of the current wording is taken into account. SADC should ensure there is sufficient justification to support these standards, and that the impact of meeting these standards in full on the capacity of allocations has been fully considered.

The need for flexibility in approach is heightened by the legal national requirement for developments to deliver minimum 10% Biodiversity Net Gain (BNG). In our experience, depending on site specific circumstances, a significant and specific type of open space provision may be required to meet net gain targets. By seeking a prescriptive numerical standard per typology, alongside typologies which have limited BNG value (for example: sports pitches, allotments and equipped play) Policy NEB12 could potentially act as a barrier to achieving on-site net gain targets. There is a clear need for flexibility in approach from SADC as part of the Local Plan.

In our experience it is uncommon, not necessary and potentially inappropriate for a scheme of 250+ dwellings to deliver parks and gardens. Parks and gardens typically form part of the open space provision on large-scale strategic sites, often in excess of 1,000 dwellings. In respect of allotment provision, it is sometimes the case that Parish Councils wish for investment in or expansion of existing allotment facilities; or depending on waiting lists at existing facilities they may not want further allotment provision. A similar principle can also apply for equipped play and sports pitches with Parish Councils and local communities preferring investment in existing facilities rather than diluting the local offer across a number of sites.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed remedy: In light of the above, it is recommended that Table 10.1 is removed from Policy NEB12 and added to supporting text as guidance only with the threshold for the parks and gardens typology raised to 1000+ dwellings or 'where local circumstances indicate a specific need'. Sports pitch provision should also be based on 'where local circumstances indicate a specific need', this is already partly acknowledged in criterion f) but this specific wording should be incorporated for clarity.

Table 10.2 should then be deleted from the Policy and replaced with flexible wording which indicates that for schemes of up to 1,000 dwellings, on-site provision can be replaced by an off-site contribution in lieu of a specific typology should local circumstances indicate that this is appropriate.

Given the need to support the aspirations of local communities, make efficient use of allocated land and allow for the best chance of delivering at least 10% BNG on-site, these proposed amendments to Policy NEB12 are entirely logical and will support the delivery of sustainable development. As currently drafted, Policy NEB12 provides a rigid set of requirements which do not reflect the constraints in achieving mandatory minimum 10% BNG on-site and allowing development proposals to be considered on a site-by-site and unique basis.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough is committed to mitigating the impact of development on existing local infrastructure and should it be evidenced as being required will support the on or off-site delivery of new local infrastructure to meet the needs of new and existing communities. Accordingly, the principle of draft Policy SP14 is supported, a Policy of this nature will be required as part of the Plan.

Notwithstanding the above, Richborough has comments on criterion g) of Policy SP14 which requires the infrastructure needs highlighted in the Infrastructure Delivery Plan (IDP) to be delivered by new developments. It is assumed that the vast majority of these new developments will be Local Plan allocations.

Whilst Policy SP14 offers flexibility in approach for Applicant's if a scheme has viability issues at the application stage, ultimately g iii) confirms that SADC would refuse planning permission if the scheme would be unsustainable without the required infrastructure. In this regard, SADC should remember that there is an onus on the Council to test the viability of the proposed site allocations alongside the IDP requirements as part of the Plan-making process. In this regard, the concerns raised in these representations above about discrepancies
between draft policies and the IDP regarding open space provision and playing pitch provision should be costed in a robust manner.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. P24-2525_R002v4_SADC Reg 19 Draft Local Plan 2041_Richborough_08_11_2024_[R].pdf

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B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 19

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Richborough strongly supports the allocation of West Redbourn under Policy B3, which is consistent with the approach set out in the draft Local Plan's spatial strategy.

Richborough has entered into a promotion agreement with landowners Pennard Bare Trust and Ulvir Limited (PBTU), who control a significant part of the proposed B3 allocation at West Redbourn (c.12.1 hectares). The land under the control of Richborough is situated to the north of Flamsteadbury Lane and is shown on the updated Site Location Plan submitted in support of these representations at **Appendix 1** *[please see attached document]*.

Moreover, as discussed previously, it is noted that a small area of the landownership to the West of Redbourn and to the east of the M1 motorway is located within Dacorum Borough Council's (DBC) administrative boundary and therefore currently excluded from Broad Location B3. This small parcel would represent a logical inclusion as part of proposed Broad Location B3 and Richborough will be engaging with and submitting representations to DBC as part of the Local Plan-making process. SADC should also engage with DBC on this matter through the Duty to Cooperate to ensure opportunities for cross-boundary housing delivery are maximised and a Statement of Common Ground prepared on the matter.

The Site has been promoted as deliverable (suitable, available and achievable) for a number of years, including throughout the preparation of the previous iterations of draft Local Plans produced by the Council. The signing of the promotion agreement with Richborough, which is a leading

national land promoter, demonstrates clear and continued commitment to the delivery of this Site which remains available for residential development. Richborough will be able to utilise its significant planning, technical and design expertise to work proactively with the Council to promote the Site through the remainder of the Local Plan process.

On this basis, the Site's identification as part of allocation B3 for the delivery of new housing growth is welcomed and supported. Although Richborough is supportive of the policy in principle, it recommends some modifications to the detailed policy wording to ensure soundness.

Number of new homes: B3 identifies the Site capacity as being 545 units. This is defined as being an indicative capacity. The indicative capacity is a reduction from that stated at the Regulation 18 stage (593 units), the reason for this slight reduction in capacity has not been explained. SADC's Housing Land Supply, Windfall and Housing Capacity Evidence Paper (2024) confirms that indicative capacities for proposed Green Belt site allocations remains based on the Housing and Economic Land Availability Assessment (2021). This calculates an approximate capacity based on the application of an average density of 40 dwellings per hectare (dph). The application of a density figure to calculate capacity in this manner is a crude tool. In reality, an average density figure is not applicable to an entire development site. Factors arising from good design principles such as creation of interesting street scenes, distinct character areas, and use of varying housing typologies to best meet local needs means a site's density will vary – with higher densities being more appropriate in central areas and adjoining the motorway boundary. This can be seen in the existing character of Redbourn, with varying densities across the village. The conclusions of the West of Redbourn Heritage Impact Assessment (2024) are also relevant, with its recommendation that an increase in housing densities in the northern part of the Site would be appropriate compared to the southern part of the Site that is in closer proximity to the listed Church and boundary of the Conservation Area.

Nonetheless, Richborough has undertaken initial site-specific capacity testing which has demonstrated that the Site is capable of delivering around 300 homes in a policy compliant manner. Taken together with the current Vistry homes live application for up to 300 homes, this provides a total potential capacity for the allocation of approximately 600 homes.

On this basis, Richborough agree with the approach taken of identifying an indicative capacity for the Site at this stage, and recommend that the final policy wording states a capacity of *approximately* 545 homes to allow flexibility. Richborough is in the process of preparing further detailed technical and design work to further evidence the suitability and sustainability of the Site. The technical work will assist in shaping a Framework Masterplan for the Site, demonstrating how the policy requirements can be delivered while taking into account and addressing known constraints. There are not considered to be any insurmountable constraints, and with careful planning the Site will be able to accommodate significant housing growth supported by public open space, landscape planting and infrastructure. The detailed technical and design work will be shared with the Council in due course as part of the ongoing collaborative working arrangement.

It is noted that the dwelling capacity for West Redbourn remains unchanged at 593 units in Table 3.1 earlier in the draft Local Plan. A consistent approach should be taken to the stated capacity of allocation B3.

Design principles: Richborough can confirm that the following key design principles are informing the masterplanning process of the Site, which has been informed by relevant requirements of Policy B3:

- Retention and enhancement of green infrastructure on the northern and western boundaries;
- Potential primary school land provision identified, dependent on confirmation from Local Education Authority (LEA) of the most suitable location for provision within the allocation as a whole;
- Due consideration of pipeline, with open space located along the associated easement;

- Permeable and accessible development, with opportunities identified for connections to existing Public Rights of Way (including south towards the Nickey Line), pedestrian and cycle network;
- Consideration given to the need for Suitable Alternative Natural Greenspace (SANG) or alternatively to contribute towards the maintenance of a suitable SANG project elsewhere;
- Proposals informed by a drainage strategy incorporating Sustainable Drainage Systems, with due regard given to areas of surface water flood risk.

Criterion 1– Richborough is committed to working with SADC and stakeholders to ensure that delivery of the allocation is supported by adequate access to local infrastructure, without there being a detrimental impact on existing infrastructure in Redbourn. It is noted that criterion 1 states a requirement for a new 2FE primary school, including Early Years provision. Richborough is willing to work collaboratively with SADC, the LEA and Vistry Homes to identify the most appropriate location within the allocation for the primary school – to ensure the stringent school site location requirements can be met.

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

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

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

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

Public Rights of Way improvement contribution to the link over the M1 and out into the wider recreational network to the West. The network of Public Rights of Way within the site must be retained and enhanced to encourage local walkers and dog walkers to use local routes into the wider countryside.

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

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

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1. P24-2525_R002v4_SADC Reg 19 Draft Local Plan 2041_Richborough_08_11_2024_[R].pdf

330 - Taylor Wimpey Strategic Land

Submission Number: 330 Submission Date: 07/11/24 09:00

Respondent: Sam Hollingworth

On Behalf Of Taylor Wimpey Strategic Land :

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

2.1 Policy SP1 sets out the proposed spatial strategy for the District up to 2041. Our comments on this can be divided into the following three elements: the plan period; the settlement hierarchy and distribution of growth; and the approach to calculating minimum housing needs.

Plan period

2.2 In order to be capable of being found sound the new Local Plan must *inter alia* be consistent with national policy. The National Planning Policy Framework (NPPF) requires strategic policies to address a period of at least 15 years *from adoption* of the Local Plan.

2.3 The DLP proposes a plan period which runs until 2041. In order to address the minimum 15-year period, the new Local Plan will need to be adopted before the end of March 2026.

2.4 The Council's Local Development Scheme suggests the new Local Plan will be adopted in March 2026.

2.5 Consequently, the Council appears to have no room for any slippage in the Local Plan timetable. This constitutes a risk, in our view, particularly as a) the Council will not be in control of the Local Plan timetable from submission of the plan for examination; and b) based on the experience of other Local Plans recently, it is likely that a need for some main modifications will be identified through the examination of the submitted Local Plan. Such modifications will need to be agreed by the Council, appraised, and consulted upon, delaying adoption.

2.6 We suggest it would be prudent to extend the plan period, and ensure the spatial strategy and other strategic policies look to address the period up to at least 2042.

Settlement hierarchy and spatial distribution of growth

2.7 We consider that a settlement hierarchy can be used to help determine the sustainability of a settlement to accommodate growth. However, the DLP's spatial strategy should also be informed by factors such as constraints to development, the pattern of employment development, and the availability of appropriate sites. It is also important to recognise that St Albans City & District contains a number of distinct settlements, each with their own identities – the new Local Plan and in particular the spatial distribution of growth should ensure it supports the vitality of these communities, helping to ensure local services remain viable, etc.

2.8 Having regard to the above, it is considered that the DLP's approach of utilising a settlement hierarchy as a basis for the distribution of growth, without slavishly following it in terms of the actual scale of growth directed to various settlements, is a sound approach.

2.9 In terms of the approach to establishing the settlement hierarchy, this is informed by the Council's two-part Settlement Hierarchy Study (June 2023) This applies a quantitative scoring system to establish a settlement hierarchy for the District. It is acknowledged that attempts to quantify the characteristics of such settlements, considering a range of varied features, is inherently problematic. However, the approach is considered proportionate, particularly, as noted above, the DLP has not sought to distribute growth in an overly simplistic manner having regard to the outcome of such an assessment.

2.10 In respect of Wheathampstead, we consider it has been appropriately identified as a Large Village, Tier 4 settlement, to which it is sustainable to direct proportionate growth. This reflects the size of the settlement and, perhaps more importantly, the services and facilities it contains, as the Settlement Hierarchy evidences.

2.11 Wheathampstead benefits from a range of facilities and services to meet people's daily needs. It is home to two primary schools, a nursery, library, fire station, post office, GP surgery, and dentist. Other facilities include public houses, allotments and sports pitches. The village also contains a variety of shops, businesses and services with a pharmacy, convenience stores, restaurants, cafes and takeaways, generally concentrated along the High Street.

2.12 In addition to facilities and services within the village itself, Wheathampstead also benefits from a good bus service providing links with neighbouring centres.

2.13 It will be important for the new Local Plan to support the vitality of settlements such as Wheathampstead, which have their own identities as well as a range of services and facilities important to their communities and those within the surrounding area.

2.14 The approach of utilising the settlement hierarchy to inform the distribution of growth is considered justified and consistent with national policy; and justifies directing a proportion of growth to villages such as Wheathampstead.

2.15 Notwithstanding the above, in our view it is unclear how decision-makers are attended to respond to reference within the policy text itself that "*Settlement Hierarchy (Table 1.3) provides the basis for allocation and location of growth, locating most growth generally within and adjacent to the larger and most sustainable urban centres that are Tier 1 - St Albans and Hemel Hempstead; Tier 2 – Harpenden, and Tier 3 - London Colney".* This reads more as *justification* for policy / strategy, as opposed to policy in itself. We suggest this would benefit from modifications such that the policy states that growth directed to the settlements will reflect the settlement hierarchy, without slavishly adhering to it and factoring in a range of other sustainability considerations, including the need to support the vitality of smaller settlements. Existing text regarding how the settlement hierarchy has helped inform the spatial strategy would be better placed within the supporting text.

2.16 Separately, we also consider it important that the new Local Plan proposes a range of scales of development, as the DLP does. It includes a mixture of what it categorises as Large Sites (100-249 homes), Medium Sites (10-99 homes) and Small Sites (5-9 homes).

2.17 The Council will doubtless be mindful that one of the failings of the Local Plan previously submitted for examination was the lack of smaller sites, and the undue reliance on sites capable of accommodating over 500 dwellings, unjustifiably ruling out a potential source of housing supply that may have a lesser impact on the purposes of the Green Belt. The DLP's spatial strategy has evidently avoided this potential soundness issue through allocating sites of a range of sizes for development.

Local housing needs

2.18 We welcome the use of the Standard Method as per the PPG. The NPPF is clear that this should be used to determine the minimum number of new homes strategic policies should plan for (NPPF paragraph 61); and that seeking to meet housing needs, as a minimum, is a prerequisite of a sound Local Plan (paragraph 35).

2.19 The PPG confirms that the Standard Method does not generate a housing requirement for use in plan-making, merely the *minimum* housing requirement. Consequently, reference to the number this generates being a minimum within Policy SP1 is supported and, indeed, considered necessary.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

2.20 We suggest that the new Local Plan will also need to include a policy in which the housing requirement is set, and the PPG notes there will be circumstances where it is appropriate to plan for more housing than the Standard Method suggests.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.1 Strategic Policy SP3 sets out the proposed minimum number of new homes needed in the District

over the plan period, addressing a 16.5-year period between 1 October 2024 and 31 March 2041. It also states that the Council will increase overall employment space. It stresses that growth must be supported by suitable infrastructure. Additionally, it also explains the Green Belt will continue to be protected, but that it will be necessary to make alterations to the boundary to accommodate development needs.

3.2 Our representations on this policy focuses on two elements of Policy SP3: housing need and the

principle of alterations to the Green Belt.

Housing Need

3.3 Policy SP3 refers to a total housing need for the District to 2041 of 14,603 homes, taken from 1

October 2024.

3.4 It explains that this is based on an annual housing need of 885 dwellings, calculated in accordance

with the Standard Method (as per the PPG, and discussed in our response to Policy SP1).

3.5 The NPPF requires use of the Standard Method to determine the minimum number of new homes

to be planned for, and as such is supported. Reference to the number being a minimum also accords with the NPPF and PPG regarding how the Standard Method figure should be considered. As set out in our response to Policy SP1, however, it is important that the Council and the new Local Plan recognise that whilst the Standard Method generates the minimum housing requirement, it does not generate the housing requirement per se.

3.6 In addition, and again as referred to in our response to Policy SP1, the Council may wish to extend

the plan period to ensure that the new Local Plan will cover the requisite minimum period of 15 years from adoption. This would mean adding a further 885 dwellings to the housing need calculation.

Green Belt

3.7 Reference to making alterations to the Green Belt in order to accommodate development needs is

supported.

3.8 The NPPF (paragraph 145) makes clear that the preparation of a new Local Plan is an appropriate vehicle through which to amend Green Belt boundaries. It states this should only be done where there are exceptional circumstances which justify such alterations.

3.9 The NPPF (paragraph 145) also stresses that exceptional circumstances should be fully evidenced and justified; and that a Local Planning Authority must demonstrate that it has fully examined all other reasonable options for meeting its identified need for development before concluding exceptional circumstances exist (paragraph 146).

3.10 Whilst the definition of exceptional circumstances is not elaborated on further within the NPPF or PPG, judgments in respect of *Calverton* and *Compton*[6] have provided a basis on which to consider the matter.

3.11 The judgment in *Calverton* preceded that in *Compton* and determined that the following could form the basis of considering exceptional circumstances in the context of development needs:

1. The acuteness of the objectively assessed development need
2. Constraints on the supply or availability of land suitable for sustainable development

- The consequent difficulties in achieving sustainable development without impinging on the Green Belt

1. The nature and extent of harm to the Green Belt that would be caused by a review of Green Belt boundaries
2. The extent to which harm to the Green Belt could be minimised as far as practicable.

3.12 In the case of St Albans City & District the scale of housing need is significant, as already noted and recognised through the DLP. Furthermore, it should be noted that the figure generated by the Standard Method and cited in the DLP not only represents the *minimum* figure, but is also artificially constrained by application of a cap (in accordance with the PPG, and intended to ensure that the minimum housing requirement is deliverable as soon as possible). As the PPG notes, the "*The cap reduces the minimum number generated by the standard method, but does not reduce housing need itself*". The local housing need calculated without the cap would be 1,169 dwellings per annum (dpa).

3.13 In addition to there being significant overall housing need within the District, there is also an acute need for affordable housing specifically.

3.14 The new Local Plan's evidence base includes the South West Hertfordshire Local Housing Needs Assessment (2020) ('the LHNA').

3.15 The LHNA includes an objective assessment of affordable housing needs within the Districts that make up South West Hertfordshire. It concludes St Albans City & District has an affordable housing need which equates to 443 dpa, equivalent to 50% of the Standard Method's calculation of the minimum overall annual housing requirement.

3.16 In terms of opportunities to meet this need sustainably without impinging on the Green Belt, it has been abundantly clear that only a very limited proportion of the District's needs can be met without impinging on the Green Belt for some time now. The evidence base which supported the previous Local Plan prepared by the Council (ultimately withdrawn in 2020) confirmed the inability to make a meaningful contribution to meeting housing needs without alterations to the Green Belt. Four years on, the position remains and has likely been exacerbated by a lack of delivery – the latest Housing Delivery Test measurements (2022) report that only 55% of the District's housing needs in the preceding three years.

3.17 The lack of opportunity to meet development needs without alterations to the Green Belt boundary has been reaffirmed through the Council's Housing and Economic Land Availability Assessment (2021) ('the HELAA') and its accompanying Appendix B – the draft Urban Capacity Study (2022) ('the UCS').

3.18 The UCS estimated potential to deliver only 2,174 dwellings within the existing limits of the District's settlements, even if one were to apply a 'density uplift' within areas considered appropriate to do so. This leaves a significant housing need that will need to be delivered through new allocations. Given that the existing Green Belt boundary is drawn tightly around the District's settlements, this inevitably means that some alterations to the Green Belt will be required.

3.19 In terms of nature of the harm to the Green Belt that would be engendered by amendments to the boundary this will be dependent on specific sites to be allocated. However, it is relevant to note the findings of the St Albans Stage 2 Green Belt Review (2023) ('the Green Belt Review').

3.20 The Green Belt Review divided the District's Green Belt into 182 sub-areas, which were then assessed in respect of their contribution to the purposes of the Green Belt. It found that a number of these sub-areas' contributions were 'less important' or 'partly less important'. Of these 182 sub-areas, 54 were recommended for further consideration in isolation as their loss would be unlikely to result in harm to the wider Green Belt; and 29 for further consideration as their development would be unlikely to result in result in harm to the Green Belt provided they were released in combination with other sub-areas.

3.21 There is evidently scope to make relatively modest alterations to the Green Belt in such a way that its strategic functions remain, and it continues to fulfil the purposes of the Green Belt as per the NPPF.

3.22 Similarly, the extent to which harm to the Green Belt may be mitigated will principally be a matter for consideration on a site-by-site basis. It is noted that the Green Belt Review nevertheless considers the issue of mitigation; and that the DLP itself proposes various forms of mitigation through Policy LG6.

3.23 At the District-level, the acute housing shortage (including significant need for affordable housing), together with lack of options to address this need without impinging on the Green Belt, and the identification of options for amending the Green Belt boundary without undermining its strategic purposes, evidently constitute exceptional circumstances which justify (or moreover, necessitate) alterations to the District's existing Green Belt when considered in the context of *Calverton*.

3.24 In terms of the need for, and ability of, development of the Site to incorporate measures to mitigate harm to the Green Belt, this is addressed in Section 7 of this statement.

3.25 Furthermore, *Compton* confirmed that it is not necessary to 'tick off' all of the matters identified as constituting exceptional circumstances in *Calverton*. Instead, *Compton* established that provided the circumstances relied on, taken together, can rationally be considered to constitute exceptional circumstances justifying release of land from the Green Belt, then this is sufficient.

3.26 In the case of St Albans, and mindful of the factors identified above, even if one were to disregard the similarities between the circumstances in *Calverton* and those faced by St Albans, it is clearly not irrational to conclude alterations should be made to the Green Belt.

3.27 A further relevant factor in the consideration of whether exceptional circumstances apply is that the existing Development Plan is uncommonly old. The NPPF states Green Belt boundaries should be capable of enduring beyond the plan period, but they are not intended to remain unaltered in perpetuity. The existing Green Belt boundaries will, by the time a new Local Plan is adopted, have persisted for over 30 years. The existing Green Belt has fulfilled its purpose of keeping land open beyond the plan period – whilst most of the policies in the Local Plan 1994 do not have timescales, it addresses the period to 1996 in respect of development needs (as per the 1986 Hertfordshire County Structure Plan in place at the time it was adopted). Even if one were to take the current minimum plan period for new Local Plan (15 years from adoption), the Green Belt as per the Local Plan 1994 has endured well beyond that period also.

3.28 The fact that recent appeal decisions have concluded very special circumstances apply that justified grant of planning permission for residential development in the Green Belt is also germane. The District's acute housing needs, a lack of a plan in place to address these, and the inability to address needs without impinging on the Green Belt have been relevant factors in appeals for residential development in the District's being allowed.

3.29 Not only is this relevant given the test for exceptional circumstances test is less demanding than for very special circumstances (as confirmed in *Calverton*) but it also confirms that it is not a case of whether or not there will be loss of openness to the existing Green Belt – rather it will be a case of whether it is planned alterations to the Green Belt through a new Local Plan, providing

certainty for local communities and ensuring the remaining (vast majority) of the Green Belt; or ad hoc development within the Green Belt, subject to very special circumstances being demonstrated on a case-by-case basis.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

LG4 - Large, Medium and Small Sites

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.2 Policy LG4 requires *inter alia* applicants for development of Large Sites (defined in the DLP as being developments of 100-249 homes) to prepare a masterplan, and for this masterplan to be agreed with the Council prior to developing detailed designs at Policy LG4 a).

4.3 It is not clear from the current policy text what is meant by "*agreed with the Council*"– whether this entails a formal approval process (as some Councils have implemented in respect of masterplans) and, if so, what this would involve; or it is anticipated that a masterplan will form part of an outline application to be approved; or whether a more informal approach is anticipated.

4.4 Similarly, it is not clear if the reference in Policy LG4 a) to masterplans needing to be agreed before developing detailed designs is a reference to a need for them to predate a detailed planning application (i.e. the masterplan can be incorporated into an outline application) or if reference to detailed designs is meant otherwise.

4.5 In relation to Policy LG4 l), whilst we do not object to the principle of a policy in which the provision of additional trees as part of development is encouraged, the justification for the specific requirement to provide at least one semi-mature tree per dwelling is unclear. The justification for any policy around such requirements would, in our view, need to consider that there is already a

statutory requirement to achieve a minimum 10% biodiversity net gain as part of new developments and that provision of trees might not necessarily assist in maximising the potential biodiversity net gain delivered.

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1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

LG6 - Green Belt Compensatory Improvements

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

4.6 Policy LG6 sets out the Green Belt compensatory improvements that are required to accompany sites that the DLP proposes be released and allocated for development.

4.7 We note the proposed improvements generally align with guidance set out within the PPG and we are broadly supportive of the policy. However, we consider that there are currently specific elements that will need to be amended to ensure the policy can be considered sound.

4.8 We consider it is necessary the policy retain reference to any compensatory measures demanded being proportionate to the development, as clearly impact will vary depending on the nature and scale of development. A such, this aspect of the policy is supported.

4.9 In addition, we consider it would be appropriate for the scale of compensatory improvements to also be linked to the contribution made by land proposed to be allocated to the purposes of the Green Belt. Clearly, where land currently makes a greater contribution to the purposes of the Green Belt it would be appropriate for its development to be required to set out a greater range of compensatory improvements, and vice versa.

4.10 As such we suggest the first line of the policy be amended to:

The allocations in Part B that are facilitated by Green Belt boundaries changed by this Plan are required, to a degree proportionate to the development and to the contribution made to the Green Belt prior to their allocation for development, to:...

4.11 In respect of Policy LG6 b), this currently could be inferred as an absolute requirement to retain any tree and hedgerow, regardless of their condition or the feasibility of doing so as part of development. There may be instances where, for example, trees on site include those which are dead, infected, or showing signs of significant, immediate, and irreversible decline (i.e. Category U trees). In a different vein, there may be cases where part of a hedgerow would be justifiably removed to facilitate access, with replacement hedgerow planted elsewhere.

4.12 We suggest Policy LG6 b) be amended such that it seeks to retain trees and hedgerows on site, subject to the desirability (having regard to the quality of these) and feasibility of doing so; and that where it is not feasible to do so, compensatory planting will be sought to replace these.

4.13 In respect of Policy LG6 c) and reference to development being required to connect any fragmented green links, we suggest this will need to be caveated with reference to where doing so is feasible and beneficial to do so. As currently worded we consider there is a risk a decision-maker could treat this as an absolute requirement regardless of other considerations.

4.14 Turning to Policy LG6 f), we are unclear what is meant by "*Provide woodland buffer planting when adjacent to established urban areas overlooking what was once open countryside*" neither in terms of what is meant by woodland buffer planting, nor in where it is intended to be provided.

4.15 If it is intended to require a woodland buffer between existing residential areas and the new development, such a requirement would not only be unjustified but would in our view be wholly inappropriate. It would risk undermining opportunities to integrate new development with the existing community, as well as potentially placing new dwellings further from existing services and facilities – running counter to sustainable development objectives in both instances.

4.16 Irrespective of where woodland buffers are envisaged, it is also unclear what is meant by a woodland buffer planting and to what extent this would be expected to differ (if at all) from a landscaped buffer. It is unclear what the potential land-take for woodland buffer planting might be.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

4.17 It is important to recognise that the DLP identifies a small number of sites for residential development on the basis of being the most sustainable and deliverable sites to help address acute housing shortages in the District, and with the least impact on the purposes of the Green Belt. Given that there is already evidence that the District's future housing requirements will be considerably greater than those the DLP plans to meet, it is imperative that an efficient use of these sites to provide housing is made. Failure to do so risk exacerbating housing shortage and / or necessitating allocation of further, potential less sustainable, land to meet needs.

4.18 If the policy is intended to help ensure a new, robust Green Belt boundary and ensure an appropriate transition between the new residential envelope and the countryside, we suggest the criterion simple states as such.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

HOU1 - Housing Mix

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.2 We support the provision of a policy setting which will provide a steer regarding housing mix that will be required in order to best address accommodation needs.

5.3 However, it is important that such a policy is imbued with appropriate flexibility to account for site-specific circumstances, potential variations in housing need across the District, and the likelihood for that needs will change over time.

5.4 As currently worded, we consider the policy is overly prescriptive and fails to account for the aforementioned.

5.5 Whilst we note the text at paragraph 4.6 in which it states that a limited number of urban brownfield sites may require a different mix, we do not consider this accounts for all the circumstances in which a different mix may be suitable and / or necessary.

5.6 Separately, the justification is unclear for requiring ***all*** one-bed dwellings to be two-person dwellings, and ***all*** two-bed dwellings four-person homes.

5.7 We suggest that the outcome of the Ipswich Local Plan Review Examination, and Schedule of Proposed Main Modifications (July 2021) prepared in order to address matters soundness, may provide a useful basis for the Council to consider policy wording in respect of housing mix. Following examination hearing sessions, and in order to make this Local Plan consistent with national policy and justified, the first part of the housing mix policy was amended such that it read as follows:

The Council will plan for a mix of dwelling types to be provided, in order to achieve strong, vibrant and healthy communities. All major schemes of 10 dwellings or more will be expected to provide a mix of dwelling types and sizes.

Exceptions to this approach will only be considered where:

1. ***A different approach is demonstrated to better meet housing needs in the area; or***
2. ***The site location, characteristics or sustainable design justify a different approach; or***
3. ***A different approach would expedite the delivery of housing needed to meet targets and is acceptable in other planning terms.***

In considering the most appropriate mix of homes by size and type for major residential development proposals, the Council will take a flexible approach taking into account needs identified through the current Ipswich Strategic Housing Market Assessment and any other evidence of local needs supported by the Council and the policies of this plan...

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

However the policy is amended, it is important that it provides the appropriate degree of flexibility to be able to respond to different and / or changing circumstances.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

HOU2 - Affordable Housing

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

5.9 Our concerns in respect of proposed Policy HOU2 are confined to point a) ii) and are very similar to those in respect of Policy HOU1. We consider the policy requirement in respect of the mix of different forms of affordable housing to be overly prescriptive, and that it fails to allow for potential variations of housing needs over time and / or across the District.

5.10 In addition, we suggest the policy on affordable housing mix must acknowledge that viability and feasibility matters may impact on the mix of affordable housing types that can be provided on sites.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

5.11 We suggest that a) ii) should be amended to make clear that the DLP provides an indicative mix of affordable housing types that applicants should use to guide the 40% affordable housing component, and that variations in the proportions of social rented, affordable rented, and affordable homes ownership can be accepted where demonstrated to be appropriate.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

NEB10 - Landscape and Design

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

6.1 Our comments on Chapter 10 (Natural Environment, Biodiversity and Green Infrastructure are confined to Policy NEN10, and then to one specific element of this.

6.2 The draft policy current requires, at point c), a Landscape and Visual Impact Assessment for all major developments.

6.3 It should be recognised that a Landscape Visual Impact Assessment (LVIA) is a formal process of identifying and assessing a proposed development's landscape and visual effects, including specifically significant effects such that it can form part of Environmental Impact Assessment. There are other ways, including those which follow a less formal process, of considering the landscape and visual impacts. This includes Landscape and Visual Appraisal (LVA).

6.4 Major developments can include those that are unlikely to have any significant impacts on landscape, e.g. redevelopment of a previously developed site within an existing urban area.

6.5 The need for LVIA, LVA or other form of appraisal / assessment will vary on a case-by-case basis. It would be wholly disproportionate to demand an LVIA for all major developments.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

6.6 We suggest the policy be amended to make clear applicants should demonstrate that a proportionate approach to considering landscape and visual impacts has been undertaken, having regard to the nature of the development and the landscape sensitivities of the Site.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

M2 - Hill Dyke Road, Wheathampstead, AL4 8TR

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

7.1 In summary, proposed Allocation M2 (residential development of Hill Dyke Road, Wheathampstead ('the Site')) is supported.

7.2 The Site is suitable, available and achievable for residential development; would form a logical extension to provide proportionate growth to a settlement which is sustainable to accommodate such growth; and whilst currently Green Belt, the Site patently makes only a limited contribution to the purposes of the Green Belt, as the DLP's evidence base confirms.

7.3 The above matters are discussed in detail within this section of our representation.

Site Characteristics

7.4 The Site measures c.3.55ha and is broadly rectangular in shape stretching east-west.

7.5 It comprises arable land on a south-east facing slope and contains mature landscaping along its boundaries, but is otherwise largely featureless.

7.6 It adjoins the southern boundary of Wheathampstead and an existing residential area. Immediately to the west and north of the Site are existing dwellings which form part of a 1970s / 1980s suburban residential development and which comprise predominantly two and three-storey detached and semi-detached houses.

7.7 The Site's northern boundary comprises matures trees and scrub, beyond which lies the residential street of Hill Dyke Road.

7.8 The Site's southern and eastern boundaries comprise belts of mature tress which divide it from the open countryside beyond.

7.9 The land to the south of the Site consists of agricultural fields with pockets of woodland; to the east there are again agricultural fields, but also heritage assets in the form a Scheduled Monument comprising a late Iron Age enclosed oppidum (fortified administrative centre) earthworks, incorporating Devil's Dyke (a wooded area with a deep ditch, understood to be part of the enclosed oppidum's fortifications), and Slad.

7.10 A site location plan and aerial view of the Site are provided [in the attached file] as Figures 1 and 2, respectively.

Site Suitability and Sustainability

7.11 The DLP's proposal to direct proportionate growth to Wheathampstead is justified and consistent with national policy, as discussed in Section 2 of this representation in respect of the proposed spatial strategy.

<u>Proportionate evidence</u>

7.12 Firstly, it should be recognised that the Site's suitability for residential development has been evidenced through the DLP's evidence base.

7.13 The Site was appraised in terms of its suitability through the Council's Housing and Economic Land Availability Assessment (2021) ('the HELAA'), as well as previous drafts of this study, as site reference WH-28-21.

7.14 Furthermore, the Site's suitability in terms of impact of its removal from the Green Belt has been appropriately assessed, with the Council's St Albans Stage 2 Green Belt Review Annex Report providing a site-specific (site reference SA-50) assessment of the Site's contribution to the purposes of the Green Belt, ensuring this issue is considered at an appropriate grain.

7.15 The Sustainability Appraisal of the DLP ('the DLP SA') also supports allocation of the Site when assessing the option against various sustainability objectives.

7.16 The above, as well as other evidence of the Site's suitability, are discussed in this section.

Constraints review

7.17 The Site benefits from a lack of significant constraints to residential development, as the HELAA confirmed. The HELAA concluded the Site was potentially suitable for residential development, subject to constraints being reasonably mitigated; and found it was not subject to any absolute constraints.

7.18 The Site is in Flood Zone 1, and as such land least at risk of flooding from tidal or fluvial sources.

7.19 It is not subject to any ecological designations suggesting the Site is of ecological importance. As arable land in agricultural use, any ecological value of the Site is largely limited to existing landscaping on its boundaries.

7.20 A Preliminary Ecological Appraisal (April 2024) ('the PEA') has been undertaken by James Blake Associates and provided as **Appendix A** to this representation. The PEA concludes that whilst further surveys will be required alongside more detailed proposals, development will be able to proceed with minimal impact on the local conservation status of any protected, principally important or rare species within the area.

7.21 The PEA further concludes that with a sensitive landscape scheme, incorporating suggested enhancements, the Site has the potential to be improved for local wildlife post development.

7.22 In landscape terms, development of the Site would represent a logical extension to the existing village envelop, with new development not projecting materially further south or east than existing adjoining development to the north and west, respectively. The Site is well contained by the existing development to the west and north, as well as mature landscaping to the east and south. Landscape and visual impacts of the development of the Site are likely therefore to be largely limited to the Site itself.

7.23 The [in attached file] Figure 3 provides a map showing constraints within the wider locality of the Site, confirming the lack of on-site constraints affecting the Site itself. This is with the exception of Green Belt (which is a policy constraint), the extent of which is shown in Figure 4 [in attached file]. Figure 3 also shows Public Rights of Way within the locality, confirming none within the Site that would need to be incorporated into development / potentially diverted. Instead, the presence of Public Rights of Way adjacent to the Site is considered to represent an opportunity to help integrate the Site with the existing community and to encourage alternatives to the car.

7.24 Figure 4, Appendix C, of the Wheathampstead Neighbourhood Plan (2020) identifies locally significant views which Policy W7 seeks to protect. Notably, none of these views relate at all to the Site, but instead are focussed on the north and west of the village, suggesting the Site is in a less sensitive location in landscape and visual terms.

7.25 Having regard to all of above, potential constraints to the residential development of the Site are considered to be largely limited to issues of Green Belt and heritage. These are considered further, in turn, below.

Green Belt

7.26 Typically for settlements within the District, the Green Belt boundary is drawn tightly around Wheathampstead. It will not be feasible to expand the village envelope without impinging on the current Green Belt.

7.27 As discussed within Section 2 of this representation, there are clearly exceptional circumstances which justify alterations to the current Green Belt boundary at the District level. In our view, not only do the circumstances in the case of the District justify alterations to the Green Belt, but they actually necessitate such an approach. It is not feasible that the new Local Plan could meet development needs (and thus be capable of being found sound) without doing so.

7.28 Turning to the consideration of the Site and exceptional circumstances that justify its release from the Green Belt, it is relevant to consider the Site's contribution to the purposes of the Green Belt. Germane to this issue, the Site has been consistently found to make a limited contribution to the purposes of the Green Belt in recent reviews.

7.29 In the Council's Green Belt Review Purposes Assessment Final Report 2013 ('the GBR 2013') the Site was assessed (site reference SA-SS7 - Land south of Wheathampstead (GB43A)) and found to be one of eight sites across the District which contributed least to the purposes of the Green Belt.

7.30 In respect of the Site, the GBR 2013 concluded:

"*Assessed in isolation this very small subarea makes a limited or no contribution towards checking* ***sprawl, preventing merging, preserving setting or maintaining local gaps."***

7.31 More recently, the Council prepared a Green Belt Review 2023 ('the GBR 2023') through which the Site (as reference SA-50) was again appraised in terms of its contribution to the purposes of the Green Belt.

7.32 This assessment again considered sites in respect of the five Green Belt purposes as per the NPPF, namely:

1. to check the unrestricted sprawl of large built-up areas;
2. to prevent neighbouring towns merging into one another;
3. to assist in safeguarding the countryside from encroachment;
4. to preserve the setting and special character of historic towns; and
5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land 33 The GBR 2023 found that the Site made no contribution to Green Belt purpose 1.

7.34 In respect of Green Belt purpose 2, it concluded the Site forms a 'less essential' gap / part of a gap which is of sufficient scale and character that development is unlikely to cause merging between settlements.

7.35 Turning to purpose 3, the GBR 2023 suggests the Site scores highly on the basis that it falls into the category of sub-areas which "*contain less than 3% built form and possess a strong unspoilt rural character*".

7.36 However, we consider this is a questionable basis, alone, on which to conclude a parcel of land assists in safeguarding the countryside from encroachment. We would have expected factors such as the Site's relationship with the existing settlement boundary, degree of containment to which it is subject, and whether impacts would be localised or wider ranging, to have been considerations in relation to this purpose.

7.37 In respect of the Site and its contribution to assist in safeguarding the countryside from encroachment, it is clearly subject to a significant degree of containment, with development of the Site not projecting further south or east than the existing extent of the settlement. There is clear potential for the allocation of the Site to form a new clearly defined, robust and defensible Green Belt boundary which would have a strong degree of permanence and help safeguard the countryside

beyond. All of these characteristics are relevant to the Site's contribution to this purpose of the Green Belt, and suggest that the Site is less significant in assisting in safeguarding the countryside from encroachment than the GBR 2023 concluded.

7.38 As with Green Belt purpose 1, the GBR 2023 found the Site makes no contribution to Green Belt purpose 4.

7.39 In respect of Green Belt purpose 5, common with Green Belt reviews, the GBR 2023 concludes that all Green Belt achieves this purpose to the same extent, and that the Green Belt value of parcels when assessed against purpose 5 is unlikely to be distinguishable.

7.40 It has been robustly evidenced that the Site makes, overall, a limited contribution to the Green Belt, even if one were to accept the GBR 2023's findings in respect of the Site's contribution to purpose 3.

7.41 Considering again the judgment in the case of ***Calverton*** and the relevance of development of a Site's potential to incorporate matters to mitigate harm to the Green Belt, given the Site makes such a limited contribution to the purposes of the Green Belt, it is considered that the extent of mitigation required is similarly relatively limited. Regardless, it is proposed to further enhance landscaping along the Site's southern and eastern boundaries, further strengthening the separation of the Site from the open countryside beyond.

7.42 Having regard to all of the above and considering these factors alongside the exceptional circumstances evidently present at the District level, the exceptional circumstances which justify the removal of the Site from the Green Belt and allocation for residential development are manifestly clear and have been robustly evidenced.

Heritage

7.43 As noted earlier within this section, to the east of the Site is a Scheduled Monument. However, there are no designated heritage assets within the Site itself.

7.44 Furthermore, and in any case, there is existing 20th century residential development to the north of the Site which already adjoins Dyke Lane and Devil's Dyke.

7.45 The Council's evidence base includes a Heritage Impact Assessment, Appendix 4 of which specifically considers the proposed allocation of the Site. This Heritage Impact Assessment concludes potential impacts on the setting of the nearby Scheduled Monument can be mitigated.

7.46 Separately, a detailed Heritage Impact Assessment ('the HIA') of the Site has been prepared by RPS and accompanies this representation as **Appendix B**.

7.47 The HIA provides a description of heritage assets potentially affected by the development of the Site, confirming the adjacent Scheduled Monument to be the only heritage asset with potential to be affected by development of the Site (potential impact on its setting).

7.48 The HIA assesses the potential impact on the setting of this heritage asset, having regard to Historic England`s *Historic Environment Good Practice Advice in Planning: 3 The Setting of Heritage Assets* (December 2017). Following this, it concludes that the Site makes a highly limited contribution to the significance of the Scheduled Monument. Further to this, it concludes that ***"any effect of the proposed*** *development on the Monument can therefore be assessed as negligible, equating to a very low and barely* ***perceptible level of "less than substantial harm****.""*

7.49 It is clear that heritage matters do not render the Site unsuitable for development. Accessibility and highways

7.50 Whilst accessibility by sustainable modes of transport is not the only factor to consider in determining the sustainability of sites to accommodate new homes, it is considered an important one.

7.51 Ensuring opportunities for future residents to make use of sustainable transport opportunities, and reduce reliance on private cars, can have a host of benefits against various sustainability objectives. Not only environmental one, but also social benefits, particularly in terms of ensuring those without access to a private car are not excluded from being able to access services, facilities and employment opportunities.

7.52 In respect of this issue, it should be recognised that the Site is well-related to a number of the village's services and facilities. Of particular note, it is well within walking distance of a primary school and nursery – the entrance to Beech Hyde Primary School and Nursery is located less than 200m from the northern boundary of the Site as measured directly; and is a six-minute walk via Hill Dyke Road and Nurseries Road.

7.53 Hill Dyke Community Centre is located c.100m to the north-west of the Site. There are also existing play spaces in close proximity to the Site also (the development would also incorporate new play spaces).

7.54 Butterfield Playing Fields, home of Wheathampstead Wanderers Football Club but also containing several adult and junior pitches available for public use, is c.400m to the west of the Site.

7.55 Facilities within Wheathampstead, concentrated around The Hill / High Street / Marford Road are, a c.15-minute walk from the Site.

7.56 The Site has the potential to connect to existing Public Rights of Way, which have both functional and recreational uses.

7.57 In terms of public transport facilities, there is an existing bus stop located immediately adjacent to the Site on Hill Dyke Road from which services to and from the centre of Wheathampstead as well as neighbouring centres of St Albans and Harpenden, are available.

7.58 Recognising that many future residents of the Site are still likely to use private cars, a Technical Note has been prepared by Aecom which considers the impact of the proposed development of the Site in terms of vehicular movements, vehicular access, and impact on the highway network. A copy of this is provided as **Appendix C**.

7.59 The Technical Note includes assessment of additional vehicular movements generated and junction capacity at Hill Dyke Road / B651, finding that the junction will operate well within capacity in the event the Site were to accommodate 100 additional dwellings.

7.60 The Technical Note demonstrate how appropriate vehicular access could be achieved for the Site, as well as identifying potential locations for non-vehicular links to help knit the development with the existing residential area and ensure sustainable transport links.

Overview

7.61 The Site represents opportunity to deliver a suitable and sustainable extension to Wheathampstead, helping to meet housing needs and support the vitality of the community.

7.62 It is subject to very few constraints, and those that are present can readily be mitigated through development.

7.63 The Site currently makes a limited contribution to the Green Belt, with previous Green Belt assessment work undertaken by the Council having identified it as one of the eight sites which contribute least to the purposes of the District. In combination with circumstances at the District level, there are evidently exceptional circumstances that justify removal of the Site from the Green Belt.

7.64 The Site is within walking distance of a number of the village facilities and services, ensuring future residents can access these without reliance on a car; as well as helping to ensure such services / facilities continue to be utilised and are sustained. This constitutes a benefit to the wider community, as well as future residents of the Site, and helps support the vitality of the community.

In addition, a bus stop located immediately outside the Site provides access to the centre of the village and other neighbouring centres. In respect of highways, technical evidence confirms the lack of adverse impact development of the Site would engender, as well as the ability to provide suitable vehicular access to the Site.

7.65 The Site is a suitable and sustainable site to accommodate much-needed market and affordable housing.

Site Availability

7.66 In addition to addressing the Site's suitability, the Council's HELAA also confirms the Site's availability for residential development.

7.67 The Site is in single ownership, and land adjoining the highway in public ownership; and there are no known legal constraints to the residential development of the Site.

7.68 The Council's evidence base correctly confirms the Site is available for development. **Site Achievability**

7.69 The Site is a greenfield site which is not subject to any significant constraints that might require potentially expensive mitigation and / or delay the delivery of new homes.

7.70 Development of the Site is being actively promoted by an established national housebuilder with a proven track record of delivery.

7.71 Considerable technical work has already been undertaken to confirm the residential development of the Site can be achieved in relation to potential constraints (as discussed earlier) which not only confirm the Site's suitability, but also show it is achievable for housing.

7.72 Having regard to all of the above, the Site is not only achievable but is achievable within the early years of the plan period. Given the acute and present housing needs shortage in the District, this is considered a further benefit.

Potential Development

7.73 An illustrative layout, showing how the Site could be developed is provided as **Appendix D**.

7.74 This shows how a development of c.85 dwellings could be accommodated at a density that is in keeping with the character of the locality, and incorporating significant areas of public open space and landscaping.

7.75 The illustrative layout demonstrates how vehicular and non-vehicular access points suggested by the transport Technical Note can be incorporated and integrate with the existing Public Right of Way network.

7.76 In terms of biodiversity net gain (BNG), it is anticipated that this would be delivered on adjoining, currently agricultural land, which is also controlled by the same landowner with whom TWSL is contracted. This would ensure efficient use of the Site for use for residential development (the use for which it has been found sustainable and deliverable), whilst also ensuring BNG provision is delivered in the immediate vicinity of the development, on land less suitable for development but entirely suitable to provide BNG.

Summary

7.77 The Site proposed to be allocated through Policy M2 is sustainable and deliverable for making a meaningful contribution to the housing land supply in the early years of the plan period, and a proportionate increase to the size of Wheathampstead, helping to support the vitality of this community.

7.78 It entails a logical extension to the settlement boundary, on land without significant constraints to development, and in a manner that does not harm the strategic purposes of the Green Belt.

7.79 The proposed allocation is justified, consistent with national policy, effective, and helps ensure the DLP is capable of being considered positively prepared.

8.1 As discussed in Section 7 of this representation, the Site is a sustainable and deliverable one to help

meet housing needs without undermining the strategic purposes of the Green Belt.

8.2 Within this section, we consider the 'key development requirements' that accompany the proposed

allocation of the Site (M2).

8.3 It important to recognise that the DLP only proposes to allocate a small amount of land, relative to

the District's size, to help address development needs – the sites it proposed to allocate are those which the Council considers most sustainable and deliverable to address acute housing shortages. In such circumstances, it is particularly important to adhere to the NPPF's call to make efficient use of land for development. Failure to do so will push development needs onto potentially less sustainable sites within the District, and / or result in housing needs going unmet.

8.4 Consistent with the approach to other DLP allocations, the policy requirements proposed for M2 are

described as 'key policy requirements'. We have inferred that these are the site-specific policy requirements, which should be read alongside other policies in the DLP. However, and at the risk of being overly pedantic, the current reference to these as 'key' does imply that there are other site-specific policy requirements elsewhere with the DLP and / or these are more important than other policies in the DLP. Assuming that is not what is meant, to ensure clarity for decision-makers applying the policy, we suggest these requirements be renamed 'site-specific requirements'.

8.5 There are five policy requirements proposed for Allocation M2, which are considered in turn below.

Access

1. ***The main site access must connect north on to Hill Dyke Road. Access on to Dyke Lane to the east must be for pedestrians and cyclists only, and not for vehicles***

8.6 We consider this is a justified policy requirement, which will ensure suitable access whilst also helping

to conserve the significance of the Scheduled Monument and Local Wildlife Site to the east of the Site.

8.7 It is also an achievable policy requirement, as the Technical Note provided as Appendix C to these

representations confirms.

Transport contributions

2. ***Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA. Including but not limited to improvements to the B651 and connections to St Albans / Sandridge.***

8.8 Contributions from development of the Site towards transport infrastructure is appropriate in

principle, including potentially towards infrastructure as proposed by the South West Herts Growth and Transport Plan (GTP) and / or South Central Herts GTP, and / or to the Local Cycling and Walking Infrastructure Plan (LCWIP).

8.9 However, it is important that requirements to do so are consistent with the Community Infrastructure Levy Regulations (2010) ('the CIL Regulations').

8.10 Specifically, any contributions demanded will need to comply with Regulation 122 and the limitations this sets out on use of planning obligations. This states that a planning obligation may only constitute a reason for granting planning permission if it is:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

Devil's Dyke Footpath

3. ***Support for improvement of the Footpath across the Devil's Dyke to reduce recreational impact of walkers on the site***

8.12 It is recognised that the Site is located within proximity to a designated Local Wildlife Site (Devil's Dyke) through which an existing Public Right of Way runs.

8.13 The Preliminary Ecological Appraisal which accompanies this representation noted that there was potential for increased recreational impacts on the Local Wildlife Site, and consequently recommended measures such as signposting with instructions to keep dogs on leads be installed, along with additional dog bins, to minimise impacts on walkers through the woodland.

Heritage

4. ***The layout of development should minimise any harm to the setting and significance of the Devil's Dyke and the Slad Scheduled Monument; this may include a significant set back from the east boundary. Development proposals should also demonstrate how they will enhance the understanding and local interpretation of the Monument.***

8.16 We agree that it is important that the development of the Site has appropriate regard to the potential to impact on the setting of the Scheduled Monument to the east. In this respect, the findings of the HIA should be recognised. Specifically, that the Site makes a *"highly limited contribution* ***to the*** *significance of the Monument"*and that *"any effect* ***of the proposed development on the Monument can therefore be assessed as negligible, equating*** *to a very low and barely perceptible level of "less than substantial harm""*(HIA paragraphs 7.5 and 7.6, respectively)***.**

8.17 We suggest it is important that decision-makers are not encouraged to perceive a greater potential for development of the Site to harm the significance of the Scheduled Monument than actually exists, particularly if this were to result in overly onerous and unjustified requirements that would undermine efficient use of what is one of only a small number of sites the DLP has identified as being sustainable to help meet housing needs.

Landscape Impacts

5. ***Landscape impacts must be mitigated, which must include maintenance of substantial tree screening along the southern boundary.***

8.19 We agree that measures to mitigate landscape impacts should include focus on maintaining the existing landscaping along the Site's southern boundary – this reflects the view of landscape assessment work undertaken which accompanied our previous representation at the Regulation 18 stage.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Clause #2

8. 11 We suggest the policy wording in respect of this requirement #2 is amended to read:

Proportionate contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA, insofar as are directly related to the development and necessary to make the development acceptable in planning terms. To potentially include, but not necessarily limited to, improvements to the B651 and connections to St Albans / Sandridge, subject to the outcome of the Transport Assessment to be undertaken and submitted alongside the planning application for development of the site.

Clause #3

8.14 We suggest that the policy wording of requirement #3 would benefit from making clear that this particular requirement is referring to the need to mitigate potential on Devil's Dyke in respect of ecology. It should also be recognised that it is an existing Public Right of Way, and as such there may be an existing impact.

8.15 It will also be beneficial to give an indication to decision-makers of the likely scale of improvements that would be appropriate. Having regard to these matters, we suggest the policy requirement be reworded along the line of the following:

Support for improvements *to the existing footpath across the Devil's Dyke to mitigate potential* ***ecological impacts of increased recreational disturbance on the Local Wildlife Site. Such improvements may include measures such as s****ignposting with instructions to keep dogs on leads through the Devil's* ***Dyke Local Wildlife Site, along with additional dog bins, or alternative measures which will appropriately mitigate the impact of potential additional dog walkers on the Local Wildlife Site.***

Clause #4

8.18 We suggest that this requirement be amended along the lines of the following:

The proposed development should be informed by a Heritage Impact Assessment, which seeks to ensure any harm to the significance of the Devil's Dyke and the Slad Scheduled Monument is minimised.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 24-203 TWSL LP Reg 19 Wheathampstead Final_[R].pdf
2. Appendix A - PEA_[R].pdf
3. Appendix B - Heritage Impact Assessment Compressed_[R].pdf
4. Appendix C - Technical Note (Transport) Compressed_[R].pdf
5. Appendix D - Illustrative Layout Compressed_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the proposed modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

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331 - Zoe Galvin

Submission Number: 331 Submission Date: 08/11/24 09:00

Respondent: Stop L & G and The Harpenden Green Belt Association Zoe Galvin

B7 - North West Harpenden, AL5 3NP

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Regulation 19 Local Plan Part B, page 26 – B7 - NW Harpenden AL5 3NP

Stop L & G and The Harpenden Green Belt Association recognise the importance of having an adopted Local Plan to meet local needs, plan for infrastructure and prevent speculative planning applications.

However, we consider that the allocation of the NW Harpenden broad location is **unsound**. For the reasons which follow, the traffic generated by development of this site, particularly when taken together with committed and proposed development across and outside the District, is likely to result in a severe impact on the local highway network, including the A1081 Luton Road. The problems are such that they cannot be left to a planning application to be resolved – indeed, there is a current planning application for development of this site and adjacent land and the transport assessment provided by the developer in relation to that application merely serves to demonstrate the problem.

There are existing significant problems with traffic congestion down the A1081. These are exacerbated by the Nickey Line Bridge at the junction with Park Hill, which is a critical “pinch point”. The conditions are currently unsuitable for all but the most experienced cyclists. Moreover, the walk into Harpenden is longer than the Transport Impact Assessment (“**TIA**”) allows for, because there is no pavement on the east side as the road goes under the Nickey Line Bridge: it is therefore necessary to cross the road to use the narrow pavement on the west side to walk under the Bridge into Harpenden.

The existing queues of traffic on the A1081 cause rat-running up Cooters End Lane and Ambrose Lane and into the narrow network of Victorian streets leading into central Harpenden, adding to the traffic going back and forth from The Spire Hospital, Youth with a Mission and the Kings School. Traffic movements are hindered by a sharp blind bend on Ambrose Lane over the Nickey Line. The pavement also disappears. Consequently, we have significant concerns about the safety of cyclists and pedestrians at this point on Ambrose Lane. Moreover, there are also safety issues because the junction between Bloomfield Road and Ambrose Lane is also “blind”– residents have put up a mirror themselves but there is a clear risk of accidents.

If NW Harpenden is developed, many journeys to and from it will be by car. The TIA acknowledges that the station is too far for some people – we would say most people – to walk on a daily basis. What the TIA fails to acknowledge is the likely volume of school-related traffic. Whilst Roundwood Primary and Roundwood Park Schools are within walking distance, children from this development are not likely to be able to get into these schools. Instead they will need to go to the new primary

school which is proposed on the NE Harpenden allocation or Katherine Warington School, both of which are some considerable distance away. There are no safe or easy walking routes from NW Harpenden to these schools.

The identification of NW Harpenden as a sustainable site for development is predicated on the assumption that it will be possible to create a LTN 1/20-compliant segregated cycle route along the A1081: as stated in the TIA:

"*South West GTP scheme PR37 and the St Albans LCWIP A1081 Luton Road route both demonstrate the strong requirement for a segregated cycleway along the A1081 to be providedas mitigation*."

It has also been proposed that traffic calming on Ambrose Lane will enable that road to be used as a "quiet" cycle way.

However, the difficulty with providing a segregated cycle route down the A1081 is, again, the Nickey Line Bridge. Because of the narrowing of the road, it is not possible to have two lanes of traffic and a segregated cycle lane under the bridge. Herts CC have proposed that this is addressed by a "shuttle system" so that traffic only moves in one direction at any one time, allowing cyclists to remain segregated from the traffic.

On the basis that these cycle routes will be provided, the COMET modelling which has been undertaken by Herts County Council to assess the traffic which will be generated by the NW Harpenden allocation has reduced the prospective future flows by 10%.

However, **these assumptions are flawed**.

Firstly, there are serious deficiencies in the COMET modelling, which do not take into account the cumulative effects of committed and proposed development in adjacent authorities: NW Harpenden is at the border with Central Bedfordshire and clearly impacted by its plans. Furthermore, it operates at a high level only, and much more detailed modelling will be necessary to properly assess the impact on local roads such as Ambrose Lane and Tennyson Road.

Stop L & G has commissioned reports from a highway's expert, Malcolm Foster of Neptune Transport Planning. Technical Note NPT3, a copy of which is attached, addresses various questions related to the modelling of the effect of the NW Harpenden allocation for the purposes of the Local Plan and identifies a number of significant shortcomings in the approach which has been taken.

Secondly, the COMET modelling does not address, or even attempt to tackle, the conflict between providing a safe cycle route down the A1081 and the need to avoid congestion at the Nickey Line Bridge junction. The COMET modelling assumes that a cycle route will be successfully provided and will, with other active travel measures, reduce car traffic by 10%. However, common sense, and the available evidence, indicates that the provision of the cycle route will massively increase congestion, not decrease it.

There is an existing planning application for the development of the NW Harpenden allocation and neighbouring areas for up to 550 dwellings, reference 5/2023/0327. The developer has submitted a Transport Assessment in relation to that planning application and revised it in October 2024.

Technical Note NTP4 (copy attached) provides a high-level review of the latest submissions and proposed schemes (as well as providing further commentary on the transport assessment supporting the draft Local Plan). Even though Mr Foster has significant criticisms to make of the applicant's transport assessment, he says that:

"*The results clearly show that with the shuttle working the junction would operate significantly over capacity, even under the current traffic conditions, with queues on Luton Road in excess of 145 pcus [passenger car units] in both northbound and southbound directions. It is highly likely that*

adding committed and proposed development traffic would lead to an exponential increase in traffic queues to a point where the traffic impacts on the operational performance of the local road network would be significant and severe." (emphasis added)

Moreover, on Wednesday 23rd October 2024, temporary traffic lights were installed at the Nickey Line bridge on the Luton Road, which created a single carriageway, replicating the effects of the proposed shuttle system. The results were nightmarish for local residents. At 15.45, queues southbound stretched all the way back causing gridlock through Harpenden town centre back to the Silver Cup on Harpenden Common. Satnav indicated a 28-minute delay, and rat-running traffic on local side roads increased massively. The gridlock caused chaos all across Harpenden.

Thus NW Harpenden has been chosen as a sustainable site for development on the basis that a safe cycle route will be provided down the A1081 but the evidence strongly suggests that it will be impossible to create such a route without causing massive congestion.

Thirdly, and as recognised by the applicant in respect of the planning application, the additional congestion along the A1081 is likely to encourage further rat-running down Ambrose Lane. This additional traffic, along with parked cars and the sharp bend over the Nickey Line, make this an unattractive route for cyclists and hardly a "quiet" one.

These are not issues which can be simply left over to be resolved at the time a planning application in respect of the NW Harpenden allocation is made. They are the consequence of fundamental features of the road network at this location which need to be properly considered before it is concluded that NW Harpenden is a sustainable location for development and that exceptional circumstances justify its removal from the Green Belt. NPPF paragraph 108 underscores the need for proper consideration of transport issues from the earliest stages of plan-making.

We therefore contend that the allocation of NW Harpenden is **unsound**, since it is not **justified, effective or consistent with national policy.**

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NTP Technical Note 3 NW Harpenden 20240922 Issue_[R].pdf
2. NTP Technical Note 4 NW Harpenden 20241021 Issue_[R].pdf
3. Reg 19 consultation response - Stop L & G and HGBA v2_[R].pdf

332 - Beechwood Homes Contracting and Verulam Golf Club

Submission Number: 332 Submission Date: 08/11/24 09:00

Respondent: Ceres Property James Firth

On Behalf Of C/O Ceres Property : Beechwood Homes Contracting and Verulam Golf Club

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Plan Period

For the Local Plan to be sound, it must adhere to national policy requirements. The National Planning Policy Framework (NPPF) mandates that strategic policies should address a minimum period of 15 years from the Local Plan's adoption.

The current plan period running until 2041, would require adoption by March 2026 to meet the 15-year requirement.

The Council's Local Development Scheme currently anticipates adoption by this deadline, allowing no room for potential delays. This tight timeline presents a potential risk, to address this, we suggest extending the plan period to at least 2042 to allow for more flexibility and ensure that the spatial strategy covers an adequate timeframe.

Settlement Hierarchy and Distribution of Growth

Policy SP1 highlights the importance of directing growth to the most sustainable locations 3.1.6 Policy SP1 emphasises that larger settlements provide a comprehensive range of services, employment, retail, and other facilities, as well as better accessibility and connectivity by walking, cycling, and public transport. It designates the City of St Albans as the primary focus in the District for housing, employment, services, retail, the evening economy, education, and healthcare.

The focus on St Albans as a sustainable location for growth is strongly supported, and this should of course then be reflected with the allocation of suitable sites to meet housing needs as part of the distribution. The site at M8 Verulam Golf Club is a key example of this.

The plans approach of using a settlement hierarchy as the basis for growth distribution is therefore also supported.

St Albans, as a Tier 1 settlement, is the District's most sustainable location for growth and should therefore be apportioned the highest levels of development. By directing the largest share of growth here, the Local Plan can more effectively support sustainable development objectives while protecting the distinct character of smaller settlements within the District.

Housing Needs

We support the application of the Standard Method, as outlined in the Planning Practice Guidance (PPG), for calculating housing needs. In accordance with the National Planning Policy Framework (NPPF), this method establishes the minimum number of homes required for strategic planning purposes (NPPF para. 61) and is fundamental to a sound Local Plan (para. 35).

It is essential that this draft plan remains adaptable to future increases in housing needs, especially considering the proposed NPPF reforms and the implications of a revised standard method for St. Albans' minimum housing requirements.

The forthcoming standard method, anticipated under the revised NPPF, would set St. Albans' housing requirement at a figure of 1,544, compared to the current Standard Method figure of 885 homes per annum, which translates to 14,603 net additional homes across the plan period. This represents an increase of 659 homes per annum (10,874 in total), which is currently not addressed by the Regulation 19 Local Plan.

Whilst it is recognised the Local Plan may be covered by transitional arrangements in the NPPF, it would likely require an immediate review of the Local Plan following adoption to address any updated housing targets. We therefore consider the current Regulation 19 Local Plan should seek to maximise the potential of all sites as far as possible. This should include maximising unit numbers on any sites proposed for allocation.

...

2 BACKGROUND & CONTEXT

Planning Policy Context

2.1 In preparing this representation, consideration has been had for Chapter 3 of the National Planning Policy Framework (NPPF) (2021) which relates to 'plan-making'.

2.2 Paragraph 15 of the NPPF promotes a plan-led system, and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental policies; and a platform for local people to shape their surroundings.

2.3 Paragraph 16 states that plans should:

1. be prepared with the objective of contributing to the achievement of sustainable development;
2. be prepared positively, in a way that is aspirational but deliverable;
3. be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
4. contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
5. be accessible through the use of digital tools to assist public involvement and policy presentation; and
6. serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

2.4 As identified at paragraph 35, local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are 'sound'. The test for soundness as set out within the NPPF is as follows:

2.5 Plans must be:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reg 19 Representation Form - Verulam Golf Club_[R].pdf
2. Reg 19 -Verulam Golf Club - Final_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP3 establishes a framework to meet St Albans District's critical housing and employment needs over a 16.5-year period, from October 2024 to March 2041. The policy emphasizes aligning this growth with essential infrastructure while safeguarding the Green Belt. However, SP3 recognizes that limited Green Belt adjustments may be necessary to meet this housing need. The need for amendments to the Green Belt to meet housing needs in such locations is strongly supported and it is considered that exceptional circumstances will exist in such circumstances.

Housing Need

To align fully with national planning policy, the Local Plan should extend the plan period to ensure it covers the 15-year minimum requirement from adoption. Extending this timeline would necessitate an additional 885 homes, further strengthening the Local Plan's commitment to fulfilling housing demands.

Green Belt

The acknowledgment of necessary Green Belt adjustments, particularly in and around St Albans, is essential. The approach to assessing potential Green Belt releases has relied upon the Arup Green Belt Review, with specific insights provided in the Stage 2 Final Report (June 2023).

According to paragraph 145 of the NPPF, revising Green Belt boundaries through a Local Plan can be justified if exceptional circumstances exist. This includes establishing that all other potential means of meeting development needs have been exhausted prior to considering Green Belt land (per NPPF paragraphs 145 and 146).

While "exceptional circumstances" are not explicitly defined in the NPPF, case law, including Calverton and Compton, clarifies factors that may constitute exceptional circumstances, such as:

- The scale of identified development needs,

- Constraints on sustainable land supply,
- Limitations on achieving sustainable development without Green Belt adjustments,
- The scale of potential Green Belt harm, and
- Opportunities to mitigate this harm.

In St Albans City & District, the demand for housing is acute. This is evidenced by high Standard Method-derived needs, even with a cap in place to support early deliverability. If this cap were removed, the annual requirement would rise to 1,169 dwellings, underscoring the true level of demand within the District.

Beyond overall housing need, there is a pronounced shortfall in affordable housing.

The Local Plan's evidence base includes the South West Hertfordshire Local Housing Needs Assessment (2020), which highlights the need for 443 affordable dwellings annually in St Albans. This represents 50% of the Standard Method's minimum annual figure, underscoring the importance of enabling housing growth near St Albans to meet these pressing demands.

The exact impact on the Green Belt varies by site. The Stage 2 Green Belt Review assessed 182 subareas, rating each based on its role within the broader Green Belt framework. The review found 54 areas that contribute less significantly to the purposes of the Green Belt, recommending them for further review. This suggests that limited, carefully planned adjustments could accommodate growth without compromising the essential functions of the Green Belt.

The site at M8 Verulam Golf Club represents a highly sustainably located site for appropriate scale of Green Belt release, on a site that is well enclosed and does not make a significant contribution to green belt purposes.

Housing Distribution and Supply

The spatial strategy effectively aligns housing allocations with the District's Settlement Hierarchy, focusing growth in highly sustainable areas. St Albans and Hemel Hempstead, as primary Tier 1 settlements, are prioritized, with significant allocations supporting their role as key urban centres. This approach is strongly supported and the allocation of suitable sustainable sites such as M8 at Verulam Golf Club is fully in line with this.

The NPPF further requires housing need to be treated as a minimum and encourages Plans to include flexibility in anticipation of changing demand. With the housing target set at 14,603 homes, the Draft Plan could offer further flexibility by considering an additional buffer, particularly in St Albans where the infrastructure can support additional growth. This would provide greater resilience to meet future demands, in line with the NPPF's goals for sustainable, adaptable planning.

Housing Trajectory

The NPPF promotes flexibility and resilience in housing delivery. This necessitates the allocation of a range of sites that can be delivered throughout the plan period. The allocation at M8 Verulam Golf Club, would align with these principles, by providing a site that is deliverable in the short term, allowing the plan to respond effectively to early demand fluctuations and maintaining progress toward meeting housing targets.

...

2 BACKGROUND & CONTEXT

Planning Policy Context

2.1 In preparing this representation, consideration has been had for Chapter 3 of the National Planning Policy Framework (NPPF) (2021) which relates to 'plan-making'.

2.2 Paragraph 15 of the NPPF promotes a plan-led system, and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental policies; and a platform for local people to shape their surroundings.

2.3 Paragraph 16 states that plans should:

1. be prepared with the objective of contributing to the achievement of sustainable development;
2. be prepared positively, in a way that is aspirational but deliverable;
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6. serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

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2.5 Plans must be:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

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Housing Need

To align fully with national planning policy, the Local Plan should extend the plan period to ensure it covers the 15-year minimum requirement from adoption. Extending this timeline would necessitate an additional 885 homes, further strengthening the Local Plan's commitment to fulfilling housing demands.

Green Belt

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Reg 19 Representation Form - Verulam Golf Club_[R].pdf
2. Reg 19 -Verulam Golf Club - Final_[R].pdf

M8 - Verulam Golf Club, St Albans, AL1 1JG

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The allocation at M8 Verulam Golf Club is strongly supported by my client. As detailed in our Regulation 18 representations and supporting vision document, this is a highly sustainable and deliverable allocation. Notwithstanding this, comments are provided on the detailed wording of the representation below.

[Please see image in attached form]

The key objectives and issues to address in bringing the site forward are identified in the plan as set out below. These issues as well as the proposed policy wording are considered further later in this representation and in the accompanying submission.

1. *Existing golf facilities must be retained or enhanced.*
2. *Contributions/ enhancements to support relevant scheme in the LCWIP and GTPs as indicated in the TIA.*
3. *Proposals must include support for improvements to the local Rights of Way network, including access to the public footpath adjacent to the south-west boundary and upgrading it to bridleway status to improve cycle access to the site.*
4. *Improvement to the A1081 access will be required, including support for enhancements for active modes (including access that avoids the roundabout, to both the Alban Way and the cycle path alongside London Road), in line with GTPs and LCWIP priorities.*
5. *Support for additional walking / cycling provision to the South-East of the site, towards Napsbury Lane, should be considered and explored as a significant opportunity to improve wider connectivity and enhance the Rights of Way network. This is currently a significant gap in the walking network and could not be included in the LCWIP despite local stakeholder comments and evidence of demand due to the lack of adequate footway along this route and lack of continuous right of way between London Colney and the Sopwell area.*

6. *The site lies adjacent to the St Albans Conservation Area and development should minimise any harm to, and where possible enhance, the setting and significance of this heritage asset.*
7. *Development proposals must take appropriate account of all trees protected by Tree Preservation Order.*

The supporting plan provided alongside allocation M8 sets out the area proposed to be covered by the allocation. This shows the site boundary in red and that the whole of this area will be removed from the green belt, which is fully supported by our client.

[Please see image in attached form]

The policy wording goes on to set out various 'key development requirements. Comments on these is provided below.

Deliverability

The site at Verulam Golf Club M8 is supported by a vision document as prepared as part of our Regulation 18 representations providing details of the technical assessment work previously undertaken and vision for the site

Availability

The availability of the Verulam Golf Club site strongly supports its suitability and deliverability, particularly as it involves a single landowner with an option agreement already in place. This streamlined ownership structure eliminates potential legal complexities, aligning well with the NPPF's emphasis on the timely delivery of housing. The absence of legal constraints enables the site to be readily deliverable in the short term, allowing development to proceed without delay.

According to the NPPF, deliverability is a key factor in assessing a site's suitability for development. By ensuring that sites are available now, with a realistic prospect of early delivery, local planning authorities can help meet housing needs efficiently. The established agreement with the landowner at Verulam Golf Club meets these criteria, making the site a reliable and accessible option for development, thus contributing to the NPPF's objective of maintaining a steady and responsive housing supply.

Achievable

The achievability of the site for development is reinforced by its operational context and existing land use. The proposal will have no impact on the functionality of the golf course, allowing current activities to continue unimpeded while integrating new development. This stability contributes to the site's overall viability and reduces the risk associated with transitioning to a development site.

Moreover, the policy objective to retain or enhance existing golf facilities is fully supported by this development. The site has the potential to complement and enhance the operation of the golf course. The commercial partnership between Beechwood Homes and the Verulam Golf Club will provide a capital receipt to the club, which can be utilised to maintain and improve the golf facilities for the benefit of members and the broader community.

Together, these factors demonstrate that the Verulam Golf Club site is not only available and suitable but also highly achievable, reinforcing its potential to contribute effectively to the local housing supply while supporting the continued operation and enhancement of the golf facilities

[Please see the attached appendices]

...

1 INTRODUCTION

1.1 This representation is prepared on behalf of Beechwood Homes Contracting, (hereafter Beechwood Homes) and Verulam Golf Club with regards to the St Albans Draft Local Plan 2041 Regulation 19 Public Consultation (November 2024).

1.2 Our client has land interests at Verulam Golf Club included at Allocation M8 in the Draft Local Plan. The site is unused land located adjoining the existing golf club facilities, London Road, and existing residential development. It does not form part of the golf course or golfing facilities currently available for public use.

1.3 The site is indicated in the Draft Local Plan as a proposed housing allocation with an indicative capacity of 65 units. The allocation of the site is strongly supported by our client. This representation provides further detail on the form of development proposed as well as demonstrating that this remains appropriate and fully deliverable. Furthermore, the emerging proposals for the site demonstrate that there could be potential to provide a further uplift in unit number to provide approximately 80 homes.

1.4 The site is located in a highly sustainable location close to St Albans City Centre. It is enclosed by existing built development to the west, north and east.

1.5 While this representation supports the allocation of the Site for housing use, Land at Verulam Golf Club, St Albans, it raises some concerns in respect of the detailed policy wording and other proposed policies in the draft Plan and whether in fact they comply with the tests of soundness set out in paragraph 35 of the NPPF.

...

2 BACKGROUND & CONTEXT

Planning Policy Context

2.1 In preparing this representation, consideration has been had for Chapter 3 of the National Planning Policy Framework (NPPF) (2021) which relates to 'plan-making'.

2.2 Paragraph 15 of the NPPF promotes a plan-led system, and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental policies; and a platform for local people to shape their surroundings.

2.3 Paragraph 16 states that plans should:

1. be prepared with the objective of contributing to the achievement of sustainable development;
2. be prepared positively, in a way that is aspirational but deliverable;
3. be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
4. contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
5. be accessible through the use of digital tools to assist public involvement and policy presentation; and
6. serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

2.4 As identified at paragraph 35, local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are 'sound'. The test for soundness as set out within the NPPF is as follows:

2.5 Plans must be:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1. **Existing golf facilities must be retained or enhanced.**

The policy objective to retain or enhance existing golf facilities is supported. The development of the site has potential to complement as well as enhance the operation of the golf course. It is important the policy retains sufficient flexibility in this respect which it is considered the current wording achieves.

2. **Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.**

This part of the policy refers to contributions to Local Cycling and Walking Infrastructure Plan (LCWIP) and Growth and Transport Plans (GTPs). It also cross references to the Transport Impact Assessment (TIA).

As set out in the supporting note from iTransport (enclosed), submitted alongside this representation, whilst the site can potentially contribute towards such measures it is important the policy notes that any improvements or obligations will be required to meet the CIL regulations tests for planning obligations. In particularly they must be necessary to make the scheme acceptable and reasonable and proportionate in scale. Given the highly sustainable location of the site at M8, the proposals do not require significant infrastructure in order to come forward for development.

Policy SP8, indicates the need to prioritise forms of active and sustainable transport methods within new developments. This site is situated in a highly sustainable location, bolstered by its close proximity to public transport options. Furthermore, residents will have opportunities to walk or cycle to access essential services, thereby reducing dependence on private vehicles. This encourages active transportation and aligns with the objectives of Policy SP8.

Additionally, in regard to transport considerations for new developments, Policy TRA1 emphasises the importance of safe, accessible, and sustainable transport for new developments. The site is exceptionally well-suited to meet these requirements. It can accommodate safe access for walking, cycling, and vehicles, and ensures that highway safety and the transport network will not be adversely impacted.

Moreover, the site's proximity to existing transport links supports early and efficient integration with public transit, helping to reduce reliance on private vehicles. Active connections to key destinations can be readily established, promoting walking and cycling as primary modes of travel. This aligns well with TRA1's emphasis on sustainable transport and the need to provide safe, direct routes within the development and to surrounding areas.

The site is also well-positioned to facilitate additional measures such as electric vehicle charging, provisions for people with disabilities, and sustainable travel plans. These elements support the broader goals of the Local Transport Plan, including enhancements to the highway network, public transport, and active travel infrastructure.

The proposal's impact on local traffic is anticipated to be minimal, given the site's proximity to the town centre. This convenient location is expected to reduce the need for private vehicle use, aligning with sustainable transport goals. As previously outlined in the Reg 18 representation, the initial Transport Assessment findings suggest that even with a development scale of up to 85 homes, additional travel movements would be limited to approximately 30 in both the AM and PM peak periods. This equates to only a 2-3% increase over current traffic levels in the area.

For longer trips, traffic is likely to head southeast towards the wider road network, rather than toward the city centre or the Air Quality Management Area (AQMA). This directional flow further mitigates potential impacts on congestion and air quality, supporting the site's suitability and deliverability while meeting both local and NPPF policy objectives related to sustainable and resilient development.

3. **Proposals must include support for improvements to the local Rights of Way network, including providing access to the public footpath adjacent to the south-west boundary and upgrading it to bridleway status to improve cycle access to the site.**

The site already benefits from excellent access to the footway and cycleway network. Part 3 of the policy refers specifically to improvements to the public footpath adjacent to the south west boundary.

Although not specified in the policy , this is PROW 60 and the potential for improvement of this path has been considered in the supporting transport report prepared by iTransport and submitted with this representation.

The potential for improvement to the adjoining right of ways is supported in principle by our client, however we would highlight the need for any contributions or obligations sought to be in necessary and directly related to the proposed development in planning terms. In the context of the site and connectivity, it is considered this will primarily relate to the opportunity for links to be provided from the site to PRO60 and for improvements to the path where possible where it adjoins the site boundary. Where the path extends further to the south across the golf course, this area is located away the city centre and other trip destinations and is therefore likely to be lesser used. It is considered any obligations must therefore be appropriate in scale and targeted at those areas where most required.

Furthermore, the current wording of the policy in requiring an upgrade to bridleway status is overly prescriptive. Additionally, as based on its own statutory process it is important that sufficient flexibility is retained, particularly given that it appropriate cycle access could be provided by other means such as the provision of access to the front of the site.

As detailed in the iTransport report, the only distance of PROW 60 that the site would have direct impact on is a 60 metre length in the area of the site linking to the existing path network.

Criteria 3 of the policy should therefore be amended to state:

"Proposals should include support for improvements to the local Rights of Way network where necessary in order to make the development acceptable, including providing access to the public footpath adjacent to the south-west boundary and upgrading or providing proportionate contributions to its upgrade as required."

1. **Improvement to the A1081 access will be required, including support for enhancements for active modes (including access that avoids the roundabout, to both the Alban Way and the cycle path alongside London Road), in line with GTPs and LCWIP priorities.**

As detailed in the supporting report from iTransport submitted with this representation the site is highly sustainably located. There are potential measures that can be taken forward to further support and enhance the accessibility of the site. These must remain proportionate and in line with planning policy requirements and CIL regulations.

2. **Support for additional walking / cycling provision to the South-East of the site, towards Napsbury Lane, should be considered and explored as a significant opportunity to improve wider connectivity and enhance the Rights of Way network. This is currently a significant gap in the walking network and could not be included in the LCWIP despite local stakeholder comments and evidence of demand due to the lack of adequate footway along this route and ack of continuous right of way between London Colney and the Sopwell area.**

The proposal will not generate significant pedestrian and cyclist movements between the site and Napsbury Lane to the southeast as this is not the principal desire line for future residents (as detailed in the walking and cycling review). The expected walking and cycling trip generation (see iTransport note) will predominantly travel to the City Centre, public transport connections and the destinations detailed in the walking and cycling review.

There is therefore no requirement for off-site walking and cycling improvements to the south east of the site as they would not be compliant with the CIL regulation tests and those at paragraph 57 of the NPPF. In particular an obligation for the site at M8 Verulam Golf Club to contribution to works at Napsbury Lane would not be directly related to the development at M8, or fairly and reasonably related in scale and kind. The current policy wording is therefore unsound in this respect. This requirement (part 5) should be removed from the draft policy.

3. **The site lies adjacent to the St Albans Conservation Area and development should minimise any harm to, and where possible enhance, the setting and significance of this heritage must be taken into consideration.**

The site is located approximately 250 meters from the scheduled monument, Benedictine Priory of St. Mary (Sopwell Priory) and the nearby post-medieval mansions, Sopwell House or Lee Hall. Importantly, the proposed site does not directly adjoin these heritage assets; rather, the area is separated by the golf course and the River Ver, which create a natural buffer between the developments.

This separation is further enhanced by the presence of densely populated trees along the riverbanks and around the scheduled monument, which visually and physically distances the site from the heritage assets. Given this context, it is inappropriate to score the site negatively against heritage criteria, as the potential for adverse impacts on the significance of these designated assets is minimal.

Furthermore, supporting technical work will support the full application to ensure any potentially harmful impacts identified on the heritage assets will be mitigated.

In alignment with Strategic Policy SP11 and NPPF guidance, which emphasise the conservation and enhancement of heritage assets, the proposal demonstrates a respectful approach to development that recognises and preserves the integrity of the surrounding historic environment. This makes the Verulam Golf Club site not only suitable for development but also sensitive to its historical context, allowing for growth without compromising the value of nearby heritage sites.

Within part 6 of the policy the wording sets out considerations relevant to heritage. These issues have been fully considered as part of the emerging proposals, as previously detailed in the Regulation 18 representations and supporting vision document submit with the representations. Given the above, there is also no objection to the policy wording as presently proposed.

7. **Development proposals must take appropriate account of all trees protected by Tree Preservation Order.**

As noted in the revised Regulation 19 policy wording, parts of the site at M8 are subject to Tree Preservation Order (TPO) recently made by the Council. The proposed for the site seek to retain important trees and landscaping to the boundaries where possible. The site therefore remains fully deliverable.

Beechwood Homes would intend to continue to work closely with the Council planning and tree officers in developing the proposals for the site. Presently the TPO areas cover a large area which does not necessarily recognise individual trees or the lack of trees or low value of trees in much of the site. As part of developing the proposals in detail we would seek to agree the approach to trees including any removal and replacement works that may be required at any early stage.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. ITB8009-013B TN Transport Delivery Note_[R].pdf
2. Reg 19 Representation Form - Verulam Golf Club_[R].pdf
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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Sustainability Appraisal Note

Comment Number: 3

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The St Albans Local Plan's SA sets a vision prioritising sustainable development, climate action, and community well-being, all while preserving the district's Green Belt and unique environmental assets.

Preferred Growth Scenario (Scenario 3) and Potential for Higher Growth

The SA's preferred Scenario 3 proposes a modest expansion focused primarily on East St Albans, aiming to balance housing demand with infrastructure capacity. However, St Albans has substantial capacity to accommodate significantly higher levels of housing growth. The existing infrastructure, along with plans for enhanced transit and community services, supports an alternative preferred option with expanded growth to meet acute housing demands.

Higher growth could support a more resilient local economy, enhance social equity through increased affordable housing provision, and contribute to the council's climate goals by supporting development in sustainable locations.

In line with the above objectives it is considered the plan should seek to maximise the potential of sites and in this context the amendment of policy M8 to reflect the potential for a higher number units should also be taken forward.

Assessment of Site at M8 Verulam Golf Club

The site at Verulam Golf Club is assessed under reference SA-07-21.

This supports the allocation of the site to meet housing needs. As detailed in our regulation 18 representation, the current assessment within the Sustainable Appraisal appears to score the site negatively in respect of certain criteria despite there not being considered to be justification on this basis. Whilst the overall conclusions of the Local Plan and Sustainability Appraisal that the site is suitable for allocation are supported, there are a number of areas where it is considered amendments

be made to the assessment of the site, or where its scoring has not taken proper account of the circumstances of the site.

The proposed Site has been allocated red in the AQMA (Air Quality Management Area Category). It has been outlined as the closest greenfield site located to an AQMA, situated 998 meters away. It is important to note that the threshold for the assigned red metric is considered for Sites within 1000m of an AQMA, and therefore the Site is only 2m away from being allocated to a different colour. The nearest allocated site is located 269 meters away from the AQMA.

This scoring, however, fails to properly acknowledge that in line with the Council's climate change objectives this site is sustainably located close to the centre of St Albans. The key benefit of this is the availability of walking, cycling and public transport options for travel without use of the private car for all journeys. It is therefore inappropriate to negatively score the site purely due to a distance criteria from the AQMA.

The proposal is anticipated to have minimal impact on traffic within the area as the need for a private vehicle is reduced since the Site is within walking distance from the town centre, which boasts an array of facilities. Initial Transport Assessment work indicates that even with a larger scale of development of 85 homes, travel movements would be limited to approximately 30 additional movements in the AM and PM peak periods. It is anticipated for longer trips traffic is likely to travel south east towards the wider road network rather than towards the city centre and AQMA in any case.

The Site has also been assessment as having an amber rating for Local Wildlife Site (LWS). Comparatively to other Sites within St Albans, the Site demonstrates a more sustainable approach to encroaching on LWS's as it is of an increased distance to other Sites within the Green Belt.

The proposed Site is situated approximately 250 meters from a scheduled monument (The Benedictine Priory of St Mary (Sopwell Priory) and the post-medieval mansions known as Sopwell House or Lee Hall). However, the Site does not directly border the area, with part of the Golf Course and the River Ver making up the space in between. Visually these sites are very separate, with the proposed Site have trees bordering as well as the river's banks bordering densely populated Trees which then form the border of the scheduled monument. It is therefore also considered inappropriate to negatively score the site against this criteria.

The Site is identified as adjacent to a conservation area. However, as stated in Paragraph 2.3.5 of the SA, St Albans contains a high density of conservation areas (19 in total), meaning many appropriate Sites will be located in an area surrounding a conservation area. The proposal will seek to ensure that there will be a minimal impact on the surrounding landscape, aiming to ensure that the biodiversity will be protected and enhanced within the area as well as being policy compliant. The SA notes on Page 132 that there should be good potential to avoid/mitigate any impacts within St Albans. Subject to detailed design there is potential for a scheme to preserve and enhance the Conservation Area as of course is the statutory requirement. The areas of conservation area immediately adjoining the site are largely of modern construction without particular features of conservation importance. Bringing forward a suitable and high quality scheme to open up public access to the land alongside new path links can therefore be considered a positive.

Figure 1 shows that the Site is regarded as a more affluent area therefore scoring an amber rating in Multiple Deprivation Category. St Albans and the surrounding area has traditionally been affluent, with the Local Plan noting issues regarding affordability within the area. Many of the Sites being allocated for development being scored poorly in the category. The Proposed Development is intended to be policy compliant with the Local Plan regarding affordable housing and housing mix aiming to assist the Council in meeting objectives associated with achieving a diverse economic demographic.

[Please see attached appendices]

...

2 BACKGROUND & CONTEXT

Planning Policy Context

2.1 In preparing this representation, consideration has been had for Chapter 3 of the National Planning Policy Framework (NPPF) (2021) which relates to 'plan-making'.

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[Please see attached appendices]

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2. Reg 19 Representation Form - Verulam Golf Club_[R].pdf
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333 - Samatha Powell

Submission Number: 333 Submission Date: 07/11/24 09:00

Respondent: Department for Education Samatha Powell

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The Department for Education (DfE) welcomes the opportunity to contribute to the development of planning policy at the local level.

Local authorities have a statutory responsibility to ensure sufficient education provision, and have a key role in securing contributions from development to new education infrastructure. In this context, we aim to work closely with local authority education departments and planning authorities to meet the demand for new, expanding and redeveloped education facilities.

In line with the LPA's previous Green Belt review, the draft local plan proposes to remove Beaumont School site from the Green Belt designation. **DfE would like to confirm support for this proposed change.**

A number of existing buildings on Beaumont School site are in poor condition and have been identified as having high need for redevelopment. The removal of the site from the Green Belt would remove the significant policy constraint and help facilitate the proposed partial rebuilding and refurbishment of Beaumont School as part of DfE's School Rebuilding Programme (the details of which are subject to a separate pre-application submission to the LPA by DfE).

The amendments to the Green Belt boundary would help demonstrate the local plan is 'effective' and has been 'positively prepared' to meet current and future education infrastructure requirements. As such, DfE looks forward to continuing to work with St Albans to develop a sound Local Plan which will aid in the delivery of education infrastructure.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. St Albans Reg 19_ Nov24_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please notify the department when the Local Plan is submitted for examination, the Inspector's report is published and the Local Plan is adopted. The DfE would like to reserve the option to attend the EiP.

Please do not hesitate to contact me if you have any queries regarding this response

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 7 - Community Infrastructure

Comment Number: 1

Type:

* Paragraph

Number:

7.12

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* Yes

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The Department for Education (DfE) welcomes the opportunity to contribute to the development of planning policy at the local level.

Local authorities have a statutory responsibility to ensure sufficient education provision, and have a key role in securing contributions from development to new education infrastructure. In this context, we aim to work closely with local authority education departments and planning authorities to meet the demand for new, expanding and redeveloped education facilities.

Given the requirement for all Local Plans to be consistent with national policy, DfE welcomes the explicit reference in paragraph 7.12 to the '*positive approach to school planning and development that will widen choice in education and support the growth identified in the local plan*.

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334 - TT Group

Submission Number: 334 Submission Date: 07/11/24 09:00

Respondent: Knight Frank Stuart Baillie

On Behalf Of TT Group :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Representations

Tests of Soundness

This section considers those policies and allocations contained within the Draft Local Plan. Paragraph 35 of the National Planning Policy Framework (hereinafter 'NPPF') requires that any Local Plan submitted to the Secretary of State for Examination must be capable of being found both legally compliant and sound. This places various duties on the Council including, but not limited to, ensuring the Plan is:

- **Positively Prepared -** Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified -** An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective -** Deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with National Policy -** Enabling the delivery of sustainable development in accordance with the policies in this Framework.

If the Local Plan fails to accord with any of the above requirements, it is incapable of being legally compliant and/or sound.

Draft Local Plan

Overall, our Client welcomes the preparation of the Draft Local Plan, however, our Client concludes that in its current form the Draft Local Plan is neither legally compliant or sound. Our Client therefore makes a number of recommendations that would ensure the Draft Local Plan is capable of delivering the Council's vision for the future development of the borough, and meet the identified needs,

within the changing economic climate. The ability of the Draft Local Plan to meet housing need through the effective and efficient use of previously development land within St Albans is key to meeting these objectives. Our recommendations are set out below.

Objectives

The Draft Local Plan sets out a number of overarching 'Objectives' which are split into six themes and which have been used to form the structure for the Local Plan. These objectives include (inter alia):

- *Prioritise the effective use of land by locating new development on previously developed land first, where appropriate; and protecting and enhancing the Green Belt;*
- *Provide a sufficient amount of good quality housing which meets the needs of all sections of society in sustainable locations;*
- *Encourage the use of active and sustainable means of transport and reduce the need for people to travel.*

Our Client agrees with, and acknowledges the importance of, the abovementioned 'objectives' and believe that these represent sensible objectives to meet the needs of St Albans and the wider district. Our Client is well placed to assist SACDC in meeting these objectives, including the delivery of high quality housing on previously developed land in a highly sustainable location.

Indeed, our Clients proposals at Marlborough House align with those objectives that are at the heart of the Draft Local Plan, with the proposed redevelopment of Marlborough House providing high quality residential development in a highly sustainable location. The comprehensive redevelopment of Marlborough House would represent the effective and efficient reuse of a highly sustainable previously developed brownfield site within St Albans, therefore enhancing the sustainability and long-term viability of a currently vacant site.

Our Clients commitment to the redevelopment of Marlborough House, as evidenced by the current Full Planning Application, directly supports those objectives of the Draft Local Plan. Nevertheless, our Client note that the ability of SACDC to meet their objectives is dependent upon those specific policies and allocations contained within the Draft Local Plan. As discussed throughout these Representations, our Client contends that the specific policies and allocations, as currently drafted, do not effectively achieve these objectives.

Spatial Strategy

Housing delivery is the key national challenge of the planning system, with the NPPF placing a huge emphasis on the importance of the delivery of residential development. Section 5 of the NPPF underlines the importance of delivering a sufficient supply of homes to meet local needs. More specifically, paragraph 119 of the NPPF states that *'planning decisions should promote an effective use of land in meeting the need for homes'* and paragraph 120(d) adds that decisions should *'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more efficiently'*.

The Spatial Strategy that is at the heart of the Draft Local Plan recognises there is a 'clear need' for new homes given the significant local and national need for housing.

The Spatial Strategy states that in meeting housing need, the Council acknowledge the role that providing opportunities for downsizing, custom and self-build will perform in meeting housing need. Our Client appreciate the recognition of the importance of providing greater choice in the market will perform in meeting overall housing need. However, it is contended that those specific policies of the Draft Local Plan, as currently worded, could frustrate opportunities to provide opportunities for downsizing which would in turn free up family sized housing stock for families wishing to stay within the District.

The Spatial Strategy adopts an approach of identifying and prioritising development sites on previously developed land, with the Council utilising the Settlement Hierarchy (set out in Table 1.3) to direct new development to the most sustainable parts of the district. The Settlement Hierarchy identifies 'City / Large town' as being within 'Tier 1', which includes St Albans City.

Therefore, the Spatial Strategy identifies St Albans as being the most sustainable location within the district, and therefore the focal point where the concentration of new development should be focused (Para 1.33). This is supported by our Client.

Finally, the Spatial Strategy states that development should make efficient use of land by increasing the density and potentially the height of development, where appropriate and with regards to constraints such as Conservation Areas, Listed Buildings, protected trees etc. The efficient use of previously developed land through increasing density and building heights is particularly encouraged within the most accessible parts of main urban settlements (i.e. St Albans).

Our Client supports the recognition of the need for new homes and agrees that developments should make efficient use of land by increasing density and height, where appropriate. It is contended that only through the efficient use of previously developed sites will the Council be able to meet the significant housing need within the district. This is particularly key given the scarcity of suitable brownfield land within the district.

The approach of identifying and prioritising previously developed land as development sites is encouraged by our Client, and is consistent with Chapter 13 of the NPPF which seeks to protect the Green Belt and make as much use as possible of suitable brownfield sites and underutilised land. This is particularly relevant in the context of 81% of the district falling within the Green Belt – thus emphasising the importance of identifying and maximising previously developed land that is suitable for development to meet housing need.

Despite this approach of meeting housing need through proactively identifying, and prioritising, development on brownfield sites within St Albans, the Draft Local Plan fails to identify Marlborough House as a site suitable for residential development, despite Marlborough House being subject to a Full Planning Application for residential development.

The Site represents an underutilised, highly accessible previously developed site, and the comprehensive redevelopment to provide residential units will perform a significant role in meeting housing need within SACDC. The principle of residential development has been supported by Planning Officers through multiple pre application meetings and with a positive recommendation to Planning Committee.

Furthermore, the provision of apartments in this location would provide opportunity for downsizing and thus directly aligning with the Spatial Strategy which acknowledges the need for SACDC to provide such opportunities. Brownfield sites close to the city centre provide valuable opportunity for the provision of higher density, smaller units which can contribute to an overall balanced housing market.

Our Client strongly contends that Marlborough House represents an exceptional opportunity to deliver much needed housing through the effective and efficient use of a highly sustainable brownfield site within the heart of St Albans. Our Client must therefore raises significant concerns that the Draft Local Plan has failed to identify all suitable brownfield sites to meet housing need.

Our Client considers that the failure of the Council to allocate Marlborough House for future residential development is contrary to the Spatial Strategy that is at the heart of the Draft Local Plan, which encourages the efficient use of previously developed land to meet the significant housing need within the borough. Our Client therefore requests that the Draft Local Plan is amended to incorporate the allocation of Marlborough House for residential development. In doing so, the Draft Local Plan would ensure the effective use of a highly sustainable brownfield site and ensure that the Draft Local Plan is consistent and effective, in line with Paragraph 35 of the NPPF.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusions

Our Client welcomes the preparation of the St Albans' new Local Plan, noting that those policies contained in the current adopted Local Plan (1994) are extremely outdated and do not accurately reflect current circumstances.

Our Client broadly supports the aspirations of the Plan, particularly that of prioritising residential development on previously developed sites, and ensuring the efficient use of such land in order to meet the significant housing need within the district. Our Client agrees this represents a sensible and effective way of providing much needed new homes in highly sustainable locations across the district which is otherwise constrained by Green Belt.

Nevertheless, our Client has significant concerns regarding specific policies of the Draft Local Plan. Most notably, our Client raises key concerns with the failure of the Draft Local Plan to identify Marlborough House as a site for future residential development. As discussed throughout this representation, Marlborough House represents an underutilised, highly accessible previously developed site, the comprehensive redevelopment of which to provide residential units would make a significant contribution towards meeting housing need within SACDC.

Furthermore, our Client contends that the Draft Local Plan are not legally sound and do not comply with the NPPF. Our Client has therefore made a number of recommendations, which if adopted would ensure consistency across the Draft Local Plan. Notably, our Client strongly contends that those policies within the Draft Local Plan must be sufficiently flexible in order to maximise the chances of meeting the significant housing need within the district. Failure to do so risks the Draft Local Plan stifling opportunities to meet housing need through the effective and efficient use of the highly sustainable brownfield sites.

Overall, it is concluded that in its current form the Draft Local Plan has areas of inconsistency, is not justified with appropriate evidence and is therefore at risk of not be legally compliant, and it is suggested that the Council take further review. We look forward to engaging further in the preparation of the St Albans Local Plan 2041.

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Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP1 (A Spatial Strategy for St Albans District) and SP2 (Responding to the Climate Emergency)

Policy SP1 sets out the Council's approach towards meeting future development needs through a 'brownfield land first' approach and reiterates that St Albans will continue to be the pre-eminent focus for future development including housing.

Policy SP2 maintains the above sentiment, stating that in order to help combat Climate Change, development proposals will need to prioritise the development of previously developed land and use the most sustainable locations for growth to minimise the need for travel.

To reiterate what is stated above, the recurring theme of supporting the development of brownfield land is supported by our Client and is consistent with the overarching objectives of the NPPF. Support for the revitalisation of previously developed and underutilised sites within the Draft Local Plan is encouraged, and directly aligns with our Client's aspirations for Marlborough House.

Our Client also supports the Council's aspirations to utilise the most sustainable locations for future development in order to minimise the need to travel. Our Client agrees that developments must be located in areas which are well served by public transport in order to minimise the need to travel by car, with development prioritised in urban locations close to amenities (thereby reducing the need to travel) and public transport (thereby prioritising sustainable transport).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusions

Our Client welcomes the preparation of the St Albans' new Local Plan, noting that those policies contained in the current adopted Local Plan (1994) are extremely outdated and do not accurately reflect current circumstances.

Our Client broadly supports the aspirations of the Plan, particularly that of prioritising residential development on previously developed sites, and ensuring the efficient use of such land in order to meet the significant housing need within the district. Our Client agrees this represents a sensible and effective way of providing much needed new homes in highly sustainable locations across the district which is otherwise constrained by Green Belt.

Nevertheless, our Client has significant concerns regarding specific policies of the Draft Local Plan. Most notably, our Client raises key concerns with the failure of the Draft Local Plan to identify Marlborough House as a site for future residential development. As discussed throughout this representation, Marlborough House represents an underutilised, highly accessible previously developed site, the comprehensive redevelopment of which to provide residential units would make a significant contribution towards meeting housing need within SACDC.

Furthermore, our Client contends that the Draft Local Plan are not legally sound and do not comply with the NPPF. Our Client has therefore made a number of recommendations, which if adopted would ensure consistency across the Draft Local Plan. Notably, our Client strongly contends that those policies within the Draft Local Plan must be sufficiently flexible in order to maximise the chances of meeting the significant housing need within the district. Failure to do so risks the Draft Local Plan stifling opportunities to meet housing need through the effective and efficient use of the highly sustainable brownfield sites.

Overall, it is concluded that in its current form the Draft Local Plan has areas of inconsistency, is not justified with appropriate evidence and is therefore at risk of not be legally compliant, and it is suggested that the Council take further review. We look forward to engaging further in the preparation of the St Albans Local Plan 2041.

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Chapter 3 – Sustainable Use of Land and Green Belt

In accordance with the NPPF, Chapter 3 of the Draft Local Plan focuses on supporting development that makes efficient use of land through the adoption of a 'brownfield first' approach.

Reference is also made to the important contribution that small and medium sites perform in meeting housing need. This broadly reflects the requirements of Paragraph 69 of the NPPF which encourages local authorities to accommodate at least 10% of their housing requirement on sites no larger than one hectare.

Regarding the 'Search for Development Sites' and brownfield first approach, the Draft Local Plan states that *'The approach has been underlain by the concept of 'leaving no stone unturned'*(para 3.12) *in the search for appropriate sites on brownfield land'*.

Our Client welcomes the reference to the significant contribution made by small and medium sized sites in meeting housing need, and agrees that the delivery of such sites will be a key factor the Council's ability to meet the significant housing need. Small and medium sites perform a particularly importance role in meeting short-term need as they are quicker to deliver than larger schemes. In a District with a limited supply of brownfield land, all available sites should be utilised as far as possible in order to meet needs whilst protecting undeveloped land.

In order to effectively do so, our Client requests that the wording of the Draft Local Plan should be amended to make reference to important role that windfall sites will perform in meeting housing need. As currently written, the Draft Local Plan ignores the role of windfall sites, instead focusing only on housing delivery from site allocations most notably those within the Green Belt.

It is strongly contended that the Council have failed to identify all available brownfield sites that could contribute towards meeting housing need, before relying on Green Belt sites. Notably, our Client's site at Marlborough House, which represents an available and underutilised brownfield site where residential development is already proposed, is not allocated for residential development within in the Draft Local Plan.

In this context our Client questions the effectiveness of the *"no stone left unturned"* approach adopted by the Council and would contest that the failure to allocate Marlborough House for future residential development suggests that this has not been the case. A currently vacant brownfield site, with a live application and which is considered to be acceptable in principle for residential development should be a certain inclusion in any 'no stone left unturned approach'.

Our Client wishes to reiterate the merits of allocating Marlborough House for future residential development. Namely that the redevelopment of Marlborough House would make a significant contribution towards meeting housing need, while complying with the Council's own Spatial Strategy through the effective and efficient use of a highly sustainable previously developed land.

Our Client therefore requests that the Draft Local Plan is amended to include the allocation of Marlborough House as a site allocation for future residential development.

It is also suggested that the Draft Local Plan should be amended to include reference to the important role that windfall sites will also perform in meeting housing need, in the likelihood that numerous other suitable brownfield sites have not been identified under a site allocation.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusions

Our Client welcomes the preparation of the St Albans' new Local Plan, noting that those policies contained in the current adopted Local Plan (1994) are extremely outdated and do not accurately reflect current circumstances.

Our Client broadly supports the aspirations of the Plan, particularly that of prioritising residential development on previously developed sites, and ensuring the efficient use of such land in order to meet the significant housing need within the district. Our Client agrees this represents a sensible and effective way of providing much needed new homes in highly sustainable locations across the district which is otherwise constrained by Green Belt.

Nevertheless, our Client has significant concerns regarding specific policies of the Draft Local Plan. Most notably, our Client raises key concerns with the failure of the Draft Local Plan to identify Marlborough House as a site for future residential development. As discussed throughout this representation, Marlborough House represents an underutilised, highly accessible previously developed site, the comprehensive redevelopment of which to provide residential units would make a significant contribution towards meeting housing need within SACDC.

Furthermore, our Client contends that the Draft Local Plan are not legally sound and do not comply with the NPPF. Our Client has therefore made a number of recommendations, which if adopted would ensure consistency across the Draft Local Plan. Notably, our Client strongly contends that those policies within the Draft Local Plan must be sufficiently flexible in order to maximise the chances of meeting the significant housing need within the district. Failure to do so risks the Draft Local Plan stifling opportunities to meet housing need through the effective and efficient use of the highly sustainable brownfield sites.

Overall, it is concluded that in its current form the Draft Local Plan has areas of inconsistency, is not justified with appropriate evidence and is therefore at risk of not be legally compliant, and it is suggested that the Council take further review. We look forward to engaging further in the preparation of the St Albans Local Plan 2041.

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LG4 - Large, Medium and Small Sites

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG4 (Large, Medium and Small Sites)

Policy LG4 of the Draft Local Plan refers to those smaller sites identified within the Draft Local Plan. Policy LG4 sets out a number of requirements, including a requirement to make effective use of the site, with a minimum overall net density of 40 dwellings per hectare (dph).

40 dph is not a density we would associate with 'urban' development. It is a largely suburban typology relevant to housebuilder type development rather than flats or more intensive formats of residential development which are more associated with urban locations and the maximising of urban development opportunities.

This density calculation reflects SACDC's predominant reliance on greenfield release to achieve its housing requirement and more focus must be given to maximising density in urban areas which would be consistent with other policies. This should be noted with a more flexible wording in policy LG4 which could introduce a higher 'minimum net density' for urban areas or at the very least state that "significantly higher densities can be achieved in suitable urban locations".

Our Client encourages the continual reference to making effective use of land and agree with the importance of doing so. SACDC should ensure the Draft Local Policy effectively addresses the importance of also making efficient and effective use of small sites – particularly to meet short-term housing need.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusions

Our Client welcomes the preparation of the St Albans' new Local Plan, noting that those policies contained in the current adopted Local Plan (1994) are extremely outdated and do not accurately reflect current circumstances.

Our Client broadly supports the aspirations of the Plan, particularly that of prioritising residential development on previously developed sites, and ensuring the efficient use of such land in order to meet the significant housing need within the district. Our Client agrees this represents a sensible and effective way of providing much needed new homes in highly sustainable locations across the district which is otherwise constrained by Green Belt.

Nevertheless, our Client has significant concerns regarding specific policies of the Draft Local Plan. Most notably, our Client raises key concerns with the failure of the Draft Local Plan to identify Marlborough House as a site for future residential development. As discussed throughout this representation, Marlborough House represents an underutilised, highly accessible previously developed site, the comprehensive redevelopment of which to provide residential units would make a significant contribution towards meeting housing need within SACDC.

Furthermore, our Client contends that the Draft Local Plan are not legally sound and do not comply with the NPPF. Our Client has therefore made a number of recommendations, which if adopted would ensure consistency across the Draft Local Plan. Notably, our Client strongly contends that those policies within the Draft Local Plan must be sufficiently flexible in order to maximise the chances of meeting the significant housing need within the district. Failure to do so risks the Draft Local Plan stifling opportunities to meet housing need through the effective and efficient use of the highly sustainable brownfield sites.

Overall, it is concluded that in its current form the Draft Local Plan has areas of inconsistency, is not justified with appropriate evidence and is therefore at risk of not be legally compliant, and it is suggested that the Council take further review. We look forward to engaging further in the preparation of the St Albans Local Plan 2041.

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HOU1 - Housing Mix

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU1 (Housing Mix)

Policy HOU1 sets out the Council's expectations on housing mix and tenures for new residential developments of 10 or more homes. The proposed housing mix is as follows:

Tenure	**Unit Size**			
	1-bed	**2-bed**	**3-bed**	**4+ beds**
Market Housing	**5%**	**20%**	**45%**	**30%**
Affordable Housing (Home Ownership)	**25%**	**40%**	**25%**	**10%**
Affordable Housing (Rent)	**30%**	**35%**	**25%**	**10%**

This Policy is, again, a reflection of SACDC's pre occupation with facilitating redevelopment of larger greenfield and suburban type sites where there is more space to deliver a range of housing types and tenures. This Policy must make provision for greater flexibility to achieve higher density residential formats in more constrained urban locations which are closer to urban amenities.

While it is noted that paragraph 4.6 of the Draft Local Plan acknowledges there will be a 'limited number' of urban brownfield sites which may require a different mix (e.g. more flatted homes and fewer larger units), this is not accounted for within the current wording of Policy HOU1 itself.

The redevelopment of previously developed sites in particular must overcome numerous constraints which often constrain the housing mix that can be achieved, including the Council's expectation that housing delivery on these sites will be maximised. Indeed, the Draft Local Plan consistently focuses on the importance of making efficient use of land. In this context, applying a restrictive Housing Mix on all sites will in many instances reduce the number of homes that can be brought forward. It is therefore contended that Policy HOU1 could frustrate the delivery of residential development, most notably on previously development land.

In addition, the proposed Housing Mix represents overall need for housing within SACDC. However, consideration should be given to the fact that different dwellings / sizes will be suited to specific areas. For example, flatted development would be considered more suitable in central urban areas and are more likely to incorporate a higher number of 1-bed and 2-bed dwellings as starter homes or indeed as downsize opportunities older residents.

Therefore, in order to ensure that previously developed sites can be optimised and be delivered effectively, our Client requests that Policy HOU1 be amended to allow flexibility in relation to the preferred Housing Mix for urban sites and reflective of Para 4.4 which acknowledges the need for one and two bedroom flats and two bedroom family accomodation. We propose the following wording be added to the Policy:

"For more constrained town centre and urban sites with very good access to amenities and public transport, there will be greater flexibility to offer a higher concentration of one and two bed homes subject to demonstrating high quality design and market demand."

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusions

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Our Client broadly supports the aspirations of the Plan, particularly that of prioritising residential development on previously developed sites, and ensuring the efficient use of such land in order to meet the significant housing need within the district. Our Client agrees this represents a sensible and effective way of providing much needed new homes in highly sustainable locations across the district which is otherwise constrained by Green Belt.

Nevertheless, our Client has significant concerns regarding specific policies of the Draft Local Plan. Most notably, our Client raises key concerns with the failure of the Draft Local Plan to identify Marlborough House as a site for future residential development. As discussed throughout this representation, Marlborough House represents an underutilised, highly accessible previously developed site, the comprehensive redevelopment of which to provide residential units would make a significant contribution towards meeting housing need within SACDC.

Furthermore, our Client contends that the Draft Local Plan are not legally sound and do not comply with the NPPF. Our Client has therefore made a number of recommendations, which if adopted would ensure consistency across the Draft Local Plan. Notably, our Client strongly contends that those policies within the Draft Local Plan must be sufficiently flexible in order to maximise the chances of meeting the significant housing need within the district. Failure to do so risks the Draft Local Plan stifling opportunities to meet housing need through the effective and efficient use of the highly sustainable brownfield sites.

Overall, it is concluded that in its current form the Draft Local Plan has areas of inconsistency, is not justified with appropriate evidence and is therefore at risk of not be legally compliant, and it is suggested that the Council take further review. We look forward to engaging further in the preparation of the St Albans Local Plan 2041.

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HOU2 - Affordable Housing

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Policy HOU2 – Affordable Housing

Similar to our above commentary in relation to Policy HOU1, Part b) of Policy HOU2 is focused on 3 bed homes which is not as relevant to urban sites where flexibility should be incorporated in the policy to reflect this need for flexibility in approach depending on site characteristics.

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Conclusions

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Chapter 5 - Economy and Employment

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Chapter 5 – Economy and Employment

Chapter 5 of the Draft Local Plan seeks to encourage strong and resilient economic growth. It references the highly skilled workforce within St Albans, while recognising the district as a *"highly desirable residential location"*.

Chapter 5 also references the significant increase in homeworking that has been seen across the district as a result of the COVID-19 pandemic. Although the Draft Local Plan suggests that there are indications of increased homeworking becoming a long-term trend, the Draft Local Plan also states that *'Nevertheless, there continues to be a demand for office space and it is important that St Albans provides an appropriate supply of office uses to support growth, investment and employment in the District'.*

It is understood that a variety of Evidence Base documents have been produced in recent years in support of the preparation of the Draft Local Plan, and which have informed the policies contained within the Draft Local Plan. These documents have been published on the consultation page under 'Older Evidence Base', and include a number of employment related documents such as 'South West Herts Economic Study Update (2019)' and 'Economic Development and Employment Land Evidence (2016)'. The Evidence Base contains documents dating back to 2006.

Notably, all such documents were prepared prior to COVID-19 and therefore are not considered to present up to date evidence nor reflect the current state of the office market. Our Client is therefore concerned that the Draft Local Plan are not based on update evidence / need, and as a result is overly protective of employment floorspace. Consequently it is argued that the Draft Local Plan does not comply with the criteria of paragraph 35 of the NPPF which requires plans to be Positively Prepared and meet objectively assessed needs.

Our Client is particularly concerned that the Draft Local Plan maintains a focus on the need to increase supply of employment space, despite this being contrary to the Council's own admission that changing working patterns and increased homeworking are reducing the demand for purpose built office accommodation. Indeed, the Draft Local Plan references a 'significant increase in homeworking' and acknowledges indications of this being a long-term change, however this does not seem to be integrated into policy (discussed further below).

It is contended that the Draft Local Plan must be written in a way that is future proofed (i.e allowing for future flexibility should homeworking continue to increase) or to allow flexibility in the event that existing office accommodation becomes unviable.

The desire for the retention and expansion for business space must also be carefully balanced with the need for homes. Not building flexibility into the policy to account for future changes would not be Justified under the provisions of the NPPF which requires Local Plans to take into account reasonable alternatives.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusions

Our Client welcomes the preparation of the St Albans' new Local Plan, noting that those policies contained in the current adopted Local Plan (1994) are extremely outdated and do not accurately reflect current circumstances.

Our Client broadly supports the aspirations of the Plan, particularly that of prioritising residential development on previously developed sites, and ensuring the efficient use of such land in order to meet the significant housing need within the district. Our Client agrees this represents a sensible and effective way of providing much needed new homes in highly sustainable locations across the district which is otherwise constrained by Green Belt.

Nevertheless, our Client has significant concerns regarding specific policies of the Draft Local Plan. Most notably, our Client raises key concerns with the failure of the Draft Local Plan to identify Marlborough House as a site for future residential development. As discussed throughout this representation, Marlborough House represents an underutilised, highly accessible previously developed site, the comprehensive redevelopment of which to provide residential units would make a significant contribution towards meeting housing need within SACDC.

Furthermore, our Client contends that the Draft Local Plan are not legally sound and do not comply with the NPPF. Our Client has therefore made a number of recommendations, which if adopted would ensure consistency across the Draft Local Plan. Notably, our Client strongly contends that those policies within the Draft Local Plan must be sufficiently flexible in order to maximise the chances of meeting the significant housing need within the district. Failure to do so risks the Draft Local Plan stifling opportunities to meet housing need through the effective and efficient use of the highly sustainable brownfield sites.

Overall, it is concluded that in its current form the Draft Local Plan has areas of inconsistency, is not justified with appropriate evidence and is therefore at risk of not be legally compliant, and it is suggested that the Council take further review. We look forward to engaging further in the preparation of the St Albans Local Plan 2041.

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Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP5 (Employment and the Local Economy)

Policy SP5 of the Draft Local Plan takes a strategic approach to employment land, protecting specific employment areas. Under the provisions of Policy SP5 existing employment floorspace in these areas will be 'retained for appropriate business uses' and the Council will encourage full use of the employment floorspace and support new businesses, business growth, and inward investment.

Paragraph 5.17 of the Draft Local Plan states that existing allocated employment sites are typically performing well with generally high levels of occupancy. This reflects the out of date Evidence Base which is being relied upon for this Chapter of the Draft Plan. As the owner of Marlborough House, an example of vacant, unviable office space, our Client strongly rejects this conclusion, and we contend as flawed the Council's approach to the blanket protection of existing employment floorspace across designated areas. Indeed, our Client has significant concerns about the emphasis being placed on the retention / provision of employment space which is not supported by up-to-date evidence on the need for office floorspace across St Albans.

The proposed blanket restrictions on the loss of existing office accommodation (particularly where it is already vacant) results in the continued protection of uses where there is no demand, office accommodation is out-dated and it is unviable to redevelop such use. The Policy therefore serves to restrict residential use where there is significant need. Paragraph 122 of the NPPF states that planning policies and decisions need to reflect changes in the demand for land, and that as part of plan updates should reallocate land for a more deliverable use that can help to address the identified need. Therefore, Policy SP5 of the Draft Local Plan is considered to be inconsistent with the NPPF.

Our Client contends that the wording of Policy SP5 does not account for the individual circumstances of existing employment sites – for example, where there is no longer demand for employment on the site or where a site no longer meets market requirements and it would be unviable to meet market requirements – thus rendering the existing employment use unviable. As a minimum there should be flexibility within Policy SP5 to demonstrate viability reasons to justify alternative use.

This is particularly evident in the wording of paragraph 5.17 of the Draft Local Plan which references the Council's view that the employment areas are 'typically performing well' and 'generally high levels of occupancy'. It is contended that Policy SP5 represents a generalisation of all employment sites and does not account for individual site circumstances.

Furthermore, the demand for additional office accommodation is not clearly evidenced. Notably, Policy SP5 acknowledges that the new industrial and business locations provide an oversupply of St Albans own needs, and that the excess will assist other authorities to meet their needs. Our Client is therefore concerned that the desire to retain and increase employment sites has not been

adequately balanced with the need for homes. This is particularly relevant in the context of a consistent under-delivery of housing within St Albans and a consequent urgent requirement for new homes, and also given SACDC's desire to make efficient use of previously developed land.

Our Client therefore requests that SACDC reconsider the unnecessarily restrictive wording of Policy SP5, which does not plan for the future, is not based on up to date evidence and would not meet the tests of soundness for the reasons outlined above.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusions

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Our Client broadly supports the aspirations of the Plan, particularly that of prioritising residential development on previously developed sites, and ensuring the efficient use of such land in order to meet the significant housing need within the district. Our Client agrees this represents a sensible and effective way of providing much needed new homes in highly sustainable locations across the district which is otherwise constrained by Green Belt.

Nevertheless, our Client has significant concerns regarding specific policies of the Draft Local Plan. Most notably, our Client raises key concerns with the failure of the Draft Local Plan to identify Marlborough House as a site for future residential development. As discussed throughout this representation, Marlborough House represents an underutilised, highly accessible previously developed site, the comprehensive redevelopment of which to provide residential units would make a significant contribution towards meeting housing need within SACDC.

Furthermore, our Client contends that the Draft Local Plan are not legally sound and do not comply with the NPPF. Our Client has therefore made a number of recommendations, which if adopted would ensure consistency across the Draft Local Plan. Notably, our Client strongly contends that those policies within the Draft Local Plan must be sufficiently flexible in order to maximise the chances of meeting the significant housing need within the district. Failure to do so risks the Draft Local Plan stifling opportunities to meet housing need through the effective and efficient use of the highly sustainable brownfield sites.

Overall, it is concluded that in its current form the Draft Local Plan has areas of inconsistency, is not justified with appropriate evidence and is therefore at risk of not be legally compliant, and it is suggested that the Council take further review. We look forward to engaging further in the preparation of the St Albans Local Plan 2041.

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EMP1 - Protected Employment Areas

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Policy EMP1 (Protected Employment Areas) & EMP3 (St Albans City Core Principal Office Location)

Policy EMP1 of the Draft Local Plan builds upon those strategic objectives of Policy SP5. In doing so Policy EMP1 sets out that proposals within Protected Employment Areas must demonstrate:

- *"No net loss of employment floorspace – redevelopment or intensification of existing employment uses will usually be supported;*
- *That the use class will normally be B2, B8, or E(g); in the case of E(g) applications conditions may be applied to prevent a permitted development change of use to E(a-f) use classes;*
- *That small-scale services such as a Creche or Café are ancillary and do not compromise the functioning of the location for commercial uses"*

Furthermore, Policy EMP3 of the Draft Local Plan introduces further restrictions on the loss of existing employment floorspace. Policy EMP3 states that development proposals within St Albans Core Principal Office Location must:

- *Avoid net loss of office floorspace that falls within Use Class E(g)(i);*
- *Provide an active frontage on the ground floor; that within the defined town centre boundary can include retail and leisure uses.*

As stated above, the presumption in favour of retaining employment floorspace is not supported by up-to-date evidence base. The overarching restrictions on the loss of existing employment floorspace afforded by Policies EMP1 and EMP3 therefore raises significant concerns, with the lack of exemptions posing a risk that the Draft Local Plan will result in the retention of vacant office accommodation that no longer meet market requirements and/or are unviable due to overly restrictive planning policy.

For example, the existing vacant office accommodation at Marlborough House is out-of-date and no longer meets the needs or expectations of office occupiers. Indeed, reflecting the dated accommodation, Marlborough House has an Energy Performance Certificate Rating of "E". As such, the existing office accommodation provided at Marlborough House does not currently meet the requirements of future occupiers and would require substantial and costly refurbishment if it is to meet requirements.

The proposed restrictions on the loss of existing employment floorspace are considered to be contradictory to the other objectives of the Draft Local Plan, in particular the need to meet the significant housing need through the effective and efficient use of previously developed sites that is reiterated throughout the document.

Our Client requests that SACDC revisit the wording of both Policies EMP1 and EMP3 in order to ensure consistency throughout the Draft Local Plan and to futureproof to account for any changes in the market. Failure to do so would stifle opportunities to meet housing need through the effective and efficient reuse of previously development sites where there is no prospect for the continued use of the site. As a minimum, there must be flexibility to justify alternative uses on redundant and unviable employment sites.

We note that Policy TCR1 Part c) seems to address alternative use for 'primary shopping areas' but it is not explicit to other town centre locations or to E(g), B2 or B8 use classes. We suggest this is considered more widely.

Also in the context of Policy TCR1 and whether a similar consideration could be expanded to EMP policies, we contend that the TCR1 requirement to demonstrate marketing of 12-18 months is out of touch with current market dynamics where vacancy for such long periods will put greater pressure on businesses and landlords where alternative uses may bring properties and sites back into meaningful alternative uses more quickly.

It is contended that Draft Policies EMP1 and EMP3 are not Justified or Effective, and therefore do not align with NPPF Paragraph 35. In addition, the Policies are inconsistent with the ambitions of the Draft Local Plan.

Those policies contained within Chapter 5 are not legally sound or compliant with the NPPF which, amongst other things, requires Local Plans to meet objectively assessed needs and be based on proportionate evidence.

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DES5 - Residential Amenity Standards

Comment Number: 11

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* No

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* No

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DES5 (Residential Amenity Standards)

In line with the NPPF, Policy DES5 of the Draft Local Plan makes provisions to ensure that developments create places with a high standard of amenity for existing and future users. Policy DES5 sets out various amenity standards for new development, including (*inter alia*):

- **Privacy and Separation**– the following standards and distances should normally be achieved:
  - *New balconies or upper-floor windows serving habitable rooms should not lead to a harmful degree of overlooking for existing and future users of both the new development and neighbouring sites;*
  - *A minimum distance of 22m should be achieved between upper floor rear windows of habitable rooms and facing windows of habitable rooms; and*
  - *A minimum distance of 11m should be achieved between new upper floor rear windows and the rear boundary.*
- **Private amenity space –**new residential development should normally provide the following:
  - *Studios – 15sq.m for each room*
  - *Flats – 20sq.m. for the first bedroom of each flat and 10sq.m. for each additional bedroom. Communal amenity space should be provided for flatted developments, although ground floor flats may be able to benefit form private space immediately adjacent to the residential unit.*

Our Client acknowledges the need to ensure that developments provide a high standard of living for future occupants and existing neighbours.

Nevertheless, it should be acknowledged that proposals, notably those that make the effective and efficient use of previously developed urban sites, may result in some impact on the amenity of neighbouring properties. Any impacts on residential amenity must be balanced against existing context, planning context, and the benefits of a proposed development including maximising housing delivery. Policy DES5 should therefore be amended to acknowledge this.

Equally, our Client welcome the acknowledgement that flatted developments should provide communal amenity space, noting the considerable difficulties associated with private provision in such developments. Nevertheless, Policy DES5 must allow for flexibility in meeting the space requirements, particularly in constrained urban sites. If onerous communal amenity space standards are applied rigidly across all development, it will not be possible to make efficient use of brownfield land, and therefore opportunities to meet housing need will be stifled.

Our Client therefore urge SACDC to amend Policy DES5 to ensure that it balances the need to provide high quality amenity with the overarching objective of making the efficient uses of previously developed land to meet the significant housing need within the district.

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DES6 - Building Heights

Comment Number: 12

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* No

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* No

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DES6 – Building Heights

We include the following commentary informed by our Client's Townscape and Heritage Advisors, Turley.

DES6 a) effectively creates a presumption of 'refusal unless' all criteria i. through iv. are satisfied. A more pragmatic approach would be that proposals are 'required to meet' a set of criteria, giving the presumption of approval if conditions can be met.

DES6 a) iii. Suggest wording changes to ' positively contributes to the existing roofscape…' this would be an improvement on the the current policy which encourages roof forms in keeping with locality, which has resulted in lots of modern mansards and very conservative design.

DES6 b) i. is incredibly restrictive when you consider the Building Height Control Area covers most of St Albans. This area has not changed since the 1994 plan. Could this not be reviewed with new evidence? The area incorporates the City Centre where there is an office core and increased height may well be appropriate subject to strong justification.

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Part B - Local Plan Sites

Comment Number: 1

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Introduction

This Representation Statement has been prepared by Knight Frank LLP (hereinafter 'Knight Frank') on behalf of TT Group (hereinafter 'our Client'). This Statement has been submitted in response to St Albans City & District Council's Regulation 19 Consultation on the Draft Local Plan (hereinafter 'Draft Local Plan'). We previously engaged on behalf of our Client in the previous consultation on the Regulation 18 Draft of the Local Plan.

Within this Representation we make various points in respect of concerns relating to the following policies / components of the Draft Local Plan:

- Part B Site Allocations – we remain concerned that housing capacity, particularly in urban areas has not been robustly assessed and chiefly that brownfield sites such as our Client's Marlborough House 'site' are not recognised as a site opportunity.
- Policies LG4, HOU1 and HOU2 need to make greater provision for restrictive urban sites where larger format homes will be difficult to achieve and higher density format living should be acceptable to maximise residential supply in suitable locations.
- Policies EM1, EMP3 and SP5 are not supported by up to date evidence particularly in relation to post Covid 19 office market trends and the very real prospect of vacant office buildings no longer being suitable or viable for commercial office occupation.
- Policy DES6, we also include commentary from specialist Heritage and Townscape advisors which questions the approach taken on Building Height.

TT Group

TT Group is one of the UK's largest, privately owned property investment and development firms. Over the last 25 years, TT Group have completed some of the largest, complex UK property deals. TT Group have a portfolio of over 15,000 properties spanning 85millionsq.ft., along with a development pipeline of more than 14,500 homes.

TT Group has land interests within St Albans City and District Council, including its ownership of Marlborough House, 16 – 20 Upper Marlborough Road, AL1 3UT, which will be influenced by those policies and allocations contained within the Draft Local Plan.

TT Group welcomes the preparation of the Draft Local Plan, noting that the policies contained within the current adopted Plan (1994) are extremely outdated and do not accurately reflect current circumstances.

Marlborough House

TT Group control the property known as Marlborough House, 16 – 20 Upper Marlborough Road, AL1 3UT. The property was formerly operating as office accommodation but has been vacant since 2022.

Our Client has been involved in planning negotiations with St Albans City & Dictrict Council (SACDC) since 2021. Several positive pre application meetings have taken place with SACDC and the principle of residential redevelopment of the site has been received favourably.

Most recently a Planning Application (Ref. 5/2022/2558) sought the following for the site:

"Demolition of existing building and construction of two residential buildings (Use Class C3) ranging from five to seven storeys in height consisting of 88 residential flats with alterations to existing access, underground parking, landscaping and other associated works."

On 04 November 2024, with a recommendation for 'approval' from Planning Officers, the Planning Application was 'refused' planning permission based on heritage impacts resulting from design, scale and massing. At the time of writing these representations, a formal 'decision notice' has not

been received, however, the Development Management Committee, in its final verbal determination, did not take issue with the intended residential use or the loss of office use. As such we remain confident that a residential solution remains achievable for this Site which can make a meaningful contribution towards housing deliver within the urban area of St Albans.

Given the prospect of an ongoing engagement in relation to this site, TT Group wishes to ensure that the Draft Local Plan, which will shape future development across district, is robust, flexible, and capable of responding to future economic and demographic changes.

The Site

As noted, our Client has land interests within St Albans, including Marlborough House, which will be affected by those policies and allocations included within the Draft Local Plan.

Marlborough House was originally constructed in the 1960's and comprises 4,130sq.m (GIA) of office accommodation. Marlborough House was most recently occupied by AECOM who vacated the property in March 2022.

The Site has been vacant since March 2022, with the office accommodation provided at Marlborough House considered to be dated and not to meet current market requirements. For example, Marlborough House has an Energy Performance Certificate of 'E'. As such, the existing office accommodation provided at Marlborough House does not currently meet the modern requirements of occupiers and would require substantial refurbishment to meet modern requirements, including the Government's Energy Performance Certificate requirements for non-residential buildings.

Our Client acquired the Site in 2021 and has since explored various options for bringing the site back into a viable use – including exploring the delivery of high-quality residential accommodation given the Site's highly sustainable location. The delivery of high quality residential accommodate at the Site would represent the effective and efficient use of the highly sustainable previously developed site.

Our Client submitted a Full Planning Application for the construction of two residential buildings comprising 88 flats in October 2022. This Application was subsequently reviewed and revised down to 76 flats across two blocks of five storeys with the revised Application recommended for approval by Officers.

Part B Site Allocations – we remain concerned that housing capacity, particularly in urban areas has not been robustly assessed and chiefly that brownfield sites such as our Client's Marlborough House 'site' are not recognised as a site opportunity.

We have made various references within these representations to the fact that our Client's site is not considered as a Site Allocation. We accept that a Call for Sites and Housing and Economic Land Availability Assessment 2021/22 have been undertaken and form part of the Evidence Base for the Draft Local Plan. However, it would seem that SACDC updated this evidence base to include Council owned car park sites at a later stage. This included the following sites located in very close proximity to our Client's Marlborough House Site:

- Civic Close Car Park, Bricket Road – indicative capacity for 57 units with site area 0.45ha
- Car Park to rear of 32-34 Upper Marlborough Road – indicative capacity for 16 units with site area 0.22ha

Our Client's Site is a very similar type of site, located in close proximity to both these sites in an otherwise build up urban location with a mix of landuses.

It is incongruous that additional Council owned sites were added to the urban capacity analysis and have now been allocated in the Draft Plan without further canvassing for other similar urban sites. This would seem to be a fundamental flaw in preparing the Local Plan particularly where housing need and housing land supply is such an acute challenge for SACDC to address.

We have maintained throughout these representations that we would welcome the opportunity to allocate the Marlborough House site to help contribute towards meeting housing need in the City.

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335 - Michael Fearn

Submission Number: 335 Submission Date: 07/11/24 09:00

Respondent: MFS Resolution Michael Fearn

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy CE1*"Promoting Sustainable Design, Construction and Building Efficiency"*–all proposals, including *"building conversions, refurbishments and extensions must also minimise carbon and energy impacts. Proposals must demonstrate that they are seeking to limit greenhouse gas emissions through location, building orientation, design, landscape and planting, taking into account any nationally adopted standards".* It is not clear which policies prevail when the requirements for minimising carbon and energy impacts conflict with the impacts upon the historic environment, or upon the Green Belt. The proposed restriction upon water use of 110 litres would also be difficult to achieve through land-use planning control. As stated above, such matters are best left to other means of delivery, such as Building Control.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

CE2 - Renewable and Low Carbon Energy

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy CE2*"Renewable and Low Carbon Energy"*– the same point arises with this draft policy as with CE1, regarding where there might be cases of conflict with heritage or Green Belt policy; as to which takes precedence. It is unclear as to whether the Council's stated support for the renewables sector within this policy would prevail, or its whether priorities for maintaining Green Belt openness/protecting the historic environment. The policy would not be effective.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

LG5 - Green Belt

Comment Number: 19

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG5*"Green Belt"*– as noted above there is no need for any 'local policy' on this matter at all (the Government agrees). Promoting a 'local policy' is only likely to be the cause of confusion with that of the NPPF (and/or the National Development Management Policy, when this emerges). As a further example of the potential clash between the NPPF and the emerging Local Plan is that many forms of appropriate development in Green Belt will still be routinely expected to demonstrate 'very special circumstances', even though there may be cases where this would not be necessary according to paragraphs 154 & 155 of the NPPF. This would include developments such as *"outdoor sport, outdoor recreation"*and *"local transport infrastructure"*. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

LG7 - Affordable housing in the Green Belt (rural exception sites)

Comment Number: 20

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG7–*"Affordable housing development in the Green Belt (rural exception sites)"*–again, there is already policy on this matter in the NPPF. In the event that the site is infilling within a Green Belt settlement, different provisions apply. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

LG8 - Small Scale Development in Green Belt Settlements

Comment Number: 21

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG8–*"Small scale development in GB settlements"*– this draft policy does not cover the eventuality of a development site being able to accommodate more than 9 units. As with the previous Green Belt policies, the provisions of this draft policy will not add anything to NPPF (and possibly even conflict). The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

LG9 - Extension or Replacement of Buildings in the Green Belt

Comment Number: 22

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.6. **Draft Policy LG9**–*"Extension or Replacement of Buildings in the Green Belt"*– this draft policy is not in accord with the NPPF. Extensions to an existing building in the Green Belt are one of the specified exceptions to the usual presumption against inappropriate development. There is nothing in the NPPF concerning this exception relating only to proposals which do not affect a building's character.

3.7. The floorspace and volume limits that the emerging Local Plan seeks to introduce are completely arbitrary and in many cases the policy would be seeking to impose controls over development which might be permitted by the GPDO anyway.

3.8. Finally, because of the considerable amount of subjectivity introduced, the policy provides no certainty. For instance, there is no definition as to what might be considered to be a *"valuable gap"*(what makes a gap valuable) or an alteration that *"detrimentally alter[s] the character of a building".* Differing quantities of floorspace might then be allowed depending upon the outcome of a further assessment of the performance ('poorly'; 'moderately/well'; & 'very well') of the proposal against such very subjective criteria. No reasoning is put forward to justify criterion f of the draft policy *"the replacement of a temporary dwelling, or short-life dwelling, with a permanent dwelling will be refused"*. There may be many occasions where there is benefit to the replacement of 'short-life' buildings with better constructed permanent structures; for instance, in the grounds of a listed building. As ever, each proposal needs to be considered upon its merits. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

HOU1 - Housing Mix

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HOU1–*"Housing Mix"*– the addition of the arbitrary percentages within Table 4.1 renders it impossible to achieve a policy compliant scheme, as inevitably the calculation delivers a partial dwelling. The 5% limitation placed on 1 bed private sector dwellings would mean no such provision on any scheme of less than 20 dwellings. The issue is compounded by the requirement for overall 40% of the scheme to be affordable. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

HOU4 - Accessible and Adaptable Housing

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HOU4*"Accessible and Adaptable Housing"*– this seeks to tie policy into compliance with Building Regulations. As noted above, it is never wise to do this as these standards change. 5% of a 10 unit scheme is 0.5 of a dwelling. The policy is not effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 41

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Strategic Policy SP5–*"Employment and the Local Economy"*– the *"appropriate business uses"*specified only include selected ones within what is now Class E. Since September 2020 other uses, including day nurseries, shops and indoor leisure are now included within this employment category. Furthermore, other uses can create employment including institutional uses such as care homes or schools. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

EMP1 - Protected Employment Areas

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy EMP1–*"Protected Employment Areas"*– the Council is again putting forward its own definition of 'employment' uses. The Use Classes Order (UCO) was deliberately amended to widen the range of commercial activities within Class E, so that it extends beyond traditional industry. If the change of use is within the same use class, then no justification is needed. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

EMP3 - St Albans City Principal Office Locations

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy EMP3"*St Albans City Principal Office Locations"*–again Permitted Development rights are being unnecessarily restricted. The draft policy advocates a level of control which the Council is unable to exercise, such as the requirement for *"active frontages"*at ground floor. Offices and uses such as day nurseries, whether or not they have 'blank frontages', can now occupy many types of town centre premises. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 42

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Strategic Policy SP6"*City, Town and Village Centres and Retail"*– The draft policy says that it maintains a town centres first approach, even though the recent changes to the UCO may have eroded this. In fact, the Council has itself developed most of its significant leisure developments outside designated centres and/or in the Green Belt (examples include Westminster Lodge, Batchwood, Cotlandswick, and Rothamsted Park) and the terms of this policy would only serve to frustrate other such community infrastructure improvements in future. A very large area of the City Centre still remains designated as the central area and this area has not been properly assessed since the time of the previous plan in the late 1980s. There is no encouragement given to making provision for other activities in these areas, particularly residential uses. The policy is not justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Reconsider the extent of the City Centre boundary and reword the policy to include a fuller range of uses.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

TCR1 - Protecting Retail and Main Town Centre Uses

Comment Number: 32

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy TCR1"*Protecting Retail and Main Town Centre Uses"*–this type of policy had its roots in local plans dating from over 30 years ago. The changes to the UCO in the last few years will have rendered it ineffectual. The *"Primary Shopping Area"*includes extensive areas of the City Centre with no ground floor window display at all. The proposed 12 & 18 month marketing periods will only promote long-term vacancy, leading to further decline. The objective of the emerging plan should be to look to find alternative occupiers for empty properties, in order to encourage investment and strengthen vitality. Suitable alternative occupiers can also include institutional users, including education, as well as residential, both of which generate activity and lead to spending in retail outlets and these uses should be acceptable throughout the Central Area. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

D

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

TCR2 - Retail Uses outside Existing Centres

Comment Number: 33

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy TCR2*"Retail Uses outside Existing Centres"*– the LPA can no longer control many retail (and institutional uses) from occupying commercial premises outside central areas. We note the promotion of new retailing in *"isolated rural areas"*, although this would not necessarily sit easily with other policies in the draft Plan as such sites could only be in the Green Belt. Again, the imposition of a 12 month marketing period will only prolong vacancy. As stated above, the objective of the emerging plan should be to look to find alternative occupiers for empty properties, in order to encourage investment and strengthen vitality. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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COM4 - Public Houses

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy COM4–*"Public Houses"*– this draft policy includes a great many subjective 'value judgements' (*"valued public houses"; "plays a significant social role in a local community"; "adequate provision of reasonable alternatives in the area"*), which should not be in a development plan policy. There may be circumstances where there is an equally important role if a redundant pub were re-occupied by some other form of user. Again, the requirement for proof 12 months of marketing may only serve to promote long-term vacancy. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 34

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy TRA1*"Transport Considerations for New Development"*– a long policy which adds nothing to the NPPF. The policy is not positively prepared; justified; or effective.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

TRA4 - Parking

Comment Number: 35

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.19. **Draft Policy TRA4***"Parking"*– states that new housing proposals in Zone 3 ('Areas of Overnight Parking Stress') will be refused unless financial obligations are paid. The areas in question are still not shown on the Policies Map (they were not shown on the Policies Maps which accompanied the Regulation 18 consultation either). The text to the latest consultation draft says that the Zone Maps are available on the Council's website and having now located a document showing the

Zones, it is clear that the areas of Zone 3 correspond with large parts of the District's existing built up areas. The provision therefore runs entirely counter to any attempt to direct new housing to the most sustainable locations and prioritise the use of previously developed land.

3.20. The requirement at criterion h) to meet Building Regulations in respect of Electric Vehicle charging is totally otiose. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

D

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

UIN1 - Broadband

Comment Number: 36

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy UIN1*"Broadband"*–the availability of full fibre broadband is not in the control of the applicant. The Council should not be making demonstration of such a connection as a prerequisite of accepting a planning application for major residential, or employment development. The policy is not positively prepared; justified; effective; or consistent with national policy.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 38

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Strategic Policy SP10*"Natural Environment and Biodiversity and Green and Blue Infrastructure"*–another unnecessary policy that adds nothing to the NPPF, or existing law. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

NEB1 - Woodlands, Trees and Landscape Features

Comment Number: 23

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB1*"Woodlands, Trees and Landscape Features"*–adds nothing to the NPPF, or the existing law. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

NEB2 - Local Green Spaces

Comment Number: 25

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB2*"Local Green Spaces"*– There is guidance within the NPPF & PPG upon the terms of this designation. Because this designation equates to Green Belt in its impact, it must be used with caution and only where absolutely necessary. The designation as LGS*"should not be used in a way that undermines this aim of plan*

making [and]....*designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name".* It is unclear as to how the 'demonstrably special' nature of these sites has been established. In some cases, the proposed LGS is already within the Green Belt and the PPG is clear in stating "*consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space".* There is no evidence that this exercise has been undertaken (NPPF, paragraphs 105-107 & PPG Reference IDs: 37-007, 010, 015 & 01920140306 Revision date: 06 03 2014). The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

NEB3 - Non-Designated Local Green Space

Comment Number: 26

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB3*"Non-designated Local Green Space"*– there is no need for such a policy. Bearing in mind the status of most of the District is already subject to Green Belt restrictions, the imposition of yet further controls over many of the few possible remaining urban area development sites is likely to compromise even further the delivery of the necessary development. Sports fields do not need any additional protection to that already given by paragraph 103 of the NPPF. Furthermore, the statutory consultee 'Sport England', also provide detailed policy safeguards regarding development proposals upon open spaces in the 2018 policy document referenced earlier in these submissions. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

NEB5 - Blue Infrastructure

Comment Number: 27

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft NEB5*"Blue Infrastructure"*–adds nothing to the NPPF. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 28

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB6*"Biodiversity and Biodiversity Net Gain"*– there is no need for a policy that merely duplicates legislation. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

D

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

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

Comment Number: 29

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB7*"Biodiversity Provision in the Design of New Buildings and Open Spaces"* - Requires biodiversity to be built into design. However, bird and bat boxes do not necessarily affect the uplift in BNG. Otherwise, this draft policy adds nothing to what is already within the scope of legislation. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

NEB8 - Managing Flood Risk

Comment Number: 30

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB8*"Managing Flood Risk"*- this is another of the topics that Government has highlighted as being something that does not need more 'local policy'. This draft policy adds nothing to the NPPF or the PPG. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

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Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

NEB9 - Agricultural Land

Comment Number: 31

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB9*"Agricultural Land"*– this draft policy includes a presumption of refusal on development upon better quality agricultural land. This goes beyond the NPPF which only states a 'preference' for the use of *"areas of poorer quality land",* above that *"of a higher quality*" when the development is *"significant"*. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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NEB10 - Landscape and Design

Comment Number: 24

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB10*"Landscape and Design"*– this draft policy requires Landscape and Visual Impact Assessments (LVIAs) for all 'major' developments regardless of location. This is unduly onerous, as requiring the carrying out of a full LVIA to Landscape Institute standard even for relatively small schemes will involve an applicant in considerable time and expense. In the cases of most 'major' developments this will be unnecessary and entirely disproportionate. This requirement is also likely to impact adversely upon the Council's own developments, as well as those of RSLs. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

D

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Strategic Policy SP11 - Historic Environment

Comment Number: 37

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

- **Draft Policy HE1***"Designated Heritage Assets"*
- **Draft Policy HE2***"Non-designated Heritage Assets"*

- **Draft Policy HE3** *"Archaeology"*
- **Draft Policy HE4** *"Scheduled Monuments"*
- **Draft Policy HE5** *"Archaeological sites for local preservation"*
- **Draft Policy HE6** *"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7** *"Changes of use and Heritage Assets"*
- **Draft Policy HE8** *"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the Policies SP11, HE1, HE2, HE3, HE4, HE5, HE6, HE7, and HE8.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

HE1 - Designated heritage assets

Comment Number: 43

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11** *"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

- **Draft Policy HE1** *"Designated Heritage Assets"*
- **Draft Policy HE2** *"Non-designated Heritage Assets"*
- **Draft Policy HE3** *"Archaeology"*
- **Draft Policy HE4** *"Scheduled Monuments"*
- **Draft Policy HE5** *"Archaeological sites for local preservation"*
- **Draft Policy HE6** *"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7** *"Changes of use and Heritage Assets"*
- **Draft Policy HE8** *"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

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Delete the Policies SP11, HE1, HE2, HE3, HE4, HE5, HE6, HE7, and HE8.

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HE2 - Non-designated heritage assets

Comment Number: 44

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

- **Draft Policy HE1***"Designated Heritage Assets"*
- **Draft Policy HE2***"Non-designated Heritage Assets"*
- **Draft Policy HE3***"Archaeology"*
- **Draft Policy HE4***"Scheduled Monuments"*
- **Draft Policy HE5***"Archaeological sites for local preservation"*
- **Draft Policy HE6***"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7***"Changes of use and Heritage Assets"*
- **Draft Policy HE8***"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

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HE3 - Archaeology

Comment Number: 45

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

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- **Draft Policy HE3***"Archaeology"*
- **Draft Policy HE4***"Scheduled Monuments"*
- **Draft Policy HE5***"Archaeological sites for local preservation"*
- **Draft Policy HE6***"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7***"Changes of use and Heritage Assets"*
- **Draft Policy HE8***"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

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HE4 - Scheduled Monuments

Comment Number: 46

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

- **Draft Policy HE1***"Designated Heritage Assets"*
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- **Draft Policy HE3***"Archaeology"*
- **Draft Policy HE4***"Scheduled Monuments"*
- **Draft Policy HE5***"Archaeological sites for local preservation"*
- **Draft Policy HE6***"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7***"Changes of use and Heritage Assets"*
- **Draft Policy HE8***"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

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HE5 - Archaeological Sites for Local Preservation

Comment Number: 47

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

- **Draft Policy HE1***"Designated Heritage Assets"*
- **Draft Policy HE2***"Non-designated Heritage Assets"*
- **Draft Policy HE3***"Archaeology"*
- **Draft Policy HE4***"Scheduled Monuments"*
- **Draft Policy HE5***"Archaeological sites for local preservation"*
- **Draft Policy HE6***"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7***"Changes of use and Heritage Assets"*
- **Draft Policy HE8***"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

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HE6 - Archaeological Sites Subject to a Recording Condition

Comment Number: 48

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

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- **Draft Policy HE2***"Non-designated Heritage Assets"*
- **Draft Policy HE3***"Archaeology"*
- **Draft Policy HE4***"Scheduled Monuments"*
- **Draft Policy HE5***"Archaeological sites for local preservation"*
- **Draft Policy HE6***"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7***"Changes of use and Heritage Assets"*
- **Draft Policy HE8***"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

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HE7 - Change of use and heritage assets

Comment Number: 49

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

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- **Draft Policy HE3***"Archaeology"*
- **Draft Policy HE4***"Scheduled Monuments"*
- **Draft Policy HE5***"Archaeological sites for local preservation"*
- **Draft Policy HE6***"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7***"Changes of use and Heritage Assets"*
- **Draft Policy HE8***"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

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HE8 - Responsible retrofitting

Comment Number: 50

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.32. **Draft Strategic Policy SP11***"Historic Environment"*– as noted above, the Government's position is that policies of these type are superfluous, as they only reiterate matters already more than adequately covered by the NPPF & PPG (or legislation). The same can be said for all of the following:

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- **Draft Policy HE2***"Non-designated Heritage Assets"*

- **Draft Policy HE3***"Archaeology"*
- **Draft Policy HE4***"Scheduled Monuments"*
- **Draft Policy HE5***"Archaeological sites for local preservation"*
- **Draft Policy HE6***"Archaeological Sites Subject to a Recording Condition"*
- **Draft Policy HE7***"Changes of use and Heritage Assets"*
- **Draft Policy HE8***"Responsible retrofitting"*

3.33. These policies are not positively prepared; justified; effective; or consistent with national policy.

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Strategic Policy SP12 - High Quality Design

Comment Number: 39

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Strategic Policy SP12*"High-Quality Design"*– a general policy that adds nothing to the NPPF. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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DES1 - Design of New Development

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy DES1*"Design of New Development"*- a general policy that adds nothing to the NPPF. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

DES3 - Efficient Use of Land

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy DES3*"Efficient use of land"*– whilst not objecting to the principle of the policy it should be considered that there will be many parts of the District that currently do not attain the minimum density of *"40 net dwellings per hectare"*. However, it remains unclear which policies would prevail (SP12/DES1 versus DES3). It seems that the 40 dwellings to the hectare density is the minimum, although the proposal could then be refused for not 'respecting' the area's existing character. In order to help with this paragraph 129 of the NPPF advises setting out a "range of densities that reflect the accessibility and potential of different areas, rather than one broad density range". As a further point, the requirement for the provision of BNG (and the first choice being that the provision is made on-site), militates against efficient use of development land. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

DES4 - Extensions to Existing Buildings

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy DES4*"Extensions to existing buildings"*– this is another unnecessary policy. The rights for householders to alter and extend their properties have been purposely introduced in order to reduce the need for planning control. In essence, where the extension causes no harm, it is pre-granted planning permission. Amongst the unnecessary controls which this draft policy seeks to introduce, extensions are deemed to *"result in an undesirable terracing effect"*if they are less than 1 metre from a boundary. There is no provision in the General Permitted Development Order which would prevent a householder from extending their dwelling in this way. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

DES5 - Residential Amenity Standards

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy DES5*"Residential amenity standards"*– the draft policy enshrines National Space Standards into policy. As noted above, this is always a risk, as such guidelines are frequently revised and so the policy then becomes out of date. The redevelopment of urban sites in particular may require flexibility on standards, so as to achieve a form of development that either maximises the land and/or fits with the existing grain of an area. The strict operation of this policy is only likely to frustrate the delivery of many projects (an unduly restrictive approach is expressly warned against at paragraph 129c of the NPPF and a *"flexible approach"*can sometimes be taken). The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

D

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

DES6 - Building Heights

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy DES6*"Building Heights"*– again flexibility is needed in applying a policy which promotes a limit on height to those that 'prevail'. The acceptability of a new scheme should be upon the merits of its own design, rather than solely observing the existing buildings. As drafted, the policy is not positively prepared; justified; effective; or consistent with national policy.

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Amend, to remove any reference to refusal and suggest insertion of the following: "***Proposals that are that are significantly taller than the prevailing built form will be assessed against the following criteria..."***.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

DES7 - Servicing of Development

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy DES7*"Building Servicing"*– adds nothing to the NPPF (see NPPF, paragraph 116). The policy is not justified; effective; or consistent with national policy.

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Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

DES8 - Shopfronts and Advertisements

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy DES8*"Shopfronts and advertisements"*– The draft policy adds nothing to policy not already found in the Advertisement Regulations, the NPPF, 'the Guide to Outdoor Advertisers', or the PPG. The policy is not positively prepared; justified; effective; or consistent with national policy.

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Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

HW1 - Air and Noise Pollution

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HW1*"Noise and Air Pollution"*– imposes an unnecessary further burden upon development of sites which might be within urban areas. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

HW2 - Light Pollution

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HW2*"Light Pollution"*– In order to make best use of sports facilities it is usually necessary to provide lighting. Modern lighting systems can be added to facilities without undue harm to residential amenity, or interests of ecology. This proposed policy adds nothing to paragraph 191c of the NPPF. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

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Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

HW5 - Health Impact Assessments

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HW5*"Health Impact Assessments"*– The draft policy has an unduly low threshold in respect of non-residential development for when Health Impact Assessments are required. As with so many of the other draft policies it adds nothing to the policy in the NPPF (see for instance paragraphs such as 191). The policy is not positively prepared; justified; effective; or consistent with national policy.

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Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

HW6 - New development and existing uses (agent of change principle)

Comment Number: 18

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy HW6*"New development and existing uses (agent of change principle)"*– the matters contained in this draft policy are already more than adequately covered by the NPPF. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 40

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.46. **Draft Strategic Policy SP14***"Delivery of Infrastructure"*– According to paragraph 57 of the NPPF *"planning obligations must only be sought where they meet all of the following tests"*. These are:

1. *necessary to make the development acceptable in planning terms*
2. *directly related to the development; and*
3. *fairly and reasonably related in scale and kind to the development".*

3.47. This draft policy potentially imposes heavy burdens upon developers and possibly conflicts with the policies of the NPPF (see, for instance, paragraph 34 which also cautions against the deliverability of a local plan being undermined through excessive requirements for 'development contributions').

3.48. The draft policy also says that developer contributions for *"critical, essential and required infrastructure",* will be 'prioritised', however, if it is not *"critical, essential and required"* it cannot be demanded in the first place. The policy is not positively prepared; justified; effective; or consistent with national policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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1. 2024-11-07 MFS reps on emerging St ALP 2041_[R].pdf

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336 - Laura Weinberger

Submission Number: 336 Submission Date: 08/11/24 09:00

Respondent: Laura Weinberger

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I wish to object to the proposed residential development site on Harper Lane, close to the railway bridge and junction with Watling Street. This development will intensify the pressure on the already strained roads and the Radlett infrastructure, local schools and NHS services.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Weinberger_L_[R].pdf

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337 - HGC Joint Landowners

Submission Number: 337 Submission Date: 08/11/24 09:00

Respondent: Heather Pugh

On Behalf Of The Crown Estate, Kitewood, Pigeon and Bloor Homes : HGC Joint Landowners

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

SPATIAL STRATEGY

We maintain our support for Strategic Policy SP1: *A Spatial Strategy for St Albans District*, which recognises the importance of Hemel Garden Communities as a well-planned sustainable development. This objective will also be assisted by Policy SP2, which focuses on measures to help combat climate change, and Policy CE1 which promotes sustainable construction.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HGC Joint Landowner Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As landowners and promoters, we will continue to support the Council including at Examination and beyond. We look forward to continuing to work with St Albans City and District Council.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 9

Type:

* Policy

Number:

SP3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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Chapter 3 of the Draft Plan sets out the policy context for the overall approach to the efficient use of land, the case for strategic Green Belt release and the principle of selective Green Belt boundary adjustments to deliver the housing requirement through a series of site allocations, including the HGC Growth Area. We regard the Plan's approach to be appropriate to the objective of delivering a sustainable pattern of development across the District through the planned expansion of an existing settlement. We also support the Council and key stakeholders' ambition for the generation of new jobs and employment floorspace to support the local economy and wider South West Herts area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HGC Joint Landowner Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

POLICIES FOR HEMEL GARDEN COMMUNITIES

We support Policy LG1 – Broad Locations – which establishes a clear set of policy requirements for the HGC Growth Area and recognises the importance of a coordinated approach to the planning, design and delivery of homes and associated infrastructure.

We further support the Local Plan commentary relating to Hemel Garden Communities, and the inclusion of Figure 3.2 *Indicative Concept Plan for the HGC Growth Areas* to provide appropriate and proportionate spatial direction for the Growth Area. We welcome the clarity provided at 3.53 about the intention to bring forward two SPDs and we will continue to engage with the HGC partners on these documents as they come forward.

We are supportive of thrust of policies LG2 and LG3 and welcome the inclusion of a clear set of principles for the subsequent stages of planning and delivering high quality growth.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HGC Joint Landowner Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. HGC Joint Landowner Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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I would like to be notified about the adoption of the Local Plan:

* Yes

Chapter 5 - Economy and Employment

Comment Number: 10

Type:

* Policy

Number:

SP5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We also support the Council and key stakeholders' ambition for the generation of new jobs and employment floorspace to support the local economy and wider South West Herts area.

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1. HGC Joint Landowner Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

SITE ALLOCATIONS H1, H2, H3 & H4

Thank you for the opportunity to submit representations to the SADC Draft Local Plan Regulation 19.

This letter constitutes a joint response on behalf of the above land interests within the SADC portion of the Hemel Garden Communities (HGC) Growth Area, specifically the site allocations H1 – North Hemel Hempstead, H2 – East Hemel Hempstead (North), H3 – East Hemel Hempstead (Central),

and H4 East Hemel Hempstead (South). These allocations are proposed to together deliver around 5,500 dwellings – half of the required homes in the designated Growth Area - and land for up to 6000 jobs.

In recognition of the significance of these allocations, in the period since the Local Plan Regulation 18 consultation the landowners have continued to work positively with HGC partners in progressing the ambitious transformation proposals, particularly in relation to furthering the understanding of the infrastructure and mitigation necessary at local plan stage to support the draft allocations and soundness of local plan policy.

While this understanding will continue to be developed and tested through the final stages of the Local Plan including at Examination and through SPD preparation (and in due course, realised through future Outline Planning Applications when detailed mitigation will be secured), we believe that the Local Plan has been informed by a strong evidence base, focused on matters relevant to growth at this scale and to a level of detail proportionate to local plan considerations.

This has resulted in a clear and robust policy framework. As such we can support the Local Plan and consider the overall principles, requirements and proportionality set out in its policies to be generally effective, insofar as they relate to these allocations.

LOCAL PLAN PART B – SITE ALLOCATIONS

We are supportive of the amendments made in Part B of the Local Plan relating to site allocations H1, H2, H3 and H4, recognising that they have been informed by the HGC evidence base, including the Framework Plan.

We are also supportive of the overall policy requirements for each of the HGC allocations. Whilst we have a number of detailed points of clarification within the site allocation policies which have been raised separately through individual representations, these comments are made in the interests of securing a clear and effective policy framework for each site.

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1. HGC Joint Landowner Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Thank you for the opportunity to submit representations to the SADC Draft Local Plan Regulation 19.

This letter constitutes a joint response on behalf of the above land interests within the SADC portion of the Hemel Garden Communities (HGC) Growth Area, specifically the site allocations H1 – North Hemel Hempstead, H2 – East Hemel Hempstead (North), H3 – East Hemel Hempstead (Central), and H4 East Hemel Hempstead (South). These allocations are proposed to together deliver around 5,500 dwellings – half of the required homes in the designated Growth Area - and land for up to 6000 jobs.

In recognition of the significance of these allocations, in the period since the Local Plan Regulation 18 consultation the landowners have continued to work positively with HGC partners in progressing the ambitious transformation proposals, particularly in relation to furthering the understanding of the infrastructure and mitigation necessary at local plan stage to support the draft allocations and soundness of local plan policy.

While this understanding will continue to be developed and tested through the final stages of the Local Plan including at Examination and through SPD preparation (and in due course, realised through future Outline Planning Applications when detailed mitigation will be secured), we believe that the Local Plan has been informed by a strong evidence base, focused on matters relevant to growth at this scale and to a level of detail proportionate to local plan considerations.

This has resulted in a clear and robust policy framework. As such we can support the Local Plan and consider the overall principles, requirements and proportionality set out in its policies to be generally effective, insofar as they relate to these allocations.

LOCAL PLAN PART B – SITE ALLOCATIONS

We are supportive of the amendments made in Part B of the Local Plan relating to site allocations H1, H2, H3 and H4, recognising that they have been informed by the HGC evidence base, including the Framework Plan.

We are also supportive of the overall policy requirements for each of the HGC allocations. Whilst we have a number of detailed points of clarification within the site allocation policies which have been raised separately through individual representations, these comments are made in the interests of securing a clear and effective policy framework for each site.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. HGC Joint Landowner Reg 19 Reps SADC 07_11_24 FOR ISSUE_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As landowners and promoters, we will continue to support the Council including at Examination and beyond. We look forward to continuing to work with St Albans City and District Council.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

SITE ALLOCATIONS H1, H2, H3 & H4

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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339 - Jayne and Duncan Lewis

Submission Number: 339 Submission Date: 08/11/24 09:00

Respondent: Jayne and Duncan Lewis

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The following comments relate to site M16 - Falconers Field, Harpenden, AL5 3ES (HELAA Ref HT-04-21; Green Belt Sub Area Ref SA-17 / RA-14). For ease we (Duncan and Jayne Lewis) will refer to this site as the "horse field" as that is what it is known as by our local community.

In 2013 local residents successfully resisted a proposal to develop a site (known as New Farm) adjacent to the Falconers Field (green belt) horse field site that has now been selected for consideration for development under the new draft local plan. Quite why this is being reconsidered after so much time, effort and money went into investigating first time round only to have it found to be an unsuitable site, remains a mystery to us.

Traffic considerations were last time extensive (not least the inability of the top part of Roundwood Lane to cope with an increase in volume); additionally, the new road markings along Roundwood Park around the school have already increased the volume of traffic in Falconers Field (including cars parked during the school day).

We very much oppose the proposal to use the horse field site for development.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Lewis_J&D_[R].pdf

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340 - Chris Thom

Submission Number: 340 Submission Date: 08/11/24 09:00

Respondent: Luton Borough Council Chris Thom

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In July 2024 the Luton Council Executive approved a timetable for the production of a new Local Plan for Luton and a public consultation (Regulation 18) is planned to take place before the end of 2024.

Luton Council considers that the draft Local Plan is a sound, positive approach to plan making, however given the influence of Luton airport, planned future growth, the generation of travel movements and the commuting relationship between St Albans and the airport, it is considered that the Local Pan could be more effective in relation to the need for integrated strategic transport measures and opportunities afforded by the HERT proposals and Luton's own DART mass transit scheme.

Changes could be made to strategic policies SP8 (Transport strategy) TR1 (Transport Considerations for New Development) and TR2 (Major Transport Schemes) and the SADC Infrastructure Development Plan to further recognise these influences and relationships and the need for improved public transport provision in the context of the need to improve inter-urban connectivity.

Luton Council and SADC are producing a Statement of Common Ground for the St Albans Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Luton response to draft Local Plan_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. Luton response to draft Local Plan_[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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1. Luton response to draft Local Plan_[R].pdf

TRA2 - Major Transport Schemes

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. Luton response to draft Local Plan_[R].pdf

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. Luton response to draft Local Plan_[R].pdf

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341 - Higgins Group

Submission Number: 341 Submission Date: 08/11/24 09:00

Respondent: Alexandra Milne

On Behalf Of Higgins Group :

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Spatial Strategy and Settlement Hierarchy (Policy SP1)

As set out in paragraph 1.33 of the Draft Local Plan "The Spatial Strategy has been shaped by the need to address the Climate Emergency and new development will generally be concentrated on the basis of the Settlement Hierarchy. This approach gives priority to the larger urban centres which can provide a greater range of services and facilities, supports the re-use of land within the urban areas, and can reduce the need to travel. These larger urban centres also offer greater accessibility by walking, cycling and public transport."

The Settlement Hierarchy retains St Albans City as the key settlement in the District and roughly 30% of new residential growth will be in Hemel Garden Communities ('HGC'), an urban extension to Hemel Hempstead (currently all in Dacorum Borough Council's administrative area), lying in the west of St Albans District and bordering the M1. Harpenden is the next level of choice for growth. Growth delivered in these three key areas comprise 78% of the homes over the plan period.

In addition to the four HGC sites, the allocated "Broad Locations" for growth identify eight sites which will provide 250+ dwellings (amounting to roughly 40% of the total dwellings from the site allocations). The reliance on very large and large-scale sites to delivery such a significant proportion of the housing requirement is concerning. Such sites are inherently complex and time consuming and, as concluded by the Letwin Review (2018), the proportion of site build out each year is likely to be small. The housing trajectory does not build in a sufficient supply of homes to account for any shortfall in delivery should these sites face delays (as discussed in further detail below) and should identify further sites to ensure an appropriate housing supply over the plan period.

Paragraph 3.38 of the Draft Local Plan states that "Within St Albans District, the HGC Growth Areas will deliver at least 4,300 new homes by 2041, with a further 1,200 homes by 2050, providing a total of 5,500 new homes. Further housing growth within the area north and east of Hemel Hempstead, Two Waters and Hemel Hempstead Town will be set out in Dacorum's Local Plan." The Sustainability Appraisal (dated September 2024) notes that "support for HGC has crystalised in the Draft Plan stage (2023), and the reality is that the St Albans Local Plan would have to 'go back to the drawing board' without it, which would lead to major issues, as discussed." The plan's success is therefore wholly reliant on progress with and the deliverability of the HGC Growth Areas.

This overreliance risks undermining the Draft Local Plan's ability to meet its housing requirement and should be remedied through the identification and allocation of additional housing sites.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Higgins Group Representations - SACDC Regulation 19 Consultation 08112024_[R].pdf

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Housing trajectory (Table 3.2)
Policy SP1 explains that the Council has utilised the Government's Standard Method for calculating Local Housing Need ('LHN'), which results in a LHN of 14,603 dwellings over the plan period. The Housing Trajectory shows how the Council will identify and allocate land for the delivery of at least 14,603 net additional new houses, or 885 per annum in the period 1 October 2024- 31 March 2041. Policy SP3 states that "the housing need figure is the same as the housing requirement figure".
Several issues are identified with the Housing Trajectory, which are detailed below. These should be rectified to make the Plan sound.
• Aligning the housing requirement to the LHN conflicts with guidance set out in the NPPG which explains the following in relation to applying the standard method to plan making: "The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply. The standard method set out below identifies a minimum annual housing need figure. It does not produce a housing requirement figure."
As shown in the 2023 Housing Delivery Test results, SACDC has consistently under-performed in delivering housing and is an automatic "presumption" authority. After years of underdelivery the Council should seek to provide more than the minimum number of homes identified through the standard methodology to address the unmet need and affordability and supply issues caused through years of failure.
• The housing trajectory proposes a stepped delivery, with no allocated homes being delivered in the first three years of the plan, stepping up to 482 and 778 homes in years 4 and 5 postadoption. No evidence is provided to justify the stepped trajectory, and given the historic under-delivery and acute, immediate housing need there is clearly a need to bring forward housing delivery sooner. Paragraph 021 of the NPPG states "Strategic policy-makers will need
to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs." Robust evidence is therefore required to justify the approach to the housing trajectory.

• The housing trajectory identifies 2,103 dwellings being delivered over the plan period through windfall sites (145 dpa from the second year following adoption). This figure is not evidenced and reliance on these dwellings (which comprise over 14% of the plan's overall requirement) is unfounded. Any figure attributed to estimated windfall delivery must be fully evidenced and justified.
• An overall buffer of just 2.6% has been applied to the housing supply to account for potential future lack of delivery. Given the historic failures to meet housing needs HG consider that this figure is not nearly high enough to account for potential risks associated with large sites and wider delivery issues.

Infrastructure
There is not a reasonable basis for confidence that necessary infrastructure will be provided within the relevant timeframe to implement the spatial strategy. The Stage 3 Infrastructure Delivery Plan (September 2024) ('IDP') which sets out the infrastructure requirements of the preferred growth scenario states in relation to the identified housing sites that "Each intervention has a set out delivery period on when the intervention will likely be delivered…Where the delivery period for an intervention was not known by the provider but was directly associated with a Broad Location the delivery period of the site as listed in the housing trajectory was used and where the intervention was off-site and not linked to a Major Site the plan period was used" (paragraph 4.3.5). The aspirational linking of infrastructure delivery to the estimated site delivery programmes is unfounded and not based in any realistic delivery timeframe provided by the stakeholders or providers. This is unjustified and clear timeframes for critical infrastructure must be identified to ensure that the significant quantum of new housing to be delivered is appropriately supported.
Similarly, the Transport Impact Assessment which supports the Draft Local Plan sets out (page 5) that further work on detailed transport requirements and mitigation will be undertaken in the future at the later stages of the plan making process and through the masterplanning of the strategic sites and Broad Locations. Further evidence is required at this stage to demonstrate that the infrastructure required to support the housing trajectory will be deliverable and in place in the stated timescales.
In relation to the HGC sites in particular, Policy LG2 (Support for Transformation of Hemel Hempstead) states "Developers and promoters in the HGC Growth Areas must work together and closely with the Councils to secure a collaboration agreement which ensures an integrated and seamless approach across site boundaries. Critical infrastructure necessary to support development must be delivered ahead of occupation."
This policy requires a significant degree of collaboration between multiple actors which will be time consuming and complex, and the need for critical infrastructure to be delivered ahead of occupation raises concerns over deliverability. This effectively places a Grampian-style restriction on the occupation of 4,300 new homes identified through this allocation to be delivered in the plan period.
The SADC Infrastructure Schedule identifies significant items of infrastructure at the highest level of priority ("Critical – Delivery") but which will not be delivered until the later years of the plan period or in some instances beyond 2041.
Further certainty is required to ensure any necessary mitigation is deliverable within the relevant timeframes and able to be funded.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Higgins Group Representations - SACDC Regulation 19 Consultation 08112024_[R].pdf

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Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Green Belt Review and Site Selection Methodology (Policies SP3 and LG4)
Informed by the conclusions of the Green Belt Reviews(2014 and 2023) the Draft Local Plan has revised the Green Belt boundaries (as shown on the proposed Policies Map). HG supports the conclusion to review and revise the Green Belt boundaries in order to address housing need but considers that the proposed revisions do not go far enough in order to address the plan-period housing need.
As set out elsewhere in these representations, there are significant concerns surrounding the housing trajectory and its ability to be fully delivered to meet the housing requirements within SACDC over the plan period and additional land will be required in order to meet the authority's housing need. This is contrary to paragraph 148 of the NPPF which states that plans should "be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period". SACDC should take this opportunity to identify further sites suitable for housing delivery within the Green Belt in order to avoid having to make further alterations in the short and medium term following the Draft Local Plan's adoption.
The Local Plan Site Selection Methodology Outcomes and Site Allocations document (dated September 2024) states that "Green Belt Sites identified in the HELAA but outside of the GBR buffers were not considered to be suitable due to their less sustainable location and because development on such sites would create holes in the Green Belt, leading to its fragmentation." This approach has discounted all potential development sites that are not within the defined settlement boundary buffer areas, notwithstanding their suitability for development or contribution to the Green Belt. HG considers that this approach is flawed and results in suitable sites, specifically those appropriate for housing, being overlooked.
The Redbourn Farm site owned by HG is one such site that would be suitable for allocation and should be reconsidered in order to assist SACDC in identifying appropriate sites to meet their housing need.
Further information about the Site is set out in Appendix 1 of these representations.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Higgins Group Representations - SACDC Regulation 19 Consultation 08112024_[R].pdf

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LG4 - Large, Medium and Small Sites

Comment Number: 3

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* No

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1. Higgins Group Representations - SACDC Regulation 19 Consultation 08112024_[R].pdf

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Part B - Local Plan Sites

Comment Number: 6

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

PROMOTION SITE – REDBOURN FARM

Introduction

Previous representations have been made on behalf of Higgins Group on SACDC's Call for Sites consultation, which took place in March 2021.

This section provides further details of the site to demonstrate that it is a) suitable for release from the Green Belt, and b) deliverable in the short term as a housing site. Higgins Group has acquired the site with a view to providing a high-quality housing development that will provide both market and affordable housing, both of which will significantly contribute to SACDC's housing supply without negatively impacting on designated areas.

Site location

The Site is located north of Redbourn between Dunstable Road to the east and the M1 motorway to the west and is bound to the north by Redding Lane. It comprises roughly 53 acres of open land and is predominantly surrounded to the north, south and west by open fields.

The Site is designated as Green Belt and the Proposals Map associated with the 1994 District Local Plan Review shows the site within a Landscape Development Area (noting that the associated Policy 105 Landscape Development and Improvement within the District Local Plan Review has been revoked). There are no other designations relevant to the Site.

There is no relevant planning history for the Site readily available on SACDC's online planning register.

See appendix 1 for more information

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Higgins Group Representations - SACDC Regulation 19 Consultation 08112024_[R].pdf

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Sustainability Appraisal Note

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Sustainability appraisal

Under Section 19(5) of the Planning and Compulsory Purchase Act 2004, all Local Planning Authorities

must carry out an appraisal of the sustainability of proposals in each development plan document.

Paragraph 165 of the NPPF states "A sustainability appraisal which meets the requirements of the

European Directive [Ref: 2001/42/EC] on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors."

Paragraph 5.2.25 of the Sustainability Appraisal Report (September 2024) ('the 2024 SA') states "there

is a high level case for exploring growth scenarios involving setting the housing requirement above

LHN, particularly given latest understanding of unmet housing need within the subregion. A high level
case was similarly acknowledged in 2023, but then higher growth scenarios were ultimately judged to
be unreasonable in light of wider factors (Section 5.5 of the ISA Report). At the current time there is
an opportunity to revisit wider factors (see below) and, in turn, the conclusion (Section 5.5)."

The 2024 does include additional assessment of higher growth scenarios, but these are limited in exploration and do not consider the high potential for alternative sites including those within the Green Belt to come forward as part of the spatial strategy to meet the intense need for housing within
SACDC (see paragraph 5.5.8 in relation to omission sites).
The 2024 SA does recognise the high and unmet housing need, stating at paragraph 5.2.26 that "there
are strategic arguments for setting the housing requirement at a figure both above and below LHN. This leads to an inherent challenge, in respect of preparing the St Albans Local Plan, in the absence of
a higher-level plan to distribute growth across the sub-region." It goes on to recognise that "there is
an argument for awaiting the outcomes of the South West Herts Joint Strategic Plan. However, this is
not a realistic option. There is a critical need for an up-to-date local plan in order to avoid the risk of
Government intervention and to avoid a continued risk of 'planning by appeal'."
The assertion that arguments for higher growth and lower growth scenarios "ultimately cancel each
other out and lead to a strategic argument for setting the housing requirement at precisely LHN" is
unfounded and does not rely on evidence or balanced judgment in selecting the appropriate housing
requirement.
The speed with which the Draft Local Plan has progressed has prevented reasonable consideration of
ways in which to identify and plan for an appropriate housing supply to meet years of unmet need and
results in a plan that is not positively prepared, justified, effective, or consistent with national policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Higgins Group Representations - SACDC Regulation 19 Consultation 08112024_[R].pdf

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342 - Campaign Team

Submission Number: 342 Submission Date: 08/11/24 09:00

Respondent: Keep Chiswell Green Campaign Team

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 4

Type:

* Paragraph

Number:

1.6

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granted permission, with an appeal decision still outstanding on the final 7 units. This already represents a doubling of the number of households in the village, but without the co-ordinated improvements in our existing, critically-deficient, infrastructure that could come from development through a Local Plan.

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Legally compliant, positively prepared, justified, effective, consistent with national policy

In our opinion, the draft Local Plan has **not** been prepared to be *legally compliant, positively prepared, justified, effective or consistent with national policy* :

Lack of consideration for the Regulation 18 Public Consultation

The Regulation 18 public consultation was scheduled to run largely during the schools' summer holidays and was poorly publicised, resulting in a very low response rate; there were fewer than 2,000 responses to the consultation from across the whole District, when a number of single planning applications have each individually generated in the region of 1, 500 objections.

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Residents have reported to us that the SADC questionnaire was too narrow and the prescribed choice of answers resulted in a poor reflection of the respondents' views, forcing them to select responses that did not accurately represent their views.

The "response to each chapter" format was also off-putting as most residents did not want to comment on each individual chapter, but to comment overall. Whilst this was an option for respondents, coming at the end of the response template meant that some respondents did not reach that point in the template.

We believe that it is the lack of publicity, the poor timing of the Consultation and the difficulty in registering comments that have led to a poor response from local residents – not a lack of interest. This consultation has been poorly conducted and we submit that it would be wrong to assume that a low number of responses means that there is a high level of approval of the Draft Local Plan.

Residents would be justified, however, in thinking that their participation in the Regulation 18 Consultation was of little worth as there has been little more than acknowledgement that comments were made from SADC. The majority of responses received a comment saying “noted”.

To reinforce the lack of regard that has been had for the responses to the Regulation 18 Consultation, there has been little change in the Plan between the Regulation 18 Draft and the Regulation 19 Draft, and certainly no evidence that feedback through the Regulation 18 process has been incorporated.

Site selection based just on the Arup Green Belt Review

It is clear from plan-making guidance that the selection of sites for development under the plan should be based on the full range of relevant evidence of site suitability. The sites that have been selected for this Plan have been based solely on the Arup Green Belt Review. This comment is not to criticise the Arup Review, but the Arup Review has its purpose – to assess the performance of sites in the District’s Green Belt against the 5 Green Belt Purposes, to consider their role in the performance of the wider Green Belt, and to suggest whether each site assessed could, should or should not be considered for release. The Arup Review does not, and does not purport to, consider important aspects of site suitability such as flooding, highways, education provision, biodiversity etc. Furthermore, the Arup Review cannot be expected to consider the economic or socio-political implications of site selections.

The selection of sites for the Regulation 18 draft was based solely on the recommendations of the Arup Green Belt Review. When challenged as to why the selection process had not included other relevant evidence, the response given by the Spatial Planning team to councillors was that the statutory consultees did not have time to comment on all sites that might be considered in order to refine the selection, but that the consultees would be asked to comment on the sites selected prior to the Regulation 19 Consultation. This, of course, makes a mockery of the site selection process.

Councillors were not given time to consider documents or debate the sites selected

Councillors were given very little time in the schedule of meetings leading up to, first, the Regulation 18 and, then, the Regulation 19 consultations. Those who raised concerns were told that their concerns would be noted and considered, but there was no opportunity for debate. In reality, there was only one major change made to the site selection between the Regulation 18 and 19 drafts - a site that did not have good access was deselected due to limitations on putting a road across common land which was a point that had been raised by the ward councillor for that ward.

Whilst there was little time during the PP&CC meetings for consideration of the various sites, there was also very little time given to the councillors to consider the thousands of pages of appendices they were expected to read and digest in the 10 days between the issue of the agenda pack for the meeting and the meeting itself. As a result, the councillors were highly dependent on the 5-10 minute briefings given by the Spatial Planning team during every meeting for their understanding of the subjects on which they were being asked to vote at each meeting. Inevitably, a 5-10 minute briefing cannot compensate for sometimes over 2,000 pages of background material, so councillors were frequently making decisions from a position of relative ignorance.

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the better scenario for the District. For example, under 4 of the scenarios, there would be no Green Belt release in the south of the District. This is a critically important discussion and one which was not offered to the councillors.

In addition, there has been no justification for the level of development proposed, and more particularly, the level of Green Belt release proposed, when considered against the District's Green Belt and Heritage constraints. The only justification for Green Belt release is to meet housing targets. Whilst this may become the only consideration under any future NPPF, the December 2023 NPPF still expects planning authorities to justify changing their Green Belt boundaries in consideration of a wider range of priorities – not just meeting housing targets.

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Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

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* No

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Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

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* No

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L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 2

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* No

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* No

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KCG has been an active advocate for the residents of Chiswell Green and St Stephen Parish, including acting as a Rule 6 Party in the Chiswell Green Inquiry, participating in the Hearing for the Ragged Hall Lane appeal, and speaking as an interested party at the Lye Lane (Bricket Wood) Inquiry.

In this capacity, KCG has attended all Planning Policy and Climate Change committee meetings since July 2023 as a public spectator, usually in person, occasionally via the webcast of the meetings.

Chiswell Green is the target of intense speculative development; in the 2021 “call for sites” as part of the local plan preparation, land was put forward by local landowners for 2,057 new houses in Chiswell Green’s Green Belt immediately around the village. Since then, speculative applications have been submitted for a total of 1,266 new houses across these sites, of which 1,259 have been granted permission, with an appeal decision still outstanding on the final 7 units. This already represents a doubling of the number of households in the village, but without the co-ordinated improvements in our existing, critically-deficient, infrastructure that could come from development through a Local Plan.

A further 98 new houses are proposed for Chiswell Green under the draft Local Plan.

Once the site for these 98 is allocated under the local plan or approved via a speculative application, two more applications will be submitted for yet another 503 new houses, concreting over what little will remain by then of Chiswell Green’s Green Belt.

Residents of Chiswell Green are desperate for a new local plan – one that will protect us from further years of speculative development. However, with a very heavy heart, KCG must object to this draft local plan. The St Albans District needs a local plan, but not *any* local plan, not the *wrong* local plan, and not at the expense of sacrificing the ability of future generations to meet their own needs.

As a result of door-to-door canvassing of in excess of 1,000 properties in the village, KCG can confidently say it speaks for approximately 98% of local residents. KCG therefore submits this response with the weight of the support of over 2,000 local residents.

Legally compliant, positively prepared, justified, effective, consistent with national policy

In our opinion, the draft Local Plan has **not** been prepared to be *legally compliant, positively prepared, justified, effective or consistent with national policy* :

Lack of consideration for the Regulation 18 Public Consultation

The Regulation 18 public consultation was scheduled to run largely during the schools’ summer holidays and was poorly publicised, resulting in a very low response rate; there were fewer than 2,000 responses to the consultation from across the whole District, when a number of single planning applications have each individually generated in the region of 1, 500 objections.

Appeals in June 2023 to the then Leader of the Council, Cllr Chris White, for the dates of the consultation to be changed so as to avoid the summer holidays, when the majority of residents are most distracted and busy, were rejected.

Feedback from local residents has highlighted the inaccessibility of the Draft Local Plan documents to those with no previous experience of the Planning process. The documents were extremely long and verbose, and, for those who attempted to read the documentation, it was difficult for residents to understand the implications of the document content.

The requirement to register on the SADC portal in order to submit any comments was found to be onerous and off-putting, especially as some residents already had accounts for Council services such as council tax or refuse collection, but found that they were unable to use these to comment as part of the Regulation 18 consultation.

Residents have reported to us that the SADC questionnaire was too narrow and the prescribed choice of answers resulted in a poor reflection of the respondents' views, forcing them to select responses that did not accurately represent their views.

The "response to each chapter" format was also off-putting as most residents did not want to comment on each individual chapter, but to comment overall. Whilst this was an option for respondents, coming at the end of the response template meant that some respondents did not reach that point in the template.

We believe that it is the lack of publicity, the poor timing of the Consultation and the difficulty in registering comments that have led to a poor response from local residents – not a lack of interest. This consultation has been poorly conducted and we submit that it would be wrong to assume that a low number of responses means that there is a high level of approval of the Draft Local Plan.

Residents would be justified, however, in thinking that their participation in the Regulation 18 Consultation was of little worth as there has been little more than acknowledgement that comments were made from SADC. The majority of responses received a comment saying "noted".

To reinforce the lack of regard that has been had for the responses to the Regulation 18 Consultation, there has been little change in the Plan between the Regulation 18 Draft and the Regulation 19 Draft, and certainly no evidence that feedback through the Regulation 18 process has been incorporated.

Site selection based just on the Arup Green Belt Review

It is clear from plan-making guidance that the selection of sites for development under the plan should be based on the full range of relevant evidence of site suitability. The sites that have been selected for this Plan have been based solely on the Arup Green Belt Review. This comment is not to criticise the Arup Review, but the Arup Review has its purpose – to assess the performance of sites in the District's Green Belt against the 5 Green Belt Purposes, to consider their role in the performance of the wider Green Belt, and to suggest whether each site assessed could, should or should not be considered for release. The Arup Review does not, and does not purport to, consider important aspects of site suitability such as flooding, highways, education provision, biodiversity etc. Furthermore, the Arup Review cannot be expected to consider the economic or socio-political implications of site selections.

The selection of sites for the Regulation 18 draft was based solely on the recommendations of the Arup Green Belt Review. When challenged as to why the selection process had not included other relevant evidence, the response given by the Spatial Planning team to councillors was that the statutory consultees did not have time to comment on all sites that might be considered in order to refine the selection, but that the consultees would be asked to comment on the sites selected prior to the Regulation 19 Consultation. This, of course, makes a mockery of the site selection process.

Councillors were not given time to consider documents or debate the sites selected

Councillors were given very little time in the schedule of meetings leading up to, first, the Regulation 18 and, then, the Regulation 19 consultations. Those who raised concerns were told that their concerns would be noted and considered, but there was no opportunity for debate. In reality, there was only one major change made to the site selection between the Regulation 18 and 19 drafts - a site that did not have good access was deselected due to limitations on putting a road across common land which was a point that had been raised by the ward councillor for that ward.

Whilst there was little time during the PP&CC meetings for consideration of the various sites, there was also very little time given to the councillors to consider the thousands of pages of appendices they were expected to read and digest in the 10 days between the issue of the agenda pack for the meeting and the meeting itself. As a result, the councillors were highly dependent on the 5-10 minute briefings given by the Spatial Planning team during every meeting for their understanding

of the subjects on which they were being asked to vote at each meeting. Inevitably, a 5-10 minute briefing cannot compensate for sometimes over 2,000 pages of background material, so councillors were frequently making decisions from a position of relative ignorance.

This situation was particularly pertinent in the meeting at which it was requested that councillors give their authorisation to progress the Regulation 19 Draft Plan to consultation. The agenda pack consisted of in excess of 2,000 pages and included an important report commissioned by SADC from respected consultants AECOM. This report detailed and evaluated 8 different scenarios for Green Belt release, each of which could provide the basis for a local plan in the District. The various scenarios differed in the quantum of housing development that could be accommodated – some scenarios of smaller magnitude than the level selected by SADC, some of greater magnitude. This report was not highlighted to councillors and there was no discussion as to which scenario was the better scenario for the District. For example, under 4 of the scenarios, there would be no Green Belt release in the south of the District. This is a critically important discussion and one which was not offered to the councillors.

In addition, there has been no justification for the level of development proposed, and more particularly, the level of Green Belt release proposed, when considered against the District's Green Belt and Heritage constraints. The only justification for Green Belt release is to meet housing targets. Whilst this may become the only consideration under any future NPPF, the December 2023 NPPF still expects planning authorities to justify changing their Green Belt boundaries in consideration of a wider range of priorities – not just meeting housing targets.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. KCG - Formal response to Draft Local Plan Regulation 18 - Sept24_[R].pdf
2. KCG - Formal Response to SADC Reg19 Local Plan consultation - Nov24_[R].pdf

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343 - Moralis Group

Submission Number: 343 Submission Date: 08/11/24 09:00

Respondent: Boyer Planning Stuart Crickett

On Behalf Of : Moralis Group

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

INTRODUCTION

These representations have been prepared on behalf of Moralis Group in response to the Council's consultation on the Draft Local Plan (Regulation 19) (DLP).

The purpose of these representations is to assist the Council in formulating an approach within the DLPA that is both consistent with national planning policy and the tests of soundness.

In this regard, our representations relate to the tests of soundness set out at paragraph 35 of the NPPF (December 2023) states that for Local Plan's to be found sound they should be:

- **a) Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **b) Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **c) Effective** – deliverable over the plan period, and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred: and
- **d) Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

These representations are also made with respect to Moralis Group's specific interest in the land to the south of Lye Lane, St Albans (the Site) (see **Appendix 1**).

Our representations are structured as follows:

- Section 2 sets provides our comments on timing of this emerging local plan;

- Section 3 provides an overview of the housing content & overall spatial strategy;
- Section 4 provides an overview of the Council's Green Belt Assessment;
- Section 5 summarises the history of the Site & the potential of the site to deliver new residential development; and
- Section 6 sets out our conclusions.

We trust our comments are of assistance TO THE Council in formaulting an approach that is positively prepared, effective, justified and consistent with national policy.

TIMING OF THE REGULATION 19 PLAN CONSULTATION

At the end of July this year, the Government commenced a consultation on several amendments to the NPPF. The proposed amendments will make significant changes to ways local plans are examined. In addition, the Government are seeking to introduce a new standard methodology for calculating minimum overall housing needs. While our comments are based on the current NPPF (December 2023), we will refer to the potential impact of the proposed changes where these are salient within our representations.

By way of general context, in light of the proposed changes to the National Planning Policy Framework (the NPPF") we note with some concern the Council has brought forward the timings of its Local Plan review process seemingly in response to the increases in it housing needs which have been consulted on by the Government. Housing needs which the Government have identified as being appropriate toward seriously addressing the housing crisis – and specifically seeking to meet more of the Country's, and each local planning authorities' communities, affordable housing needs.

Within the draft NPPF transitional arrangements for those Local Plans that are currently in the middle of the local plan process have been set out. These arrangements allow Council's to still be assessed under the old system (December 2023 NPPF) dependent upon what stage their emerging local plan has reached at the date of publication of the new NPPF (plus one month). In the case of St Albans District, the Council has confirmed it is aiming to submit its plan in December 2024, before the new NPPF is adopted, meaning it would benefit from the transitional arrangements set out in paragraph 226(c).

Whilst we support the Council's desire to get an up-to-date Local Plan in place, we are concerned the Council is deliberately speeding up its local plan process in order to benefit from these transitional arrangements. The main incentive for the Council is that by submitting prior to the new NPPF being adopted, the Council's housing target would be considerably lower than that which it would be via the new standard methodology.

By rushing to make this deadline, we are concerned there is insufficient time to properly review & submit a 'sound' local plan. Following the end of this consultation, the Council is giving itself less than two months to not only consider all the representations made on the local plan, but to complete the evidence base & address any issues with the duty to co-operate. We do not consider there is sufficient time to for the Council to ensure all of the above is robustly considered & undertaken. And is accordingly setting itself/the emerging new plan into a trajectory toward failure.

Furthermore, if the Council does retain its decision to expedite submitting the current emerging plan, if adopted the Council will in any event be required to undertake an immediate review, to take account of the proposed amendments to the NPPF. Draft paragraph 227 within the draft NPPF clearly stating:

"Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need."

The Council's current standard methodology figure established a minimum housing need for 885dpa. Under the new standard method, the minimum housing figure will be materially different - increasing to 1,544dpa. An uplift of +659dpa which is significantly more than 200 dwellings difference. We therefore consider the Council is only delaying the inevitable, as it will need to address its significant housing shortage at the earliest opportunity following adoption of this proposed plan – assuming the submitted plan is capable of being found sound.

We consider it would now be more prudent for the Council to delay this plan review, and to here on seek to bring it in line with the requirements of the new NPPF. This would save both the Council expense and time (in the long run) by submitting a plan in accordance with the updated regulations and only having to go through one Examination in Public (EiP) in the coming years in order to achieve a plan which is capable of remaining *up to date*.

We are also aware, and note with concern, the DLP was agreed for Submission at the Council's Full Council Meeting on October 16, 2024 – three weeks prior to the end of the consultation period on the 8 of November. This approach is most unusual to give approval of a local plan for submission prior to the end of the consultation, and with no consideration of the comments that have been put forward by all members of the Council and not just those on a particular committee. While the paper to Full Council states that should a showstopper emerge from the consultation the decision will return to Full Council, we are concerned that it should not necessarily be for one committee to determine a showstopper. It should be for all members to properly consider the comments made and make their own determinations on this matter and the soundness of the DLP. The approach taken by the Council would suggest the Council will be submitting regardless of the comments made by representors. As such, predetermination of the outcome of the Reg.19 consultation has already occurred. This approach appears to be exposing the Council to the risk of legal challenge.

Notwithstanding the above, should the Council intend to continue with this current plan we consider this plan will need to contain a robust policy setting out clear timeframes for when the new local plan (to be developed in line with the new NPPF & standard methodology) is to be adopted. And as importantly the consequences of failing to undertake and complete a full plan review to ensure sufficient incentive is established.

Without such a firm policy in place, in our experience this results in genuine risk that council's may well not commence and complete a timely and full review – with the consequences of this experienced by the council's communities. Specifically, by those needing new homes in locations where there are sustained and significant housing shortfalls that have arisen and where these are continuing to arise under the current national policy context.

Therefore, a strong review policy is required setting out clear dates as to when a new plan will be submitted, and the consequences should that plan not come forward in the agreed timescale. We recommend a policy is included in the local plan along the lines of that adopted in the Bedford Local plan 2030 (reproduced here for ease). This policy was included in the Bedford Local Plan in similar circumstances when the NPPF was amended in 2018 requiring the use of the Standard Method to assess housing needs.

Extract from Bedford Local Plan 2030 – Review Policy

[see PDF attachment for image]

SPATIAL STRATEGY OVERVIEW

Duty to Co-operate

Paragraph 1.9 of the DLP states "*St Albans Council has a statutory Duty to Cooperate (DtC) with other local planning authorities and the county council and with other prescribed bodies, on strategic planning matters that cross administrative boundaries*."

The Statement of Common Ground, within the Council's published Reg.19 evidence base, sets out the potential strategic cross boundary issues that need to be considered, and the Council/Body that needs to be liaised with on each (see Issues Matrix on pages 9,10 & 11).

To ensure the Council's emerging Local Plan can satisfy the Duty to Cooperate (DtC) legal test (which cannot be remedied post submission) we would expect the Council to have ongoing discussions with neighbouring authorities in order that cross-boundary strategic matters are adequately addressed, one of which is the delivery of new housing. And for these discussions to be demonstrated by appropriate documented evidence.

St Albans forms part of the South West Hertfordshire (SWH) HMA alongside Dacorum, Three Rivers, Watford & Hertsmere. In terms of the HMA, within Three Rivers recent consultation (Regulation 18), it was proposing a housing figure of 270dpa, against is standard methodology figure of 637 dpa. A shortfall of -367dpa. Within Hertsmere's most recent consultation (Regulation 18), it proposed 590 dpa against its standard methodology figure of 726 dpa. A shortfall of -136dpa. It is therefore clear there are significant unmet housing needs being planned to be generated within the SWH HMA, totalling a combined shortall of -508dpa.

However, we have not been able to identify any published detail(s) as to whether St Albans has engaged with any of its neighbouring Council's or other parties to discuss these issues. We are therefore concerned that the Council has not worked proactively with its neighbours to address any cross-border issues such as housing needs across the sub region. Noting the Council has previously failed the duty to co-operate through attempts to achieve a new local plan before, this is very concerning.

As a minimum, the Council needs to evidence how it has engaged with its neighbours to discuss each of the issues, and the outcomes of these conversations. Without this information, there is no way of understanding if the Council has engaged constructively with its neighbours and therefore the emerging plan is as effective as it can be. Absent this evidence the Council cannot demonstrate the DtC has been satisfied leading to a procedural and legal failing which cannot be remedied once a plan has been submitted under Regulation 22.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CONCLUSION

These representations have been prepared on behalf of Moralis Group in response to the Council's draft Local Plan (Regulation 19), specifically in respect of Land to the South of Lye Lane (the "Site").

In the first instance, we are significantly concerned that the Council is deliberately speeding up its local plan process to benefit from the transitional arrangements set out in the proposed updated NPPF. By rushing to make this deadline, we are concerned there is insufficient time to properly review & submit a 'sound' local plan.

The Council's current standard methodology figure is 885dpa. This will be increasing to 1,544dpa - an uplift of +659dpa under the revised standard method. We therefore consider the Council is only delaying the inevitable by moving forward at pace with the DLP now. We consider it would be much more prudent for the Council to delay submission of this DLP and seek to proceed here on with an updated DLP which will be in line with the requirements of the new NPPF.

Regarding the Duty to Cooperate, no detail has been provided to whether St Albans has engaged with any of its neighbouring Council's or other parties to discuss these issues. We are therefore concerned that the Council has not worked proactively with its neighbours to address any cross-border issues such as honey needs across the sub region. Furthermore, it is clear that there is a significant shortfall of housing within the SWH HMA, and it is unclear if the Council has taken this into account and whether it could assist in delivering unmet need from elsewhere.

We are also concerned the Council is seeking to deliver a large majority of its housing through large scale strategic sites, which usually have long lead in times so do not contribute to the housing supply in the early years of the plan.

Considering the above, we consider the Council should leave no stone unturned through this current plan review and the DLP to identify and allocate appropriate additional sites that could contribute to delivering and meeting more of the areas housing requirement/needs.

We consider our client's site can make a meaningful contribution towards housing land supply such that it can form part of a *sound* spatial strategy. Whilst it currently lies within the Green Belt, it does not make a strong contribution to the purposes of including land within the Green Belt.

Given the significant housing shortfall within the HMA, significant affordable housing shortfall within St Albans, and the significant increase in the Council's housing targets within the proposed NPPF, we consider the Council should seek to release additional land from the Green Belt and allocate this for housing.

We therefore do not consider that the Council's currently local plan is 'sound' as it is not positive prepared, justified, effective or consistent with national policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 241108 - Regulation 19 Plan Representations_obo Moralis Group_[R].pdf
2. Moralis_Group_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

PARTICIPATION AT THE EXAMINATION

In the event the Council do proceed to submit the DLP for examination, we can confirm we would welcome the opportunity to participate in the Examination – through written hearing position statements and participation at Hearing Sessions in order to articulate, and if considered appropriate to expand upon on, the representations provided in this statement.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Housing Need – Policy SP1 – A Spatial Strategy for St Albans

The policy is unsound – it is not justified, effective or consistent with national policy

Strategic Policy SP1 sets out the housing requirement for St Albans is 885 dpa (14,603 homes across the plan period). This is consistent with the existing standard methodology calculation. However as referenced above, the proposed new standard methodology will increase the Council's required figure from 885 dpa to 1,544 dpa, a significant increase of 74%

The Council is therefore going to need to allocate a significant number of additional residential sites in order to meet this figure in the immediate future. It appears the Council are simply delaying the inevitable and should seek to address this now rather than once this plan has been adopted.

The above notwithstanding, the standard method figure is the starting point for assessing housing needs and should not be used as a ceiling. Paragraph 61 of the NPPF states:

"To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area".

We therefore consider the Council should be taking a forensic and proactive approach in allocating residential development across this District, utilising every opportunity, and leaving no stone unturned.

The NPPF is also clear that Councils are required to take into account housing needs that cannot be met in other areas when establishing their housing figures. Paragraph 11 of the NPPF states:

"b) strategic policies should, as a minimum, provide for objectively assessed needs for housingand other uses, as well as any needs that cannot be met within neighbouring areas".

N.B emphasis added.

Paragraph 61 of the NPPF states:

"In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for".

As referred to above, we have not been able to identify any reference of the Council liaising with any of its neighbouring authorities to establish whether the Council could assist in delivering unmet need from elsewhere. Moreover, as set out above, there is clearly a significant shortfall of housing within the SWH HMA, and it is unclear if the Council has taken this into account when arriving at its understanding of the appropriate housing need for the DLP.

In addition to the unmet needs in Hertfordshire the Council will also need to take into account the unmet needs arising in London. Following the examination of the London Plan reductions in the targets across London Borough's means that there is a shortfall of some 140,000

homes compared to what is needed between 2019 and 2029 across the capital placing additional pressure on areas around London. We recognise that such significant shortfalls cannot be addressed by one authority. However, if they are continually ignored by all LPAs that surround the capital the impacts of this undersupply across the wider southeast will never be addressed.

Housing Supply

We support the Council's decision to amend the current Green Belt boundaries in order to meet housing needs in full and agree there are exceptional circumstances required to support making amendments. However, we consider the high cost of housing in the area, the pressure of under supply in the market due to unmet housing needs in London, and the lack of development opportunities in urban areas are sufficiently severe to warrant further releases to address some of the unmet needs in neighbouring areas and to provide a more significant buffer between housing needs and supply. Furthermore, the impending uplift to the District's minimum housing need requirement adds further impetus and importance to assessing and identifying further appropriate land to be released to meet housing needs.

Paragraph 35 of the NPPF sets out to be found 'sound' local plans need to be *effective*, in that the polan should be deliverable over the plan period. Regarding its housing supply, the Council is proposing a buffer of just 385 homes (2%) above its housing requirement.

We are concerned that this buffer is not sufficient to ensure that the DLP can be found to be deliverable over the plan period (required by paragraph 35(c) of the NPPF). This is especially concerning given the Council's reliance on the delivery of strategic sites. The Council's supply contains the following components:

- Existing Permissions –*2,176*
- Windfall Allowance –*2,103*
- Harpenden NP Allocations –*57*
- Hemel Garden Communities –*4,300*
- Broad Locations (250+) – *4,077*
- Large Sites (100-249) - *385*
- Medum & Small Sites –*851*
- Green Belt (PDL) - *137*
- Sites within urban settlements (HELAA) - *43*
- Sites within urban settlements (UCS) - *860*

Out of the 14,989 homes within its supply, the Council is seeking to deliver 8,377 through large scale strategic sites (Garden Communities & Broad Locations). This raises several concerns.

The first of relates to issues arising from Council's relying on larger strategic sites being delivered and the long lead in times associated with these. The Council state they have in their assessment of delivery rates on the strategic site allocations used the latest iteration of Start to Finish (3rd Edition) published by Lichfields. While the use of this information is welcomed, as it provides a reasonable starting point on which to set delivery rates, it also shows that some sites – and specifically strategic scale sites, deliver much more slowly than others: and why an appropriate buffer between overall need and supply is necessary.

We therefore consider that to reduce the risks associated with larger scale strategic developments, the Council should be seeking to allocate additional smaller/medium/large scale developments, across the plan area, providing a range of developments (housing types, sizes, locations) to ensure sufficient flexibility is built-in to the DLP and ensuring it can deliver on its housing target and address the District's required housing needs.

This point is set out at paragraph 70 of the NPPF which states "...*small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly*". We would therefore advocate that the DLP's buffer should be increased from the current 2% to between 5 – 10% for this purpose.

We also note the supply includes 2,103 units from windfall. This equates to 14% of the DLPs total supply. At the time of writing, we have not been able to fully interrogate the evidence for this source's level of delivery. We will continue to review the evidence following conclusion of the consultation period and respectfully reserve the right to make further submissions on this aspect of the plan through the Examination stage if appropriate.

With regard to the trajectory provided in Table 3.2 of the DLP, we would have expected further information to be provided on the expectations for each site. On the basis the Council has broken down supply into broad categories of site this evidence must be readily available and is necessary for all parties to properly consider whether the rate of delivery on each site is justified. It is our experience that where site-by-site trajectories are not provided, they are asked for by inspectors in order to ensure effective scrutiny of the local plan. Rather than wait to be asked we would suggest the trajectories are published from the outset as part of the evidence supporting the submitted local plan.

Stepped-Trajectory

We do not consider the stepped trajectory to be sound. For the first five years the DLP makes no attempt to boost supply despite the severe shortfalls in housing deliver. The Council have alighted on a strategy that delivers a significant number of homes at the end of the plan period with the consequences of this being limited delivery in the early years of the plan.

More can be done to address this though allocation of small, medium and appropriate larger sized sites. The strong housing market in St Albans would suggest that such sites would come forward quickly on the adoption of the plan and begin delivering the homes St Albans needs in the short term. This would also support the Government's ambitions of delivering 1.5 million homes in the next five years and which are considered essential in addressing the housing crisis the Country is currently in.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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We are also concerned the Council is seeking to deliver a large majority of its housing through large scale strategic sites, which usually have long lead in times so do not contribute to the housing supply in the early years of the plan.

Considering the above, we consider the Council should leave no stone unturned through this current plan review and the DLP to identify and allocate appropriate additional sites that could contribute to delivering and meeting more of the areas housing requirement/needs.

We consider our client's site can make a meaningful contribution towards housing land supply such that it can form part of a *sound* spatial strategy. Whilst it currently lies within the Green Belt, it does not make a strong contribution to the purposes of including land within the Green Belt.

Given the significant housing shortfall within the HMA, significant affordable housing shortfall within St Albans, and the significant increase in the Council's housing targets within the proposed NPPF, we consider the Council should seek to release additional land from the Green Belt and allocate this for housing.

We therefore do not consider that the Council's currently local plan is 'sound' as it is not positive prepared, justified, effective or consistent with national policy.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

PARTICIPATION AT THE EXAMINATION

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP3 – Land and the Green Belt

The policy is unsound as it is not justified, effective or consistent with national policy.

To support the DLP, the Council instructed a *Green Belt Assessment* prepared by Arup. We are pleased to see the Council's decision to amend its Green Belt boundaries and agree that exceptional circumstances exist to do so.

However, given the significant housing shortfall within the HMA and the proposed significant increase in the Council's minimum housing targets, we consider the Council should be looking to make further amendments and allocate more sites now in the DLP in those areas of the Green Belt which score poorly against the five purposes, set out in the NPPF at paragraph 143.

It is therefore essential that the Council revisits it assessment of sites in both the Green Belt Review and the site selection process to look to identify whether there are sites that could address unmet needs arising in neighbouring areas at the very minimum.

Green Belt Assessment

In relation to the Site, this was assessed as part of a slightly larger sub-area of land given reference SA-132 (South of Chiswell Green, south-west of How Wood, north of Brickett Wood) – see Figure 2 below.

Figure 2 – Council Green Belt Assessment (SA-132)

[see Attached PDF]

The Council choose not to release the Site from the Green Belt, concluding "...*the sub-area plays an important role with respect to the strategic land parcel, and its release in isolation would harm the performance of the wider Green Belt ... the sub-area performs moderately against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration."* However, we do not agree with the outcome of the assessment.

We have undertaken our own desk-based assessment and conclude that development of the sub-area parcel would likely result in 'low-moderate' (limited) impacts, far from any significant impact(s):

- *(a) to check the unrestricted sprawl of large built-up areas*

The Site does not lie adjacent to a large built up are and therefore makes **no** contribution to this purpose.

- *b) to prevent neighbouring towns merging into one another*

The Site is within a larger area which separates Chiswell Green (to the north) and Brickett Wood (to the south). However, due to the presence of the M25 to the south, this acts as a notable and permanent physical and visual barrier to separate the two areas. We therefore consider the parcel/Site makes a limited contribution to this purpose at best.

The Council's own published assessment states *"..the sub-area forms a wider part of the gap between Chiswell Green and Bricket Wood; and Chiswell Green and How Wood. Due to the presence of the M25, perceptual merging of the neighbouring built-up areas of Chiswell Green and Bricket Wood would be limited. It is judged that there may be some scope for development without significant physical or perceptual erosion of the gap between neighbouring built-up areas."*

The Council gives a score of '3' (out of 5) and considers the Site performs moderately against this purpose. In our opinion the Parcel should score no more than 2 out of five, at worst.

- *(c) to assist in safeguarding the countryside from encroachment*

There are existing care home developments situated centrally within the sub-area. Historically, the Site has been subject of gravel extraction as well as the depositing of contaminated construction waste, dating back to the 1990s. As such, the majority of the sub-area and the Site comprises earthworks and informal tracks, rather than natural open and rural countryside. We acknowledge the Site does not comprise 'brownfield' land, nonetheless, it offers very little to the visual appearance and character of the countryside. Its appearance is degraded and is not typical of the wider countryside. The sub-area is also understood to be quite well visually contained. We therefore consider the sub-area makes a low-moderate contribution to this purpose at best.

The Council's assessment states *"...approximately 2% of the sub-area is covered by built form. Built form is concentrated in the centre of the site, including two residential care homes with associated car parks and gardens. The rest of the sub-area comprises woodland and meadow, which is dominated by informal tracks and earthworks..."*

The Council gives a score of '3' and considers the sub-area performs moderately against this purpose. In our opinion the sub-area should score no more than 2 out of 5.

- *(d) to preserve the setting & special character of historic towns*

The Parcel and Site are not within or adjacent to a conservation area or located near any statutory listed buildings.

The Council's assessment states *"...the sub-area does not abut an identified historic place or provide views to a historic place and does not meet this purpose".* The Council gives a score of '0' and considers the sub-area makes no contribution to this purpose.

- *(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

As all Green Belt land contributes to this purpose equally, the requirement to develop on Green Belt land needs to be set against the housing needs of St Albans and any unmet needs of its neighbouring and HMA authorities. As already acknowledged through the DLP, it is clear there is a pressing need and requirement to release current Green Belt land to meet the current identified minimum housing needs. Needs which cannot be met solely within existing defined urban areas and or by redevelopment of previously developed land. Release of Green Belt land will therefore not undermine or discourage the recycling of derelict and other urban land where this comes forward ordinarily.

We consider the Council should seek to direct new housing towards locations which contribute the least to the Green Belt purposes. We consider this sub-area provides the Council with an opportunity to release further land from the Green Belt that does not make a strong contribution to the purposes of including land within the Green Belt. Furthermore, the Site offers an opportunity to deliver much needed new homes within the immediate coming years given its ability and alignment to the Government's proposed introduction of the Grey Belt.

Given the significant housing shortfall within the HMA and the pending significant increase in the Council's housing targets, we consider the Council need release additional land from the Green Belt and allocate this for housing though this plan review. We therefore do not consider the Council's policy on Green Belt is 'sound' as it is not justified, effective or consistent with national policy.

Draft NPPF 2024: Grey Belt Assessment

Chapter 5 of the draft NPPF defines Grey Belt "..*as covering areas of Previously Developed Land (PDL) and/or land that make a "limited contribution" to the Green Belt purposes*". Further definition is presented in Annex 2 of the draft NPPF.

As the Site does not constitute Previously Developed Land (PDL) it would need to be demonstrated the land does not strongly perform against any Green Belt purpose in order for the Site to accord with the proposed Grey Belt definition. Nor that its development would fundamentally undermine the function of the Green Belt across the area of the plan as a whole.

As set out in the above Green Belt section, our view is that the Site does not perform strongly against any of the Green Belt purposes. We therefore consider the Site accords with the proposed definition as set out in the draft NPPF and the accompanying consultation document.

This further demonstrates the Site provides the Council with a clear opportunity to allocate additional housing on a Site which does not make a strong contribution to any of the Green Belt purposes, and under the forthcoming NPPF, should be considered as a Site within the Green Belt that can be brought forward for development via the new Grey Belt policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is

incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CONCLUSION

These representations have been prepared on behalf of Moralis Group in response to the Council's draft Local Plan (Regulation 19), specifically in respect of Land to the South of Lye Lane (the "Site").

In the first instance, we are significantly concerned that the Council is deliberately speeding up its local plan process to benefit from the transitional arrangements set out in the proposed updated NPPF. By rushing to make this deadline, we are concerned there is insufficient time to properly review & submit a 'sound' local plan.

The Council's current standard methodology figure is 885dpa. This will be increasing to 1,544dpa - an uplift of +659dpa under the revised standard method. We therefore consider the Council is only delaying the inevitable by moving forward at pace with the DLP now. We consider it would be much more prudent for the Council to delay submission of this DLP and seek to proceed here on with an updated DLP which will be in line with the requirements of the new NPPF.

Regarding the Duty to Cooperate, no detail has been provided to whether St Albans has engaged with any of its neighbouring Council's or other parties to discuss these issues. We are therefore concerned that the Council has not worked proactively with its neighbours to address any cross-border issues such as honey needs across the sub region. Furthermore, it is clear that there is a significant shortfall of housing within the SWH HMA, and it is unclear if the Council has taken this into account and whether it could assist in delivering unmet need from elsewhere.

We are also concerned the Council is seeking to deliver a large majority of its housing through large scale strategic sites, which usually have long lead in times so do not contribute to the housing supply in the early years of the plan.

Considering the above, we consider the Council should leave no stone unturned through this current plan review and the DLP to identify and allocate appropriate additional sites that could contribute to delivering and meeting more of the areas housing requirement/needs.

We consider our client's site can make a meaningful contribution towards housing land supply such that it can form part of a *sound* spatial strategy. Whilst it currently lies within the Green Belt, it does not make a strong contribution to the purposes of including land within the Green Belt.

Given the significant housing shortfall within the HMA, significant affordable housing shortfall within St Albans, and the significant increase in the Council's housing targets within the proposed NPPF, we consider the Council should seek to release additional land from the Green Belt and allocate this for housing.

We therefore do not consider that the Council's currently local plan is 'sound' as it is not positive prepared, justified, effective or consistent with national policy.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU5 – Self Build

The Policy is unsound as it is not justified or effective.

The DLP sets out where self-build plots are not sold after 12 months of marketing they must remain on the open market or be offered to the Council or a registered provider before being built out by the developer for market housing. We are not aware there is any justification for requiring plots to

be offered to registered providers or the Council. These plots are for plots allocated for market housing: as such if there is no demand for this from self-builders after 12 months they should automatically go back to the developer to be built out as market housing and reduce the delay in the delivery of much need new homes. We also question the basis upon which the Council are seeking that plots should remain on the market for self-build following 12 months of marketing. This provides too much uncertainty for developers as to how those houses will be delivered and the need to schedule these into the build out of a site.

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Regarding the Duty to Cooperate, no detail has been provided to whether St Albans has engaged with any of its neighbouring Council's or other parties to discuss these issues. We are therefore concerned that the Council has not worked proactively with its neighbours to address any cross-border issues such as honey needs across the sub region. Furthermore, it is clear that there is a significant shortfall of housing within the SWH HMA, and it is unclear if the Council has taken this into account and whether it could assist in delivering unmet need from elsewhere.

We are also concerned the Council is seeking to deliver a large majority of its housing through large scale strategic sites, which usually have long lead in times so do not contribute to the housing supply in the early years of the plan.

Considering the above, we consider the Council should leave no stone unturned through this current plan review and the DLP to identify and allocate appropriate additional sites that could contribute to delivering and meeting more of the areas housing requirement/needs.

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Part B - Local Plan Sites

Comment Number: 5

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

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LAND TO THE SOUTH OF LYE LANE

Site Description

The Site (see **Appendix 1**) lies to the southeast of the junction where the M25 intercepts the North Orbital Road. The Site forms a 'U' shape, abutting the North Orbital Road to the west, M25 to the south and Lye Lane to the east.

Within the middle of the land parcel, outside the red line for the Site, lies two care homes run by BUPA, Tenterden House & Allington House.

The Site has had a historic association with the depositing of waste materials across it. This has left the land in a non-natural state with several mounds and earthworks present across the Site. Whilst it does not qualify as a 'Brownfield' site as per the NPPF definition, we consider it is also not an attractive or sensitive rural landscape.

Development Potential

The Site lies close to three existing settlements, How Wood, Bricket Wood and Chiswell Green. These are all defined as Medium Sized Villages (Tier 5 of 7) with the DLP which are defined as:

- Smaller population size compared to the Large Villages;
- Provision of key services;
- Functional relationship with St Albans and Watford for high order services; and
- Availability of bus routes and rail branch line to provide transport offer.

In terms of facilities, there are several facilities close to the Site, within each of the nearby settlements, which include (but not limited to):

Chiswell Green

- Mercure St Albans Noke Hotel, Starbucks Coffee, Greenwood Park, Midway Doctors Surgery, Killigrew Primary & Nursery School, Gracey's Pizza, The Three Hammers PH & Simmons Bakers.

How Wood

- Mayflower Park, Park Street Baptist Church, How Wood Primary & Nursery, How Wood Train Station, Park Street Surgery, Saplings Preschool & Nursery.

Brickett Wood

- Woodbury Field Playground, Brickett Wood Social Club, The Black Boy PH, Brickett Wood Train Station, Costcutter Stores, St Luke's Church, Canopy St Albans Nursery School, Brickett Wood Pharmacy, Petrol Station.

Based on the above, we consider the Site lies in an appropriate location to deliver, within the first five-years of the plan period, much needed new housing. The development will be capable of achieving, although not limited to) the following summarised benefits:

- Provision of new market homes which will make a valuable contribution to the need for new housing within the District & wider HMA;
- Provision of much needed new affordable homes which will make a valuable contribution to addressing the current affordable homes shortfall;
- Ability to develop a Site which does not make a strong contribution to any of the Green Belt purposes;
- Potential for the Site to create significant landscape and biodiversity / ecological enhancements,
- Potential to provide areas of public open space / play space alongside and an attractive & sustainable living environment for future residents; and
- Provision of economic benefits in relation to construction of the Site and longer-term local spending & jobs.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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We are also concerned the Council is seeking to deliver a large majority of its housing through large scale strategic sites, which usually have long lead in times so do not contribute to the housing supply in the early years of the plan.

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

344 - Richard Martin

Submission Number: 344 Submission Date: 08/11/24 09:00

Respondent: M Scott Properties Richard Martin

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

These representations are submitted in response to the Regulation 19 Consultation on the St Albans City & District Council Draft Local Plan 2041 (the emerging Local Plan), and build upon the representations made on our behalf by Maddox Planning to previous consultations on the emerging Local Plan.

We support the Council's intention to work towards the adoption of a new Local Plan to meet the identified housing need within the District. Furthermore, we support the proposed allocation of Land West of Watling Street, Park Street, AL2 2PZ (the Site) for residential development under allocation reference L2, and can confirm the deliverability of this allocation.

Allocation L2 – Land West of Watling Street, Park Street, AL2 2PZ

Outline planning permission was granted at appeal on the 7th of November 2024 (ref: APP/B1930/W/24/3343986) for the development of up to 95 dwellings. The draft allocation proposes the delivery of 104 dwellings (indicative), and it has been confirmed through the application (ref: 5/2022/0267) and appeal processes that the Site can deliver up to 95 dwellings.

The Site will now be sold to a housebuilder and we expect that the reserved matters application will be submitted in 2025. We expect construction to start in 2026, and that the development will be completed before the end of 2029.

The key development requirements for the allocation have been expanded since the Regulation 18 Consultation, and now comprise eight points. These requirements have been explored in detail through the application and appeal processes and are addressed by the Conditions attached to the planning permission.

The proposed development will deliver a wide range of economic, social and environmental benefits, as set out within the Officer's Reports to the Development Management Committee and the appeal decision.

Thank you for providing the opportunity to comment on the Regulation 19 Draft Local Plan, and we confirm that we would like to be involved in future stages of consultation on the emerging Local Plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Scott Properties - Reg 19 Representations_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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345 - Sharon Hill

Submission Number: 345 Submission Date: 08/11/24 09:00

Respondent: Sharon Hill

M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

My comments below relate to site M16 - Falconers Field, Harpenden, AL5 3ES (HELAA Ref HT-04-21; Green Belt Sub Area Ref SA-17 / RA-14), which I will refer to as the “horse field”. Most of these comments have been prepared by my neighbour and I have used in this submission as I wholly support all the points being made and sincerely hope this will be taken into consideration prior to a final decision being taken.

Summary:

The horse field is part of an important and identified conservation area (the Chilterns Beechwoods Special Area of Conservation Zone of Influence) and it seems the only reason it has been considered for release now is because it is owned by a developer that has put it forward and it was only then included in the most recent plan. It passes the green belt purposes tests to the same extent as the rest of that conservation area which is not being released. The plan is looking to release land beyond the building line and beyond a previous map drawn up by the council’s advisers and in particular, extending beyond the building line encourages encroachment on the rest of the land and the site is accessed from a rural road so there are important safety concerns if traffic and the number of pedestrians are to increase (as would be inevitable).

Openness and Encroachment:

Allowing a development which juts out into the open conservation land beyond the building line and has plans already drawn up which include a cul-de-sac ending at the boundary of the site and apparently ready to head into the adjoining green belt land at New Farm is clear and strong evidence that it puts the rest of the conservation green belt area at risk. It strongly suggests that the assessment of all the horse field has been influenced by who owns that part of the land and put it forward, rather than by the outcomes of successive previous green belt assessments which deemed that the horse field should be kept in green belt and conservation area and was not suitable for development. Accordingly, when the selection of the horse field is apparently driven by who owns that part of the land rather than by applying common sense as well as the correct regulations about not allowing a build to jut out into a green belt (and conservation) area, it is clear that the assessments of all of that field are fundamentally flawed and none of the field should be released.

Access/Traffic:

Falconers Field is accessed by two roads. Both are steep and uphill from the main road. One access road is a designated rural road - Roundwood Lane. So by designation as a rural road it is not allowed to have development which would increase its use more than minimally. Further up

Roundwood Lane it is often not possible to use it when there has been a lot of rain or snow and many avoid it anyway as it is mostly a single-track lane. The severe limitations of these access roads are partly why a residents group of over 200 members campaigned against and defeated a planning application to change use (to playing fields) of a parcel of the green belt ten years ago (known as 'New Farm') which this horse field site is part of. Although the applicant withdrew its plans this was done after the residents submitted their own commissioned traffic report. Indeed I note those opposing the L&G development on the A1081 north of Harpenden have commissioned their own traffic report which shows that the amount of traffic has been underestimated and there will be major queues and rat runs locally as well as safety issues.

The other access road is Roundwood Park which, due to Roundwood Park School, is already at full capacity with considerable parking restrictions and is also heavily used by school buses. It is the only road the school buses are allowed to come up given the rural road designation of Roundwood Lane. Roundwood Park in turn leads to Luton Road via Park Hill. Given the protected Nickey Line and bridge over the A1081 it is not possible to improve access to the Roundwood area and it is already suffering bottlenecks and drivers resorting to dangerous manoeuvres on pavements busy with schoolchildren as well as the road into Harpenden being heavily congested. These roads get worse when there are problems with the local section of the M1 and such problems are not infrequent. Even without any additional L&G housing on Luton Road the roads are already at capacity in the Roundwood area. If L&G do build then the area around, including the Roundwood area, will absolutely need protecting from any additional development.

Over the past decade it is very noticeable how much busier the roads have become.

Falconers Field itself is a winding road with sharp bends and a fork. Visability at the fork is particularly limited. I have had many near misses as cars appear and as we negotiate and allow each other to pass. When Roundwood Park was recently blocked the fork on Falconers Field became extremely busy with traffic and getting in and out of the cul-de-sac safely was incredibly difficult. Traffic measures cannot remedy this due to the houses which are built by the junction. Safety is a genuine and major concern if Falconers Field and nearby roads were to see an increase in traffic.

With the parking restrictions on Roundwood Park more congestion has been pushed into Falconers Field so the situation on Falconers Field is worse not better now than when those planning decisions were made in the past. Some residents recently took it in turns to observe and log the number of children crossing the fork on foot, which is particularly high, and we observed cars having to quickly stop due to, for example, children crossing the road and groups spilling onto the road as they pass each other and pass pushchairs. If in the past it was considered too dangerous to increase the use of Falconers Field and traffic on nearby roads then why should it be considered more acceptable now to put the lives of pedestrians - the majority of them children - at risk?

Preserving the green belt land next to Falconers Field - land which is in the Chilterns Beechwoods Special Area of Conservation Zone of Influence - is very effective in keeping urban sprawl restricted as, inter alia, it keeps the number of road users down.

Community importance:

An important function of the green belt is to safeguard the character of a community and the horse field has been an integral part of the community as it is visible open green land in the Roundwood area and the only such land with an adjacent pavement (the only other visible green land in the area - and indeed the horse field is part of it - is that which is visible from Roundwood Lane which leads away from Harpenden and which has more limited pedestrian access). Accordingly, the horse field meets an important criteria of green belt that should have been given far greater weight in its assessment.

Any houses that get built on the horse field won't be genuinely affordable housing. It will not benefit the community. They won't be cheap enough for first time buyers nor to make it possible for local residents to move elderly parents closer. It's a sad reality and any pretence otherwise is simply that. So the only real benefit will be to the developers' pockets and not to the community whose local area will be irrevocably damaged for only the developer's pocket. The horse field is not some piece of 'grey belt land' (to use the new government's terminology in its draft revised NPPF) but genuinely important green belt land and part of a conservation area. Of course new houses need to be built in the UK today and we recognise that local authority new housing targets are a reality, but there needs to be proper planning with new towns and better use of brownfield land. Every year the number of dwellings which are not lived in increases significantly. The purposes of why the green belt came about in the first place are more important now and not less, particularly as climate issues have become so vital.

Additional important functions of the horse field:

An easement of access exists from the gate (where the horse field abuts Falconers Field on the bend in the road) across to the Roundwood Park School playing field. This right of access is not taken into account either in the plans or elsewhere in the Green Belt Review.

Residents (not the owner of the horse field or the council) have used and maintained the strip of land at the end of the cul-de-sac on Falconers Field for decades and claim ownership of it due to adverse possession.

The horse field is often under water in heavy rain and absorbs a lot water for the area which, given the frequent flooding on the main road (even with recent changes made to improve the road) at the bottom of the hill, serves a very important function.

Not only does controlling congestion help our air quality, the green belt is an effective and important way to reduce pollutant concentration in the ambient air. Given Harpenden itself is in a valley this is particularly important.

The wildlife that use the horse field and this conservation area should not be underestimated. The small stable buildings in the horse field house bats and a regular topic on the street WhatsApp is enjoying the local wildlife spotted.

Serious concerns about how the horse field has been included:

There are serious concerns about how the horse field has come to be included in this list of sites for consideration for development. In 2013 a review of the green belt took place. It recommended a further look at half of the horse field – but only up to a line level with the gardens of the houses at the end of the cul-de-sac part of Falconers Field. However, during this process the area under consideration suddenly became all of the horse field, therefore jutting way out into the green belt. Which happens to coincide with the land owned by the developer. We understand coouncil were unable to provide any explanation whatsoever for this change. Indeed it could be argued that what went on was all rather suspicious.

Now turning to the fact that the horse field - although being part of green belt and hence considered vitally important - is now deemed by the Green Belt Review not to be serving particularly well the purpose of "preventing neighbouring towns from merging". If you cut off a section of the green belt – as is the proposal in relation to the horse field - then it will always serve the purpose less and it's why all of the relevant green belt land is meant to be judged as a whole. The horse field should not have been treated differently to the green belt that it is part of just because a developer owns it. However what this latest Green Belt Review has done is group it together with the adjoining school field and incorrectly assess that whole area in terms of its contribution to the green belt. In that context it is not surprising that the land scored less well on achieving the above mentioned green belt purpose – though it should be noted that the horse field scored very highly for achieving other green belt purposes. So the Green Belt Review assesses the wrong area in relation to this site and that also means it ignores the fact that the development of the horse field as currently

proposed will jut into the greenbelt and beyond the houses/building line of Falconers Field. Having seen a plan of the proposed development on the horse field, I have to question why does the proposed new road stop adjacent to the green belt owned by Herts County Council instead of that part of land being used for a house? Does this mean it threatens its adjacent Green Belt too? Given the flawed assessment both in 2013 and in the new Green Belt Review and the inexplicable change in the area being assessed you can see why I have serious concerns as to why the whole horse field is now being put forward as it has been. The horse field was not in previous draft local plans so it should not be considered less important - or more suitable for release for development - just because a developer put it forward. For the character of the area and the safety of road users it would be terrible to lose even part of the horse field but to have the whole of the horse field developed and it jutting well out into the green belt makes no sense and would be devastating for the area.

As a broader comment, it should be noted that I understand the Harpenden Green Belt Association ("HGBA") was primarily set up by residents who were very focused on resisting building on what is now the proposed L&G development site (i.e. site B7 - North West Harpenden, AL5 3NP) but this should in no way be seen as any kind of tacit endorsement (by the HGBA or any other local residents) of the idea of the development of any of the other green belt sites in or around Harpenden. The horse field, for example, is totally unsuitable for development and each site must be considered on its own merits – and there can certainly be no question of smaller sites such as the horse field being earmarked for development in order to 'make up the numbers' for the SADC housing target if one or more of the larger sites are rejected for development as part of this process. Any build in this part of Harpenden will be problematic but given the already difficult access we have going up Park Hill and Roundwood Lane it would be better that any new houses are sited on, or closer to, a main road or at least a road with better access and less congestion.

Given that, due to the recent change in the UK Government's planning policy, the Council now has discretion as to how many houses it allows to be built over the course of the new local plan, it should be delivering on its election promises to protect the green belt. Green belt should only be used in very special circumstances so the presumption should be to protect it and that presumption should be difficult to rebut. The land at Falconers Field should not be a sacrificial lamb to help SADC hit its new build housing numbers. Just because a developer owns the horse field it should not mean it is assessed differently or wrongly in order to get it through this process. Even leaving aside what this site's release for development will do to the local community's wellbeing, it will greatly exacerbate already congested and 'full' roads, put children and others in danger and adversely impact the nature and character of the Roundwood area very considerably.

Conclusion:

Suggesting (as the Green Belt Review does) that the footpath is improved will make little if any difference. An area which 1) falls within within the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI), 2) if lost will also require provision to be made for a new Suitable Alternative Natural Greenspace (SANG), and 3) has all of the other factors set out above making development not only hugely undesirable but also unlawful under current planning rules, should remain in the green belt. Just because it is a field owned by a developer does not mean it becomes a 'grey belt' area. Being on the edge of a conservation area is also not a reason to allow it to become a 'grey' area or to allow new houses to be built which will go beyond the housing line, requiring the conservation area lost to be replaced and imposing a real threat to the rest of the local green belt. All of this, plus all the access issues highlighted above, means the horse field must remain in the conservation area and in the protected green belt.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Hill_S_[R].pdf

346 - Mr Malcolm Day

Submission Number: 346 Submission Date: 07/11/24 09:00

Respondent: Mr Malcolm Day

NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site B6 - West of London Colney AL2 1LN to be restored to Metropolitan Green Belt status. This is based on “SKM” plans which are more than 10 years out of date.

Policy 10.38 this involves the loss of agricultural land, the grading of the land has not been disclosed. Food production has to be increased by 70% during the next 25 years and food miles must be reduced. The extravagant land use for school playing fields must be curtailed. The alternative is for those areas to be opened up for community use with suitable security procedures in place, this will increase demand on sand/gravel/concrete/additional quarrying/excavations will aggrieve many local residents.

There is no evidence that sufficient resources will be available within the local authority to enforce all the standards/conditions mentioned.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Statements to be removed:

“that travel outside London Colney will be reduced.”

Reasons for this modification

Residents will be travelling to work/hospitals/friends and family/sports and entertainment venues etc and many parents will select secondary schools such as Nicholas Breakspear, Sandringham, Marlborough or even Parmiter's (Garston).

The planned school capacity for this site is larger than necessary.

Statements to be removed (continued):

Site access for pedestrians, bicycles and vehicles will be through napsbury park.

Reasons for this modification:

The additional noise and disturbance will do nothing to further integration between the new residents and the existing residents (ie social cohesion).

Statements to be added: Policy NEB4

Confirmation that land areas within the defined site have or will be sold to SEGRO by Hertfordshire County Council as part of the SRFI compensatory measures. The areas concerned are those bordering the River Colne and those adjacent to Napsbury Park. Also, the intentions concerning the former Barley Mow Farm and Fir Tree Firm.

Confirmation that a Nursing Home accommodating 60 plus people and special needs accommodation for 10 people will be provided.

Confirmation that the site will not involve more than 40 residential units per hectare.

Confirmation that the site will contain 40% appropriate housing provision.

Confirmation that no building on site will exceed for storeys in height.

The landowners intention in the foreseeable future in respect of the agricultural land between site B6 – the Napsbury Park boundary and the railway line.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Day_M_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

B6 - West of London Colney, AL2 1LN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Site B6 - West of London Colney AL2 1LN to be restored to Metropolitan Green Belt status. This is based on “SKM” plans which are more than 10 years out of date.

Policy 10.38 this involves the loss of agricultural land, the grading of the land has not been disclosed. Food production has to be increased by 70% during the next 25 years and food miles must be reduced. The extravagant land use for school playing fields must be curtailed. The alternative is for those areas to be opened up for community use with suitable security procedures in place, this will increase demand on sand/gravel/concrete/additional quarrying/excavations will aggrieve many local residents.

There is no evidence that sufficient resources will be available within the local authority to enforce all the standards/conditions mentioned.

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“that travel outside London Colney will be reduced.”

Reasons for this modification

Residents will be travelling to work/hospitals/friends and family/sports and entertainment venues etc and many parents will select secondary schools such as Nicholas Breakspear, Sandringham, Marlborough or even Parmiter’s (Garston).

The planned school capacity for this site is larger than necessary.

Statements to be removed (continued):

Site access for pedestrians, bicycles and vehicles will be through napsbury park.

Reasons for this modification:

The additional noise and disturbance will do nothing to further integration between the new residents and the existing residents (ie social cohesion).

Statements to be added: Policy NEB4

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Day_M_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* No, I do not wish to participate in hearing session(s)

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347 - Joanne Williams

Submission Number: 347 Submission Date: 08/11/24 09:00

Respondent: Joanne Williams

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We wish to object to the proposed development for M9. While we support the other proposed developments in the local plan in and around Wheathampstead, the particular proposal for M9 is wholly inappropriate for the reasons given below.
Yes ,socially it will provide homes for current and future generations, but it does not line up with the environmental considerations – it will neither protect nor enhance the natural environment and only serve to concrete over green belt that is vital for soaking up increasing rainfall that we are experiencing through climate change.
Comments in line with the key development requirements
1 . Amwell Lane cannot serve as the access route due the scale of development and nature of the lane meaning both policy and technical barriers to its use exist. However, active mode access should be provided.
JW & EL – As Amwell Lane is deemed unacceptable in terms of access to the development, any other access options (eg from other roads in the vicinity eg High Ash Road or Old School Drive) would be highly inappropriate, overwhelming those roads with the volume of plant traffic followed by the volume of traffic from the additional residents in the 60 or so proposed dwellings. Any new access route could also impact local footpath access and seems to negate the joining of the footpaths mentioned below.
Given this, economically it does not seem to fit with the requirement for having the right land available given the above access challenges and increased costs involved with that.
2. The existing footpath to the eastern boundary must be retained and accessed from the site. There is an opportunity to connect footpath 081 through the site to 027 via a walking route in the required open space.
JW & EL – We struggle to understand how a development would present this as an opportunity.. There is nothing already stopping the connecting of footpath 081 to 027 as far as we can see.
4. Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA.
Including but not limited to improvements to the B651 and connections to St Albans / Sandridge.
JW & EL - It will also require improvements to the Wheathampstead to Harpenden road which already suffers from congestion with the existing volume of traffic.
6. There is a pipeline running through the site, and development proposals must appropriately take this into
account.
JW & EL – this is a major pipeline which will need a considerable buffer around it. This could impact the development and reduce the number of units thereby rendering the development unfeasible.
I would be grateful if you would take our objections into consideration.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Williams_J_[R].pdf

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348 - Linda Sibley

Submission Number: 348 Submission Date: 07/11/24 09:00

Respondent: Linda Sibley

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Ref. Invitation to help scrutinise our Draft Local Plan
1. ‘the population is growing’:
The population has been decreasing since 1965. Why do we need more homes, schools etc.
2. ‘The population is growing’. ‘where will people live’:
The population grew from 1946 to 1964 (baby boomers) by 2044 they will most be all dead. What’s left will be either dying in some home, hospice or hospital trolley in some corridor. This will leave plenty houses, flats and ever growing numbers of housing for over 60 | retired, empty and available. With less population no need for schools, doctors, homes etc, etc.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sibley_L_[R].pdf

349 - Lisa Peters

Submission Number: 349 Submission Date: 08/11/24 09:00

Respondent: Colney Heath Parish Council Lisa Peters

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Colney Heath Parish Council (CHPC) submits this response to the St Albans City and District Council (SADC) Local Plan (LP), generally supporting its approach toward sustainable development, infrastructure improvement, and environmental conservation within the district. CHPC's comments, detailed in Appendix 1, offer support on several policy areas but also identify specific concerns regarding the implications of development on Colney Heath. The Council seeks to ensure that future growth respects the unique character and infrastructure limitations of the parish.

Sustainable Development and Location Strategy

CHPC appreciates the Local Plan's emphasis on sustainability, especially its strategy to prioritise development in areas with established infrastructure, public transportation, and essential services. This approach is vital to supporting managed growth within the district. CHPC stresses, however, that Colney Heath's limited transport links and essential services make it unsuitable for major development. As such, the Council strongly advocates for the prioritisation of brownfield land for new housing and commercial developments, aiming to minimize the encroachment on Green Belt areas and protect the parish's rural character.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion

The Colney Heath Parish Council (CHPC) has carefully reviewed the draft Local Plan provided under the St Albans District Council (SADC) Regulation 19 consultation, offering a detailed response that raises significant concerns, particularly about the implications for Green Belt land and the potential impacts on rural communities. The council has focused its feedback on the protection of the area's natural environment and its capacity to support sustainable growth without compromising the quality of life for its residents.

CHPC acknowledges the necessity of development in certain areas but stresses that such projects must be coupled with substantial infrastructure improvements. These include ensuring that the local roads, utilities, and services can adequately support the increase in population, as well as emphasising environmental sensitivity. CHPC pointed out that developments should only consider housing needs but should integrate sustainable design that respects the local ecology, such as the preservation of hedgerows and natural habitats.

In particular, CHPC has raised concerns about the proposed Strategic Rail Freight Interchange in Park Street. It is anticipated that the development would result in heightened traffic congestion, especially along the A414, which is already under pressure. The potential for increased lorry movements associated with the freight interchange could exacerbate road usage, affecting both local residents and commuters. CHPC has called for a more thorough evaluation of the environmental and transportation impacts.

In conclusion, CHPC acknowledges the importance of development within the Local Plan to address housing demand and supports a balanced, well-considered approach. The Parish Council strongly believes that growth must be carefully managed to respect Colney Heath's unique character and capacity, ensuring that it enhances quality of life for existing residents. We call for a thorough examination of the potential impacts on infrastructure, traffic, and Green Belt preservation to safeguard these essential aspects of our community. With these considerations, CHPC fully supports the Plan's commitment to sustainable and beneficial growth for both current and future generations.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Housing Need Calculations

In its regulation 18 response, CHPC questions the reliability of the housing need calculations within the Local Plan (LP), particularly those based on outdated 2014 data projections. Given the evolving demographics and changing housing demands, CHPC urges SADC to update these figures using the most recent data from the Office for National Statistics. The Council also recommends that future Local Plan updates include regular revisions of housing need assessments to ensure they reflect current and projected population and economic trends.

Regarding **PolicySP1**, CHPC acknowledges that the Government's required 'Standard Method' for calculating local housing need has been followed. However, the Council raises concerns about the accuracy of the proposed target of at least 14,603 net additional new houses, or 885 per annum, in the period from 1 October 2024 to 31 March 2041. CHPC recommends that SADC consider recalculating the housing need in line with updated demographic data, as the current projections may not fully reflect the parish's capacity, infrastructure limitations, or the specific needs of the local population.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CHPC recommends that SADC consider recalculating the housing need in line with updated demographic data, as the current projections may not fully reflect the parish's capacity, infrastructure limitations, or the specific needs of the local population.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Responding to Climate Emergency

CHPC generally supports Policy SP2 of the Local Plan, particularly its focus on using the most sustainable locations for growth and minimising the need to travel. However, the Parish Council emphasises that Colney Heath's limited transport links present a challenge in fully meeting these objectives. While encouraging walking, cycling, and the use of public transport is crucial for sustainable development, CHPC highlights the current lack of infrastructure and services in the parish, which may hinder the success of such initiatives.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Council urges SADC to ensure that any proposed development is accompanied by significant improvements to local transport infrastructure, including enhanced bus services and safe pedestrian and cycling routes. Additionally, CHPC supports the prioritisation of sustainable and active modes of travel in new developments, as outlined in **PolicySP2**. However, the Council stresses that this should not be at the expense of ensuring sufficient access to essential services and amenities. For Colney Heath Parish, this may require a more tailored approach to transport planning, ensuring that any new development provides realistic alternatives to car use, especially given the rural context and limited public transport options available in the area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Type:

* Paragraph

Number:

3.55

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Large, Medium & Small Sites

CHPC notes that the focus of medium (10-99 homes) and small (5-9 homes) sites within urban areas and higher tiers of the Settlement Hierarchy generally aligns with the Local Plan's goals for sustainable development. Concentrating such sites in areas with better infrastructure and public transport options supports accessibility, reduces the need for car travel, and can more readily accommodate new residents without placing undue pressure on existing services.

For smaller rural communities, however, this approach could lead to uneven development impacts, as these areas may lack the infrastructure to support even small-scale developments without careful planning. In villages like Colney Heath, the introduction of new homes must be balanced with infrastructure improvements, including transport links, utilities, and amenities, to ensure these sites enhance rather than strain the community.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CHPC recommends that SADC consider the distinct characteristics and limited resources of small rural areas in its planning for medium and small sites. Adapting development density and infrastructure investment to fit each area's capacity will better support sustainable growth that preserves the identity and functionality of small communities.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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LG4 - Large, Medium and Small Sites

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

CHPC raises concerns regarding **PolicyLG4**, which sets a minimum overall net density of 40 dwellings per hectare for large, medium, and small sites. Given the rural character and smaller scale of Colney Heath, this density target appears disproportionately high and may not be compatible with the existing character, infrastructure, and spatial needs of the parish. Applying a fixed density figure across diverse areas may overlook the unique requirements and constraints of smaller rural communities like Colney Heath Parish, where higher densities could strain local infrastructure, increase traffic, and affect the character and identity of the areas.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CHPC recommends that the density requirement in **Policy LG4** be reconsidered for rural areas and, instead, suggests a percentage-based approach to ensure that the number of dwellings aligns more fairly with each area's size and capacity. This approach would allow for a more nuanced, context-sensitive application of density targets, supporting sustainable development that respects the distinct character of smaller rural communities.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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LG7 - Affordable housing in the Green Belt (rural exception sites)

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affordable housing in the Green Belt (rural exception areas)

CHPC appreciates the intent of **Policy LG7** to address local affordable housing needs in the Green Belt through small-scale rural exception sites, as affordable housing is essential for sustaining community diversity and supporting local residents. However, the Parish Council raises concerns about the potential cumulative impact on both the character of Colney Heath Parish and the openness of the Green Belt if multiple sites are designated over time.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CHPC acknowledges the requirement that such developments be small-scale, with nine or fewer dwellings on a site of under 0.5 hectares. However, CHPC Council suggests that additional guidance be included to ensure that the scale and design of these developments are in keeping with the surrounding rural character and do not lead to gradual urbanization. Clear criteria for “small-scale” should help limit the visual impact and preserve the areas character.

Regarding clause (c), CHPC recommends more precise wording to define and measure “limited harm” to the Green Belt’s purposes. This could include specific criteria or assessments for visual impact, landscape integration, and protection of natural habitats, to ensure that these developments genuinely respect the openness and character of the Green Belt.

Finally, CHPC supports clause (e) on the close relationship between the proposed site and existing built-up areas. However, CHPC emphasises that proximity alone should not be the deciding factor. Proposals should also demonstrate a strong integration with local amenities, pathways, and community services to avoid isolated developments that lack connection to the village fabric.

CHPC suggests that any affordable housing site designated in a made Neighbourhood Plan be rigorously assessed for its impact on village character, ensuring that affordable housing needs are met without compromising the rural identity and openness that define Colney Heath Parish and other small Green Belt communities.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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LG8 - Small Scale Development in Green Belt Settlements

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Small Scale Developments in Green Belt Settlements

CHPC recognises the intent of **Policy LG8** to allow limited development within Green Belt settlements, which can support community needs for housing, local services, and small businesses. The Council appreciates that this policy aims to control development scale and respect the character of rural communities, aligning with sustainability and conservation principles. However, CHPC has several considerations regarding the criteria outlined.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Clause (a) requires that proposed developments be located on previously developed land or designated infill sites. CHPC supports this restriction, as it helps prevent unnecessary encroachment on Green Belt land. However, the Council recommends clear guidance on what constitutes a "small gap in an otherwise continuously built-up road frontage" to avoid potential overdevelopment and the cumulative impact on open spaces within the village. This clarity would help ensure that infill development remains truly limited and aligned with the areas character.

Clause (b), which limits developments to nine dwellings or fewer or a similar scale of non-residential development, is welcomed by CHPC as a safeguard against large-scale development that could overwhelm the infrastructure and disrupt the village atmosphere. CHPC, however, stresses that even small developments should be carefully assessed for their cumulative impact over time, as multiple small developments could gradually erode the open and rural feel of the area.

In reference to clause (c), CHPC strongly supports the requirement for design compatibility with the existing character of the settlement, as defined by any Neighbourhood Plan or Conservation Area Character Statement. The Council underscores that design standards should be stringent, particularly regarding materials, building scale, and landscaping, to ensure any new development or redevelopment integrates seamlessly with the established aesthetic of Colney Heath. CHPC recommends that developments also incorporate sustainable building practices and materials that align with both environmental goals and local character.

Overall, while CHPC supports the controlled approach of **Policy LG8**, the Council advocates for careful monitoring of small-scale developments to maintain the character and openness of Green Belt settlements like Colney Heath.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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LG9 - Extension or Replacement of Buildings in the Green Belt

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Replacement Buildings in the Green Belt

CHPC supports the intention of **Policy LG9** to protect the integrity and openness of the Green Belt by setting clear limits on the extension or replacement of buildings. The policy's stance on refusing the replacement of temporary or short-life dwellings with permanent structures is appropriate, as allowing such replacements could encourage gradual encroachment and urbanisation of Green Belt areas. CHPC believes this restriction is essential for maintaining the intended temporary nature of such dwellings and preventing incremental pressure on protected land.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Regarding clause (g), which allows for the removal of permitted development rights for replacement buildings larger than the original structures, CHPC considers this a prudent measure. The removal of these rights can help prevent future expansions that could further compromise the openness

and rural character of the Green Belt. This clause is particularly relevant for Colney Heath, where incremental enlargements over time could alter the landscape and impact the visual openness cherished by the community.

CHPC recommends that SADC implement robust guidelines for determining when the removal of permitted development rights is necessary, based on factors such as visual impact, landscape sensitivity, and proximity to protected areas. This approach will ensure that replacement buildings are kept in harmony with Green Belt objectives and contribute positively to the rural character of the parish.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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HOU2 - Affordable Housing

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Affordable Housing

CHPC considers **Policy HOU2** and the approach in clause (d) to round up any partial dwelling in the 40% calculation is a practical measure to maximise affordable housing contributions. While this approach helps increase affordable housing stock, CHPC suggests considering how this rounding requirement might affect smaller developments and recommends that a balanced approach be used to ensure fair application across varying site scales.

Overall, CHPC endorses **Policy HOU 2's** comprehensive strategy for delivering diverse and well-integrated affordable housing but encourages continued sensitivity to the distinct needs and constraints of smaller rural communities.

CHPC supports clause (g) of **Policy HOU 2**, which seeks to prevent the artificial subdivision of sites to circumvent affordable housing requirements. CHPC recognises that some developers may attempt to fragment sites to avoid meeting the thresholds set out in this policy, which would ultimately reduce the provision of affordable housing within the community. Ensuring that land is not subdivided solely to bypass policy requirements is crucial for maintaining transparency and fairness in development practices.

CHPC also agrees with the stipulation that adjacent sites under the same landowner, when combined, should be treated as a single development for the purpose of calculating affordable housing contributions. This approach closes potential loopholes where landowners might otherwise avoid their obligations by proposing multiple small developments on contiguous plots, thereby undermining the Local Plan's objectives.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To further strengthen this clause, CHPC suggests that clear guidelines or criteria be established to determine when sites are considered "artificially subdivided." This clarity will aid in enforcement and provide developers with an upfront understanding of what is expected, reducing disputes and ensuring that all developments contribute equitably to the community's affordable housing needs.

Overall, CHPC believes that clause (g) is essential for preserving the integrity of the Local Plan and ensuring that development in the parish aligns with the goal of providing sufficient, well-integrated affordable housing across the district.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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HOU4 - Accessible and Adaptable Housing

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Accessible and Adaptable Housing

CHPC recognises the importance of **Policy HOU 4** in ensuring accessible and adaptable housing options, particularly the requirement in clause (d) that M4(2) (accessible) and M4(3) (wheelchair adaptable) housing be located with good access to public transport and local facilities. However, CHPC raises concerns that this stipulation could unintentionally disadvantage individuals with accessibility needs in rural areas, where public transport and proximity to local facilities may be limited.

In rural communities like Colney Heath Parish, strict adherence to this clause could restrict opportunities for accessible housing, effectively excluding people with accessibility needs from choosing to live in such areas. For many, living in a rural community is a personal preference or may even be essential due to family connections, support networks, or the health benefits associated with a quieter, less urban environment.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CHPC suggests that SADC consider a more flexible interpretation of clause (d) for rural settings. Instead of limiting accessible housing to areas with high transport connectivity, SADC could encourage provisions for adaptable housing in all suitable developments, paired with incentives to enhance transportation and mobility services where needed. Additionally, facilitating improved support for on-demand or community-led transport options could help bridge the accessibility gap for residents with mobility needs who prefer a rural lifestyle.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Gypsies, Travellers and Travelling Show People

CHPC supports the intent of **Policy HOU 6** to establish a positive and sustainable framework for accommodating the needs of Gypsies, Travellers, and Travelling Show People within the district. The policy's focus on guiding development to more sustainable locations, improving quality of life, and addressing issues like environmental impact and Green Belt protection aligns with broader goals for community cohesion and sustainable land use.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The inclusion of M4(2) and M4(3) accessibility standards, requiring that housing be located near public transport and local facilities where possible, reflects the Council's commitment to equitable access. However, as with accessible housing in rural areas, CHPC notes that this requirement may be challenging for Gypsy and Traveller sites, especially those in more rural or semi-rural locations where public transport and amenities are limited. A rigid application of this clause could restrict site options for these communities, potentially affecting their ability to settle in areas that suit their cultural and social needs. CHPC suggests a degree of flexibility in applying these standards, with a focus on improving local transport links and access to amenities when rural or existing sites are utilised.

CHPC also appreciates the policy's emphasis in clause 4.21 on preventing unauthorised sites through proactive planning, which benefits both the Gypsy and Traveller communities and the wider community by reducing conflicts and supporting integration. The option to reconfigure or extend existing sites (clause ii) and to consider sites with temporary permissions (clause iii) offers practical solutions that can support stability while maintaining environmental and planning standards. However, the Council encourages SADC to ensure that any reconfigurations or extensions are carefully managed to respect the character of the surrounding area and avoid encroachment into Green Belt land.

Overall, CHPC supports the balanced approach of Policy HOU 6 but recommends ongoing consultation with Gypsy and Traveller communities to ensure that site allocations and accessibility standards reflect both their needs and the constraints of rural areas within the district.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Protected Employment Areas

CHPC acknowledges that **Policy SP5**, which aims to strengthen employment opportunities and the local economy, does not include any protected employment areas within Colney Heath Parish. The absence of designated employment zones presents both challenges and opportunities for the parish.

Without protected employment areas, Colney Heath Parish faces a heightened risk of losing existing commercial spaces, such as small businesses and local services, to residential or other non-commercial development. This lack of designated employment land could impact local job availability and reduce the economic diversity of the parish, potentially leading to increased commuting to nearby towns for employment. Such a trend could also strain local infrastructure and erode the community's self-sufficiency.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CHPC suggests that SADC consider exploring options for small-scale, flexible employment zones that align with the rural character of Colney Heath Parish. Encouraging the development of small business hubs or live-work units could support local entrepreneurship and provide opportunities for residents to work within the parish. Additionally, planning policies that support the retention and appropriate use of existing commercial premises would help maintain local employment options and reduce the risk of complete conversion to residential uses.

CHPC also recognises that the flexibility afforded by the absence of protected employment areas can be advantageous, allowing for adaptive use of land as local needs evolve. However, CHPC believes that fostering a balanced approach — one that safeguards essential commercial spaces while allowing for measured development — will contribute to a sustainable local economy and protect Colney Heath's character as a rural community.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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Chapter 6 - City, Town and Village Centres and Retail

Comment Number: 13

Type:

* Table

Number:

6.1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

CHPC has reviewed the Centre Hierarchy **Table 6.1 of Policy SP6** and has the following comments and suggested amendments for clarity and accuracy

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1. **Colney Heath - High Street:** The current listing for Colney Heath on the Centre Hierarchy Table includes addresses 11-15A & 14-18 High Street. This should be amended to accurately reflect the correct range of properties, which are 11-15 & 14-16 High Street. This adjustment ensures consistency with local knowledge and helps avoid any confusion regarding the identified area.
2. **Smallford:** Currently, Smallford is not listed as having any relevant facilities. However, Smallford could include both Notcutts Garden Centre, Shell Garage and Smallford Farm Shop, which are key local businesses contributing to the community's economic activity and

offering essential services. The inclusion of these locations in the hierarchy better reflects the area's role in supporting local residents and visitors the inclusion of the Shell Garage would be consonant with the assessment made on Smallford works site.

3. **Sleapshyde:** There is no entry for Sleapshyde which is agreed upon by CHPC. No further amendments are required for this area, as it accurately reflects the lack of a designated local centre or key services.

By making these revisions, the Centre Hierarchy Table will more accurately reflect the true scope of local centres and businesses within Colney Heath, Smallford, and Sleapshyde, ensuring the Local Plan policies align with current local conditions and support the continued development of these rural areas.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 12

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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COM2 - Cemeteries and Burial Grounds

Comment Number: 15

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Cemetries and Burial Grounds
CHPC supports **Policy COM 2** on Cemeteries and Burial Grounds, which highlights the importance of ensuring adequate provision of burial facilities during the plan period. Given that St. Mark's Church Cemetery in Colney Heath is nearing full capacity, the Council acknowledges the need for additional burial grounds in the area to meet local demand and support the needs of the community.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Clause (a), which ensures the provision of additional cemetery facilities during the Plan period, is welcomed. However, given the limited capacity at St. Mark's, CHPC suggests that careful consideration be given to identifying suitable locations for new burial grounds, especially in rural areas like Colney Heath, where land availability can be more constrained.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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TRA2 - Major Transport Schemes

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Major Transport Schemes

CHPC acknowledges the mention of the Strategic Rail Freight Interchange (SRFI) in Policy TRA2, particularly in relation to the expected delivery of this development during the Plan period. While the CHPC recognises the potential economic benefits of the SRFI, particularly in terms of logistics and regional employment, it has significant concerns regarding the impact on the local transport network, specifically the A414, and the wider infrastructure needs of the area.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The proposed enhancement of the A414, as referred to in the policy, is critical for mitigating the increased traffic that is expected to result from the SRFI. However, CHPC urges that the road enhancements should not only focus on capacity increases but also consider the potential environmental impacts, such as noise, air pollution, and the degradation of rural character along the A414 corridor. CHPC consider that a direct link from the SRFI to M25 is the only way to mitigate the harm from the SRFI on the local highway network. There is a concern that simply improving the road may not sufficiently address the long-term sustainability of transport in the region, particularly for local communities like Colney Heath, where traffic congestion and limited access to public transport could be exacerbated.

CHPC further highlights the importance of ensuring that sustainable transport measures, such as improved public transport links and cycling infrastructure, are incorporated alongside the A414 enhancements. These measures would help reduce the dependency on private vehicles and minimise the environmental impact of increased traffic, benefiting both local residents and the broader district.

It is crucial that the infrastructure improvements associated with the SRFI are fully integrated with sustainable transport solutions to ensure that both the development itself and the surrounding communities can thrive without being adversely affected by traffic and environmental issues. In summary, while CHPC supports the road and transport infrastructure improvements related to the SRFI, it stresses the need for a balanced approach that prioritises both the effective management of transport needs and the long-term sustainability and environmental integrity of the area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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TRA4 - Parking

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

New Development at Broad Locations

CHPC acknowledges the goals set out in **Policy TRA4** for new development at Broad Locations, particularly in prioritising sustainable and active modes of transport. The policy's emphasis on reducing reliance on private cars through alternative transport options is aligned with the broader sustainability objectives of the Local Plan and is welcomed by CHPC.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

However, CHPC raises some concerns regarding the implementation of clauses (ii) and (iii) of this policy, particularly the reduction in parking provision against the standards, and the need for robust enforcement mechanisms. While the principle of reducing parking spaces to encourage sustainable travel is supported in theory, the practical implications for rural and semi-rural areas like Colney Heath need careful consideration.

In areas with limited public transport and infrastructure, such as Colney Heath, there may be a higher reliance on private vehicles, particularly for households that do not have easy access to alternative transport options. Therefore, any reduction in parking provision should be approached with caution. CHPC recommends that in areas where public transport links are limited, the reduction in parking spaces should be carefully assessed and not enforced unless it can be demonstrated that there are realistic, well-established alternatives to car use, such as frequent bus services, cycling infrastructure, or car-sharing schemes.

Furthermore, Clause (iii) requires the development of an appropriate parking strategy with lower-than-standard parking requirements, which must be agreed with the Council and effectively enforced through planning obligations or on-street parking controls. CHPC emphasises that effective enforcement of these controls will be critical to the success of the policy. In practice, it is often challenging to implement and enforce on-street parking controls, particularly in areas with limited local government resources or where local residents may be resistant to changes that affect their ability to park.

As such, CHPC suggests that the policy include provisions for periodic reviews of parking demand after developments are completed, ensuring that any negative impacts on local parking conditions are promptly addressed. This would allow for flexibility in responding to evolving community needs and ensure that the development of Broad Locations does not result in unintended consequences, such as increased parking pressure in surrounding areas.

In summary, while CHPC supports the intention of Policy TRA4 to reduce car dependence and promote sustainable transport, we recommend a more tailored approach that considers the specific transport infrastructure and local needs in rural areas. Any reduction in parking provision should be carefully assessed, and effective enforcement mechanisms should be put in place to ensure that the policy's objectives do not inadvertently harm local communities.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

Strategic Policy SP9 - Utilities Infrastructure

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Utilities Infrastructure

CHPC raises serious concerns regarding **Policy SP9** with regards the treatment of wastewater at the Maple Lodge Sewage Treatment Works, which serves the majority of the St Albans region. CHPC note that the works are currently operating at or near capacity and are occasionally overwhelmed, Thames Water has indicated that the growth scenario outlined in the Local Plan is not expected to cause significant issues for the wastewater network. However, we also recognise that investment in additional capacity will be required to support growth beyond the current capacity of the treatment works.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

CHPC shares the concern that while Thames Water’s response may indicate confidence in the system's ability to manage the expected growth, the current strain on the Maple Lodge facility presents a long-term risk to both the environment and local communities. Should growth exceed the projections or unforeseen challenges arise, there could be a potential for wastewater treatment issues that might impact water quality and local infrastructure.

CHPC strongly recommends that further investment in both capacity and resilience of the wastewater infrastructure be prioritised, particularly with respect to future-proofing against higher levels of growth or extreme weather events that could exacerbate the current pressures. It is crucial that Thames Water's plans for additional capacity be clearly outlined and integrated into the Infrastructure Delivery Plan (IDP), with mechanisms in place to ensure timely delivery of these upgrades in parallel with development, rather than after the fact.

Moreover, CHPC urges that monitoring and assessment of the wastewater network's performance be conducted regularly throughout the Plan period. Should any signs of strain or underperformance arise in the future, proactive measures should be taken to mitigate any impact on local communities and the environment. This could include ensuring that new developments are only approved in areas where there is adequate wastewater treatment capacity, or where the necessary improvements can be made before construction commences.

In conclusion, while the Local Plan's growth scenario may not currently present an immediate risk to the wastewater network, CHPC stresses the importance of long-term planning and investment to ensure that the capacity of the Maple Lodge Sewage Treatment Works is sufficient to support both projected growth and any unforeseen challenges. Continued engagement with Thames Water and clear assurances regarding infrastructure upgrades will be essential in managing this critical issue.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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UIN2 - Telecommunications

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Telecommunications

CHPC generally supports **Policy UIN2** regarding Telecommunications, as it seeks to balance the growing demand for telecommunication infrastructure with the need to protect the visual amenity and character of local areas. The importance of ensuring that telecommunications apparatus and associated structures do not adversely impact the appearance of rural areas like Colney Heath Parish, with its distinct landscape and low-rise residential character, is particularly significant.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Clause (a), which emphasises minimising negative impacts on visual amenity, aligns with the Council's commitment to preserving the rural character of Colney Heath Parish and the surrounding environment. CHPC advocates for the careful siting of telecommunications structures, especially in sensitive locations such as the Green Belt or near listed buildings, heritage sites, or areas of natural beauty. The use of existing infrastructure, such as telephone poles, buildings, or other structures, should be prioritised wherever possible, to reduce the need for additional, visually intrusive installations. Additionally, CHPC would welcome greater emphasis on the use of design techniques, such as screening or camouflaging, to further mitigate the visual impact of any new apparatus.

Clause (b) highlights that telecommunications installations must be acceptable in relation to other planning matters. While this is a broad statement, CHPC believes it is important that this clause explicitly includes considerations for the local environment, including the impact on wildlife, ecology, and local traffic. It is essential that any new installations do not disrupt local ecosystems or create hazards for road users or pedestrians. Furthermore, the cumulative impact of telecommunications apparatus, particularly in areas with numerous existing installations, should be assessed to ensure that the overall visual impact does not become significant over time.

Overall, CHPC supports Policy **UIN2** but encourages a more detailed and proactive approach to mitigate the visual and environmental impacts of telecommunications infrastructure, particularly in rural and Green Belt areas, where the preservation of local character and amenity is of paramount importance.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure

Comment Number: 20

Type:

* Policies Map

Number:

Ellenbrook Fields

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Natural Environment, Biodiversity and Green Infrastructure

CHPC supports the emphasis on protecting the natural environment, biodiversity, and green infrastructure outlined in Chapter 10 of the Local Plan, particularly in relation to the protection of sensitive sites such as the Chilterns Beechwoods Special Area of Conservation (SAC). The recognition of the pressures placed on the SAC from increasing visitor numbers and the need for mitigation strategies is an important step in ensuring that the integrity of the site is maintained for future generations.

Colney Heath Parish, being situated within the Watling Chase Community Forest, has a strong connection to the region's green infrastructure and biodiversity goals. However, CHPC is concerned about the potential impacts that new developments and increased visitor pressures could have on sensitive local areas such as Ellenbrook Fields and Colney Heath Common Local Nature Reserve (LNR). These sites are integral to the local ecology and contribute to the overall green infrastructure network, providing critical habitats for wildlife and valuable spaces for residents to enjoy nature.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There does appear to have been a drafting error as Ellenbrook Fields does not appear in the northwestern area.

While there is no immediate impact on Colney Heath Parish from the Chilterns Beechwoods SAC directly, the potential for increased recreational pressure on local sites such as Colney Heath Common LNR and Ellenbrook Fields is a valid concern. If development in the surrounding areas leads to an increase in foot traffic and recreational use, these areas may experience detrimental effects, including habitat degradation and disturbances to wildlife. As a result, CHPC strongly encourages the development of a robust Mitigation Strategy, particularly one that includes the identification and creation of Suitable Alternative Natural Greenspaces (SANGs) to reduce visitor pressure on sensitive areas.

Furthermore, CHPC urges that the Local Plan address the cumulative impact of new developments on local wildlife sites, ensuring that appropriate measures are put in place to prevent harm to the biodiversity of both Colney Heath Common and Ellenbrook Fields. The Plan should also consider promoting and enhancing local green spaces. To confirm there are no allotments in Colney Heath Parish as stated in Chapter 10.

In conclusion, while CHPC acknowledges the importance of mitigating visitor impacts on the Chilterns Beechwoods SAC, we emphasise the need for a wider, more localised approach to ensure that Colney Heath’s own natural spaces, such as Colney Heath Common and Ellenbrook

Fields, are protected and enhanced in line with the broader green infrastructure objectives of the Local Plan. This will help maintain the environmental integrity of local sites while also ensuring that the community benefits from improved access to sustainable green spaces.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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NEB1 - Woodlands, Trees and Landscape Features

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Woodlands, Trees and Landscape Features

CHPC supports the intention of **Policy NEB1**, which aims to enhance biodiversity and improve the quality of green spaces in new developments, particularly through the planting of semi-mature trees. The requirement for each new dwelling in Broad Locations to contribute to the delivery of at least one semi-mature tree is a positive step towards improving the local environment, enhancing wildlife habitats, and contributing to the aesthetic and ecological value of new developments.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

However, CHPC raises concerns about the practicality and sustainability of the policy, particularly in rural and semi-rural areas like Colney Heath. The policy should ensure that the choice of tree species is appropriate for the local environment and does not inadvertently lead to problems in terms of maintenance, growth, or integration with existing landscapes. While the requirement for native local species is welcomed, it will be important to ensure that the specific species selected are suited to the soil, climate, and local wildlife needs.

Additionally, while the policy specifies that trees should be grown within the UK, there should be consideration of how the trees are sourced, ensuring they are cultivated in a manner that maximises their resilience and long-term viability. The cost and logistics of sourcing semi-mature trees that meet these criteria could pose challenges for developers, so the Council recommends flexibility in the implementation of this requirement, allowing for tree planting schemes that may evolve in stages or incorporate more mature trees from local nurseries.

Finally, CHPC encourages the Local Plan to further elaborate on how the planting of semi-mature trees will be maintained over time. Ensuring that trees are cared for, especially in the early years of growth, is critical to the success of this policy. It will be essential to establish long-term stewardship and maintenance plans to ensure that the trees are properly watered, protected, and allowed to thrive.

In conclusion, while CHPC fully supports the objectives of **Policy NEB1** in enhancing biodiversity and green infrastructure, we recommend careful consideration of the implementation challenges related to tree species selection, sourcing, and long-term maintenance to ensure the policy achieves its intended environmental benefits.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 23

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Significant Publicly Accessible Green Spaces

CHPC strongly supports the objectives outlined in **Policy NEB4**, which seeks to protect and enhance local nature reserves and other areas of biodiversity value. In particular, we believe that Colney Heath Common is a vital asset for the local community and wildlife, and should be safeguarded as part of the broader green infrastructure network within the Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In light of this, CHPC recommends that the area known as Warren Field be formally included as part of the Colney Heath Common Local Nature Reserve (LNR). Warren Field, located adjacent to Colney Heath Common, holds significant ecological value and contributes to the overall biodiversity of the area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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NEB9 - Agricultural Land

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Agricultural Land

CHPC acknowledges the importance of safeguarding agricultural land in the Local Plan to protect the rural character and productivity of the district in **PolicyNEB9**. However, CHPC have concerns regarding the designation of 20hectares of agricultural land as the threshold for certain development restrictions, particularly in rural areas such as Colney Heath, where the size of plots and local circumstances need to be carefully considered.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given the rural context of Colney Heath Parish and the general size of agricultural holdings in the parish, we believe that a reduction to 10 hectares would be more appropriate and reflective of the local landscape and land use patterns. Large-scale agricultural plots of 20 hectares or more are relatively rare in this area, and applying this higher threshold could inadvertently restrict small-scale, local agricultural businesses and farming practices that are vital to the area's economy and character.

Reducing the threshold to 10 hectares would provide greater flexibility for the retention of smaller, more manageable plots of agricultural land, which are often used for a variety of purposes, including local food production, equestrian activities, and conservation efforts. A smaller threshold would also better align with the scale of development typically seen in rural areas, allowing for more proportionate protection of agricultural land while still enabling some development where appropriate.

In conclusion, CHPC recommends that the threshold for protecting agricultural land be reduced from 20 hectares to 10 hectares to better reflect the rural landscape and agricultural practices in Colney Heath and surrounding areas. This change would help preserve local farming traditions and protect the rural character of the parish while still allowing for necessary development within the appropriate context.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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DES3 - Efficient Use of Land

Comment Number: 24

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Efficient Use of Land

CHPC has concerns regarding **Policy DES3**, specifically in relation to the requirement for development proposals to achieve at least 40 net dwellings per hectare or match the density of the existing site context, whichever is higher. While the intention to make efficient use of land is understood, this policy may have unintended consequences, particularly in urban fringe and rural areas like Colney Heath, where densities are generally lower and the character of the environment is more suburban or rural in nature.

In particular, the 40 dwellings per hectare target could lead to higher density developments that are out of character with the surrounding area, especially in rural fringe locations. Colney Heath and similar areas typically feature lower-density housing, and imposing a higher density requirement could lead to overdevelopment, potentially eroding the rural character of these areas andputting pressure on local infrastructure, such as roads, schools, and public services. Additionally, higher densities in such areas could undermine the integrity of existing green spaces.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

While higher housing densities will reduce the need for development on Green Belt Land which is welcomed, CHPC believes there is a need to balance higher densities with character of the area.

Moreover, development in rural fringe areas is often associated with a need for additional infrastructure to support new residents, such as transportation, utilities, and community services. These may not always be easily provided or may exacerbate environmental concerns, particularly in areas with limited public transport links or constrained infrastructure. In such contexts, lower-density development that aligns with the existing character and capacity of the area might be more appropriate, as it can ensure a better fit with the local environment and avoid negative impacts on the rural and Green Belt landscape.

CHPC therefore recommends that the Local Plan allows for greater flexibility in the application of Policy DES3, particularly in rural areas and those on the edge of urban settlements. Instead of rigidly applying a minimum density requirement of 40 dwellings per hectare, the policy should consider local context and the specific characteristics of each site. In rural or urban fringe areas like Colney Heath, a more nuanced approach that takes into account the density of the surrounding area, the capacity of local infrastructure, and the need to protect the Green Belt would result in more sustainable and appropriate development.

In conclusion, CHPC urges that the Local Plan's density requirements in Policy DES3 be applied flexibly, particularly in rural and Green Belt areas, to prevent overdevelopment, respect the local character, and mitigate the impact on the Green Belt. This approach would support sustainable development while maintaining the integrity of the area's natural and built environment.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Delivery of Infrastructure

CHPC strongly supports the principles outlined in **Policy SP14**, particularly its focus on ensuring that new developments are adequately supported by appropriate infrastructure and facilities. The policy's emphasis on avoiding unreasonable burdens on existing communities and addressing cumulative impacts is crucial to ensuring that growth does not outpace the capacity of local services or degrade the quality of life for current residents.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

However, CHPC highlights some specific concerns regarding the implementation of this policy in rural and semi-rural areas like Colney Heath. While the policy's objectives are commendable, we believe that the infrastructure provisions must be carefully planned to align with the unique needs and constraints of rural communities, which often face different challenges compared to urban areas. These challenges include limited transport links, reliance on private vehicles, and less access to key services such as healthcare and education.

Provision of facilities and infrastructure for new residents: CHPC advocates for a tailored approach to the provision of new facilities and infrastructure, ensuring that any new development is accompanied by the necessary investments in roads, public transport, healthcare, schools, and other essential services. Given the limited existing infrastructure in Colney Heath, it is crucial that any new development is designed with these considerations in mind to prevent overburdening local resources. For example, the lack of public transport options in rural areas could exacerbate traffic congestion and increase reliance on private cars, making sustainable development more challenging.

Addressing cumulative impacts across multiple developments: CHPC acknowledges that cumulative impacts from multiple developments in a local area can have significant consequences for the community and the environment. It is important that Policy SP14 ensures the coordinated delivery of infrastructure to prevent individual developments from straining resources. This approach should include consideration of local infrastructure capacity, particularly in terms of road networks, water and sewage systems, and community services. For Colney Heath, this would mean ensuring that infrastructure improvements are made in parallel with development, rather than waiting until problems arise.

Avoiding unreasonable burdens on existing infrastructure: CHPC stresses that careful planning is essential to ensure that existing communities do not bear the brunt of new development, particularly in terms of increased traffic and pressure on local services. In Colney Heath, where services such as public transport, healthcare, and schools are already limited, new developments should not exacerbate these issues. We recommend that mitigation measures such as improvements to local roads and increased support for public transport be a requirement for all new developments. Additionally, financial contributions from developers to enhance local infrastructure would help ensure that the costs of growth are fairly distributed and that the existing community does not bear a disproportionate burden.

In conclusion, while CHPC supports Policy SP14, we urge that it be applied with careful consideration of the unique needs of rural communities such as Colney Heath. The delivery of infrastructure should be strategically planned to address cumulative impacts, avoid placing excessive strain on existing services, and ensure that new development is supported by the necessary infrastructure to meet the needs of both new and existing residents.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. CHPC Response to SADC Reg 19 Local Plan 2041 081124 FINAL_[R].pdf

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350 - Hill Residential

Submission Number: 350 Submission Date: 08/11/24 09:00

Respondent: tor&co Sophia Goodhead

On Behalf Of Hill Residential :

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Strategic Policy SP1: A Spatial Strategy for St Albans District

The settlement hierarchy is set out at Table 1.3 of the DLP. Harpenden is identified as a tier 2 settlement, being one of the most sustainable locations for growth and development, and has been rightly placed above London Colney in the settlement hierarchy. Its key characteristics include provision of employment and high order services such as secondary education, retail and leisure, offering bus routes, cycle lane provision and connectivity by mainline train. Notwithstanding that St Albans and Hemel Hempstead are larger and defined in Tier 1 of the hierarchy, the size and nature of Harpenden means that there is a need to release land from the Green Belt (such as site M7) and allocate it for housing to meet Harpenden's needs for affordable housing and to support the town's economy. Hill continues to strongly support this approach.

It is noted that the policy sets out that "*Growth will be located to make the most sustainable use of land in urban areas and then the Green Belt.*". Hill agrees with this as a general approach, as it is consistent with paragraph 146 part (a) of the NPPF. Specifically, given that there is insufficient capacity to meet the LHN within the urban area, it is clear that exceptional circumstances do exist for Green Belt review. Further, it should be fully acknowledged that the brownfield-first strategy remains unchanged from previous years. There has always been a presumption in favour of the redevelopment of brownfield land and the pipeline of brownfield sites located within the urban area and coming forward for development is unchanged. Hence, in the context of the record of under delivery and low housing land supply, Green Belt release is now essential and the only remaining option for SADC to meet their LHN.

Hill therefore reiterates the point made in their Regulation 18 representation and considers that the reference to "*the approach seeks first to develop Brownfield Land*" should be removed as it is confusing, and if read in plain terms, is not effective or consistent with national policy. Meeting the identified need and requiring housing delivery to be made on all brownfield sites first, if that is to

be interpreted as some form of phasing, will not deliver a sufficient supply of housing sites in the early part of the plan period and will not redress the results of the Housing Delivery Test. Clearly the statement 'seeks first to develop' Brownfield Land would hinder the deliverability of the plan by delaying the delivery of sustainable allocated sites on greenfield land.

Hill strongly supports SADC's proposal to meet at least the identified housing need of 885 dwellings per annum (dpa) over the plan period, as calculated by the standard method. However, it is noted that the policy states SADC will identify and allocate 14,603 net additional houses over the plan period which equates to only 16.5 years. The Regulation 18 consultation calculated housing need on a full 17 year plan period and it is not clear or justified in the evidence base why this has now reduced. The most recent South West Herts Local Housing Needs Assessment Update (LHNA, 2024) is based upon 17 years and states in Table 2.1 that the SADC plan period is 2024-2041. The identified housing need of 885 dpa over the plan period (17 years) would be 15,045 net additional houses, therefore the policy should reflect this in order to be consistent with the objective to meet LHN and be positively prepared and justified.

Notwithstanding the above, it is highly relevant that before the Regulation 19 consultation was published for consultation, new proposed changes to the NPPF were published and there is no mention of this or the government's direction of travel within the DLP. As part of the proposed changes, the draft NPPF removes reference to the housing target as 'an advisory starting point', requiring local planning authorities (LPAs) to plan for their identified housing need as calculated under the new standard methodology, published alongside the draft NPPF.

Under the new standard method, SADC's LHN would increase from 885 dpa to 1,544 dpa, representing an additional 659 dpa (75% increase). The draft Local Plan 2041 seeks to accommodate only 14,603 homes over the plan period, as referred to above. The new SM LHN would increase this requirement to 26,248 homes over the 17 year plan period.

Given the Council's identified LHN figure could rise significantly if the draft NPPF is published in line with the consultation version, it is important to consider the potential implications for SADC's DLP. On 29th August 2024, the Council announced that it would accelerate its timetable for consultation and examination of its DLP "in light of the proposed changes to national planning law". The reason given was to avoid being "forced to delay submission by 2-3 years in order to identify sites for a further 11,000 homes that the new government proposals require".

Subsequently, on 23rd September 2024, the Planning Policy and Climate Committee met, at which:

1. the Green Belt Review and Regulation 18 Site Allocations – and the hundreds of critiques of them – were reviewed for the first time; and
2. the Committee voted to proceed to Regulation 19 Consultation, with the aim of submitting the DLP for examination in December 2024.

Such haste, however, would not diminish the Council's responsibility to meet its obligations under the new NPPF changes if adopted as proposed, as even if the DLP qualifies as being "at examination" within a month of the NPPF being published. The proposed transitional arrangements state (Appendix 3, Chapter 12 [5]):

"... if the revised LHN figure is more than 200 dwellings per annum higher than the annual housing requirement set out in the adopted version of the plan, upon introduction of the new plan-making system, the local planning authority will be required to begin preparation of a plan under the new system as soon as possible, or in line with any subsequent arrangements set out to manage the roll-out of the new system."

Furthermore, there can be no confidence that the latest DLP will be found to be sound given the significant and serious objections to the Regulation 18 DLP and the Council's admission at the Planning Policy and Climate Committee on 23rd September that:

"*The accelerated timescale to Submission (intended on 2 December 2024) means that there will be less time to undertake work to support Submission of the Plan and Examination, which raises the risk of having to withdraw the Plan at Examination. This is primarily because, at point of Submission in December 2024, rather than the end of March 2025:*

1 - There will realistically be fewer agreed and signed Statements of Common Ground to assist the Inspectors.

2 – There will realistically be fewer and less extensive Topic Papers to assist the Inspectors.

3 – There will realistically be less time preparing responses to Objections or concerns raised at Reg 19 stage to assist the Inspectors."

Hill is concerned that by accelerating the submission of the DLP for examination and the clear issues raised by the Committee above, there is a risk that the plan is not positively prepared or justified. The letter from Matthew Pennycook to the Chief Executive of the Planning Inspectorate (dated 30 July 2024), urged inspectors to be "pragmatic" in reviewing plans and to refuse to review plans which are likely to be found unsound. This is a significant consideration in the timing of and level of preparation for submission. The plan could be rejected if the necessary preparatory work and evidence base as listed above has not been undertaken and is intended to be backfilled during the examination process.

Notwithstanding the above concerns, in the event the DLP is accepted for examination with the current standard method housing need figure (885 dpa) the below matters are raised for the Council's consideration.

The level of housing requirement must be set as an absolute minimum, with flexibility provided through site allocations over and above the requirement because of the context and historic record of delivery performance. There has been a failure to build sufficient homes to meet needs over preceding years. This lack of supply in St Alban's and across south west Hertfordshire has meant, as the Council note in paragraph 1.24 of the DLP, that average house prices are very high throughout the district, with St Albans being amongst the least affordable areas to live in the UK. This position is unsustainable and must be redressed through this local plan.

We would highlight that, as a result of the affordability crisis in the District, it is not only a challenge for prospective buyers, but also for employers like Rothamsted to attract and retain staff. The most recent LHNA (2024) indicates that for St Albans, there is an net annual need of 449 affordable homes for rent and 353 affordable homes for ownership, which totals a net need of 802 affordable homes per annum, which accounts for 90% of the total annual housing need figure. This significant level of affordable need reflects the under delivery of housing in general which has resulted in an average annual delivery of affordable homes since 1994/95 of just 73 dpa.

Further, the LHNA states at paragraph 6.76 that the Councils should consider (amongst other factors) the effects of different growth options on the delivery of affordable housing in line with the PPG which sets out that an increase in total housing figures in plans may be considered when this approach could help to deliver the required number of affordable homes.

Despite strong housing pressures and demands, there has historically been significant under-delivery of new homes to meet LHN in SADC. As evident from the most recent 2022 Housing Delivery Test (HDT) results, covering the period 2018-2021, only 55% of the identified need has been achieved in SADC, and the 2023 HDT is expected to worsen still to 52%.

Given the significant affordability pressures in SADC, there is an urgent need to put in place an adopted plan, releasing land from the Green Belt to ensure that a significant uplift in delivery (to at least 885 dpa) can be achieved. Early delivery of sites must be maximised and made a priority in order to begin to help stabilise and improve affordability as early as possible. On this point it is of concern that the housing trajectory still shows a stepped requirement, as proposed at Table

3.2. Given the points above, there is clearly a need to bring forward at least the 885 dpa needed from the outset i.e. to help redress historic significant under-delivery. This point is considered in further detail under Policy SP3.

In addition to the above, and the approach to meeting LHN as an absolute minimum, it is noted that there is no mention of unmet housing need within the policy or supporting text and how this might impact the housing requirement. The LHNA stipulates at paragraph 6.70 that at the current time they are not aware that any of the 5 authorities (Dacorum, Hertsmere, St Albans, Three Rivers and Watford) have agreed to take on unmet need from adjoining areas, including SADC.

The Statement of Common Ground document includes a table that indicates SADC has considered the approach to accommodating unmet housing needs that may exist within the wider Housing Market Area for Dacorum, Hertsmere, Three Rivers and Watford, albeit there is no information about any discussions or conclusions on this matter, with the statement advising that "*More detailed matters specific to SADC and individual Duty to Co-operate partner organisations will be covered by individual Statements of Common Ground between SADC and the relevant organisation*". Further, there is no indication of any consideration or discussion regarding unmet need with other neighbouring authorities such as North Hertfordshire, Welwyn Hatfield and Central Bedfordshire.

As noted in the Sustainability Appraisal (SA) (2023), there will in fact be a significant level of unmet housing need from neighbouring authorities (e.g c.7,000 homes for Three Rivers, c.3,000 homes for Hertsmere, c.2,800 homes for Dacorum and as yet an unidentified but significant level of unmet need for Welwyn Hatfield and London boroughs such as Enfield, Harrow and Barnet). As such, the SADC should consider the unmet need position now. It will be important that these needs, and those of London, are considered through this Local Plan in accordance with paragraphs 61-010 – 61-012 of the Planning Practice Guidance (PPG) and should not be delayed or rely on it being addressed at examination or through the preparation of the South West Herts Joint Strategic Plan.

Currently the Duty to Cooperate is still a legal requirement and whilst the proposed Levelling-up and Regeneration Act 2023 will revoke the Duty to Cooperate in relation to the reformed plan making system, in due course, the proposed NPPF changes seek to retain and strengthen the Duty to Cooperate policy. As such it will be important for SADC to consider how it could increase its own housing requirement/supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

It is noted that the SA recognises that there are strategic arguments for considering a housing requirement both above and below LHN, testing 8 growth scenarios from 14,517 homes at the lowest level to 16,389 homes at the highest level over the plan period. However, it should be highlighted that the preferred growth scenario (Scenario 3) provides for 14,989 homes and does not meet the LHN of 15,045 (based upon the full 17 year plan period). This approach is inconsistent with SADC's objective and proposed spatial strategy to meet the LHN over the plan period and as a result, is not positively prepared or justified.

The summary appraisal of the reasonable growth scenarios set out in Table B from the SA Non-Technical Summary shows that a higher level of growth (Scenario 4) has a higher number of best performing topics than the preferred Scenario 3 option. The summary discussion even states that the appraisal matrix shows a very mixed picture, suggesting that the choice between the reasonable alternative growth scenarios is finely balanced. This is a strong indication of their 'reasonableness', in that all or most could arguably deliver on key objectives and their performance varies 'at the margins'.

Consequently, the SA assessment does not suggest that higher levels of growth are unreasonable and should be dismissed. In fact, it states that the lowest growth scenarios would generate unmet need, whilst the highest growth scenarios would allow for: A) a generous 'supply buffer' as a contingency for delivery issues; and/or B) flexibility to consider a housing requirement modestly above LHN. This could provide further flexibility and help to address affordability issues and some of the unmet housing needs of neighbouring areas.

Further, with regards to higher growth, paragraph 5.2.31 of the SA concludes that there is now an increased strategic argument for higher growth, particularly given unmet need, but also noting the Government's direction of travel at the time of writing (August 2024), which is focused on a strengthened drive to meet housing and other development needs.

As a result, Hill consider that the assessment indicates the higher growth options to be reasonable alternatives, especially in the context of significant unmet need in neighbouring authorities, acute affordability issues and proposed NPPF changes. Further detailed consideration should be undertaken of the higher growth options as reasonable alternatives within the SA to ensure that a sufficiently justified, appropriate and positive strategy is put forward and ensure it accommodates the LHN over the full 17 year plan period.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

Hill considers that exceptional circumstances exist to justify the Site's release for the following reasons:

- The Site is suitable and available for development purposes, and delivery is fully achievable.
- The development of the Site would present the opportunity for a 'strong green edge' to the western side of the Site, adjoining the open countryside, which would strengthen the boundary between the settlement and the Green Belt.
- Development of this section of land from Green Belt would not harm the purposes of the wider Green Gelt given its visual containment and the fact that it is developed on three sides.
- The site assessed on its own merits makes a limited or no contribution towards checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap.
- The site itself is not subject to physical or environmental constraints that would affect development.
- It is anticipated that it would be possible (based on the current local plan timetable) to deliver new homes by Q1 2028, and therefore the Site could contribute to meeting the housing needs of St Albans City and District, including the local needs of Harpenden, early in the plan period.

On their own, it is considered that the above provide the exceptional circumstances necessary to justify the Site's removal from the Green Belt and its allocation for residential development. However, the Site also offers an opportunity to increase the supply at a range of tenures in a sustainable growth location, with an appropriate form of development in keeping with the residential character of the area, and without unduly affecting the objective and function of the wider Green Belt. The Site is available now and, subject to the confirmation of the Green Belt release and allocation, would meet the definition of deliverable in the NPPF.

Hill has some concerns regarding the accelerated submission of the DLP for examination (anticipated in December 2024), which aims to submit ahead of the proposed NPPF changes and updated new standard method being published. This would delay SADC's requirement to address the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

Due to the nature of the District, development of Green Belt land in the most sustainable locations will be necessary to meet housing need, whether that is based on the current DLP housing numbers or an increased figure using the anticipated new standard method. The pressure for housing in the District is not going to diminish. Hill strongly supports SADC's decision to amend Green Belt boundaries to meet this housing need, including the release of M7 specifically, and to promote sustainable patterns of development in accordance with the NPPF (paragraph 147). Hill agrees that exceptional circumstances exist to justify this, irrespective of when the plan is submitted for examination.

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Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Strategic Policy SP2: Responding to the Climate Emergency

Ahead of setting out the policy requirements, Hill notes at the start of the policy text that the reference to "*Where appropriate, development proposals will need to:*" has been removed. Hill consider this reference should be reinstated to ensure the policy is sufficiently flexible and effective and can take into account various development scenarios and scales, particularly given that the policy and its requirements take no account of the existing nature of sites.

The policy still states at part b) that development proposals will need to '*prioritise the development of previously developed land*'. As set out in our comments on Policy SP1 above, the prioritisation of brownfield land is part of the preparation of the Local Plan but should not form part of the decision-making process. As such, the inclusion of part b) would not be effective or consistent with national policy and should be removed.

It is welcomed that in Part j) of the policy, the reference to planting trees 'at scale' has been removed. This wording was not effective or particularly clear in terms of what level was required. Part k) sets out that the Council will support proposals where they '*Combine environmental payments through stacking different types of credits on sites (e.g. carbon, biodiversity, Suitable Alternative Natural Green Space (SANG) etc) where appropriate'*. The wording is not sufficiently clear and it appears that the word 'stacking' should be amended to state 'seeking', in order that it is clearly written and unambiguous in accordance with NPPF paragraph 16d. Further, 'where appropriate and viable' should be added to the end to ensure the policy does not overly burden sustainable sites from coming forward where this is not feasible.

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Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

Hill considers that exceptional circumstances exist to justify the Site's release for the following reasons:

- The Site is suitable and available for development purposes, and delivery is fully achievable.
- The development of the Site would present the opportunity for a 'strong green edge' to the western side of the Site, adjoining the open countryside, which would strengthen the boundary between the settlement and the Green Belt.

- Development of this section of land from Green Belt would not harm the purposes of the wider Green Gelt given its visual containment and the fact that it is developed on three sides.
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On their own, it is considered that the above provide the exceptional circumstances necessary to justify the Site's removal from the Green Belt and its allocation for residential development. However, the Site also offers an opportunity to increase the supply at a range of tenures in a sustainable growth location, with an appropriate form of development in keeping with the residential character of the area, and without unduly affecting the objective and function of the wider Green Belt. The Site is available now and, subject to the confirmation of the Green Belt release and allocation, would meet the definition of deliverable in the NPPF.

Hill has some concerns regarding the accelerated submission of the DLP for examination (anticipated in December 2024), which aims to submit ahead of the proposed NPPF changes and updated new standard method being published. This would delay SADC's requirement to address the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

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CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy CE1: Promoting Sustainable Design, Construction and Building Efficiency

Hill welcomes the removal of the alternative standards previously set out within Part a)i of the Regulation 18 DLP for the reasons provided in its Regulation 18 response.

It is noted that part b) of the policy still requires water conservation measures to reduce household consumption to under 110 litres per person per day. Paragraph 2.8 of the supporting text states that Building Regulations Part G2 sets a higher option standard for new development of 110 litres per person per day that can be applied where there is an evidence based need that the area is water stressed. If the council is to adopt this lower standard it must ensure that it has the necessary justification as required by paragraph 56-014 of the PPG. Further, it appears the policy wording goes further than the Building Regulations to state 'under' 110 litres per person per day. If the requirement is shown to be sufficiently justified and remains, the reference to 'under' should be removed so that it aligns with Building Regulations.

Hill is committed to tackling Climate Change and has a target to reach net zero carbon in its business operations and the homes it builds by 2030. However, Hill continues to object to the current wording of Part d), which requires the adoption of sustainable construction and demolition methods, including the use of materials with low embodied carbon. Hill recognises the importance of minimising waste and reducing the use of material with high embedded carbon, however, this must be left to the developer to decide on, based on the nature of the site and the type of development proposed. To take into account a variety of development scenarios and ensure the policy is sufficiently flexible (and thus effective), it is suggested that the Council encourages the use of sustainable construction and demolition methods and '*where possible*' the use of materials with low embodied carbon.

Part e) requires applicants to minimise waste during the construction and operation phases of development by using the Circular Economy approach. Again, whilst Hill recognises the importance of reusing and recycling materials there are limits as to how much of the industry's materials can come from such sources at present. To ensure the policy is effective, it is suggested that the phrase '*as far as possible*' is included in this policy.

Finally, Part f) requires proposals to include Sustainable Drainage Systems (SuDS) in new developments and to ensure the policy is sufficiently flexible and effective for various development scenarios, the policy should include '*where appropriate'*at the end of the policy.

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Conclusion

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CE2 - Renewable and Low Carbon Energy

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy CE2: Renewable and Low Carbon Energy

Part b) of the policy requires major developments to set out how proposals will make use of renewable or low carbon energy within the site through an Energy Statement at application stage, and that agreed measures will be secured through conditions.

It is welcomed that the requirement to undertake this work prior to developing detailed designs has been removed. However, the requirement for deliverables such as an Energy Statement is part of the application process which can be set out separately within the Council's validation list. In addition, the final part of the text is already a mechanism that can be used to secure agreed proposals through planning conditions and shouldn't be set out separately within planning policy. Consequently,, part b) of policy CE2 is not justified and does not serve a clear purpose, in accordance with paragraph 16f of the NPPF, and should be removed.

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Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

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Hill has some concerns regarding the accelerated submission of the DLP for examination (anticipated in December 2024), which aims to submit ahead of the proposed NPPF changes and updated new standard method being published. This would delay SADC's requirement to address the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

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Strategic Policy SP3 - Land and the Green Belt

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Strategic Policy SP3: Land and the Green Belt

Similar to Strategic Policy SP1, Policy SP3 sets out the minimum number of homes that the council is required to deliver over the plan period. It also states that whilst the Council seeks overall to protect the Green Belt, select green boundary adjustments will be needed to provide wider protection for the rest of the Green Belt. The supporting text and Table 3.2 contains the housing trajectory for the DLP which includes a stepped requirement.

Hill still consider that this supporting text and Table 3.2 are an unnecessary duplication to repeat the housing requirement that has already been stated in SP1. Paragraph 16f of the NPPF sets out that this should be avoided. Hill would suggest that SP3 simply states that the Council intends to meet the current standard method housing need in full as set out in SP1 (notwithstanding the comments and issues raised on the total housing need figure across the plan period as set out in response to SP1) and that in order to achieve this objective it will need to amend Green Belt boundaries. This will give it a clear purpose in accordance with the NPPF.

With regard to the stepped requirement, Table 3.2 sets out the Council's updated housing trajectory. The Council are still proposing to adopt a stepped trajectory that would see a revised housing requirement of 389 homes in the first two years of the plan period, stepping up to 485 dpa in years 2026/27 to 2030/31, and 1,255 dpa between 31/32 to 35/36. The remaining 5 years of the plan sees the requirement fall to 1,025 dpa. As set out in paragraph 68-021 of PPG the Council need to provide evidence as to why they consider the use of a stepped trajectory as necessary and that the proposed trajectory does not seek to unnecessarily delay meeting identified development needs. As noted in response to Policy SP1 above, there has been significant and continued under-delivery in the district, resulting in a clear need to bring forward at least 885 dpa from the outset to help redress the Council's pressing affordability issues and affordable housing needs. In this context, the stepped requirement should be removed.

Delivery over the plan period is expected to be 14,989, providing a buffer between needs and supply of just under 400 homes (ie around 2.6%). Hill consider this to be wholly insufficient to take account of the risks around some of the larger allocations not coming forward as expected, and would instead anticipate a buffer of at least 10% to 15%. This provides the necessary certainty that the Local Plan will meets its objectives over the plan period, but also provide head room for the inevitable changes in delivery assumptions as the plan moves to submission and examination.

Notwithstanding the above principle around the scale of the buffer, and as set out in response to Policy SP1, the identified housing need of 885 dpa over the plan period (17 years) would be 15,045 net additional houses, not the 14,603 stated. Therefore the policy and housing trajectory should reflect this in order to be positively prepared and justified.

The Green Belt Review (2023) and the stage 2 study notes the Inspector examining the previous Local Plan raised concerns that the Green Belt Boundary Review supporting that plan made no assessment of how the small-scale sub areas contributed to the purposes of the Green Belt and that any site of less than 14ha or 500 dwellings were excluded from further consideration. As such the Council commissioned a new stage 2 study to provide a more granular approach to identifying potential sub-areas to assess within the Green Belt. This has recommended a number of sub-areas for further consideration where if removed from the Green Belt, would be unlikely to result in harm to the wider Green Belt.

Hill strongly supports the Council's decision (following the stage 2 review) to amend Green Belt boundaries, specifically at Townsend Lane, Harpenden, to meet the areas housing needs. The NPPF (paragraph 146) allows for Green Belt boundary amendments to be amended in exceptional circumstances where it can be demonstrated that as much use as possible has been made of brownfield sites and underutilised land, densities have been optimised and where through discussions with neighbouring authorities, it has not been possible to accommodate identified need elsewhere. On the basis of the evidence presented, SADC appear to have met the first two tests, albeit it is unclear whether the third test has been met with regard to discussions with neighbouring authorities about whether they could accommodate some of the identified need for development. This should be clearly set out in the evidence base, including detailed Statements of Common Ground, if so.

Provided these tests are fully met, the Council can consider amending Green Belt boundaries and whether the exceptional circumstances exist to support changing the boundary in accordance with current Paragraph 145 of the NPPF which states that: "*Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process*." It should be noted that the proposed NPPF changes will restore the requirement for LPAs to review Green Belt boundaries if they cannot meet their identified housing need.

Case law demonstrates that a number of factors may amount to exceptional circumstances, either individually or when combined together. Five factors were considered by the Hon. Mr Justice Jay in Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 10784, which set out a number of matters that should be identified and dealt with in order to ascertain whether 'exceptional circumstances' exist to justify the release of land from the Green Belt. In the absence of a definition of exceptional circumstances in national policy, these factors have been used by a number of the authorities to determine whether the release of Green Belt in each instance was appropriate. The five factors established by Hon Mr Justice Jay were considered and set out as part Hill's submission to the Call for Sites 2021 consultation.

Although the assessment isn't repeated again here, the note was clear that exceptional circumstances do exist to amend Green Belt boundaries in the district. It was also demonstrated that exceptional circumstances existed to remove land at Townsend Lane (site M7) from the Green Belt for high quality residential development. Given the context of the district and acute housing need as set out under Policy SP1, it is considered that the results of Hill's assessment of exceptional circumstances for Green Belt release hold good and should be read in conjunction with this representation.

The Council has set out the exceptional circumstances they consider to be justification for amending Green Belt boundaries within their Green Belt and Exceptional Circumstances Evidence Paper (2024). The Paper states that the Council has considered case law, including Calverton (2015), and that the local context in which conclusions have been reached regarding the 'Exceptional Circumstances' necessary to require release of Green Belt land in the District involves a variety of factors, including:

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

As a result, SADC has concluded that 'Exceptional Circumstances' do exist and it is necessary to amend Green Belt boundaries as set out in the DLP and its Policies Map. To confirm, Hill supports the case that exceptional circumstances exist to review the Green Belt, to meet housing need and

to promote sustainable patterns of development (NPPF 147). Specifically, the amendments to the Green Belt at Townsend Lane Harpenden, and its proposed allocation referenced under site M7 is supported. It is considered that further significant shortfalls in housing supply would occur if Green Belt boundaries are not amended, which, along with worsening affordability issues, contribute to the exceptional circumstances required to amend green belt boundaries.

With regard to the Site itself, a review and analysis of the Green Belt Review (2023) and its assessment of land at Townsend Lane (M7), referred to as SA-16, has already been covered in section 2 of this response and is not repeated in detail here. Overall, Hill agree with the conclusion that site SA-16 doesn't affect the performance of the wider Green Belt and in dispute of the Review's sub-area assessment for the Site's contribution to purposes 1 and 3, concludes that the site assessed on its own merits makes limited or no contribution towards the purposes of checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap.

Hill consider that any limited localised harm can be mitigated through the creation of a high-quality new settlement edge, framed by green infrastructure and new boundary planting that can successfully assimilate the development with the surrounding countryside.

The Green Belt Review Annexe Proforma Report (2023) sets out the above details of the site (SA-16 / RA-13). Hill would like to again reiterate that some of the details in terms of references to the cardinal directions are incorrect and need to be reviewed (for instance Townsend Lane is to the north east of the site, not the north west as referenced).

To summarise, Hill is supportive of the Council's decision to amend Green Belt boundaries and to allocate land at Townsend Lane (M7). The Site offers an excellent opportunity to secure sustainable plan-led development and help meet housing need for the following reasons:

- The Site is suitable and available for development purposes, and delivery is fully achievable
- The development of the Site would present the opportunity for a 'strong green edge' to the western side of the Site, adjoining the open countryside, which would strengthen the boundary between the settlement and the Green Belt
- Development of this section of land from Green Belt would not harm the purposes of the wider Green Belt given its visual containment and the fact that it is developed on three sides
- The Site assessed on its own merits makes a limited or no contribution towards checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap
- The Site itself is not subject to physical or environmental constraints that would affect development
- It is anticipated (based on the current local plan timetable and anticipated adoption Q1 2026) that it would be possible to deliver new homes by Q1 2028, and therefore the Site could contribute to meeting the housing needs of St Albans City and District, including the local needs of Harpenden, early in the plan period.

The above, on their own, represent the exceptional circumstances necessary to justify the council's proposal to remove the site from the Green Belt and its allocation for residential development.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

Hill considers that exceptional circumstances exist to justify the Site's release for the following reasons:

- The Site is suitable and available for development purposes, and delivery is fully achievable.
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On their own, it is considered that the above provide the exceptional circumstances necessary to justify the Site's removal from the Green Belt and its allocation for residential development. However, the Site also offers an opportunity to increase the supply at a range of tenures in a sustainable growth location, with an appropriate form of development in keeping with the residential character of the area, and without unduly affecting the objective and function of the wider Green Belt. The Site is available now and, subject to the confirmation of the Green Belt release and allocation, would meet the definition of deliverable in the NPPF.

Hill has some concerns regarding the accelerated submission of the DLP for examination (anticipated in December 2024), which aims to submit ahead of the proposed NPPF changes and updated new standard method being published. This would delay SADC's requirement to address the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

Due to the nature of the District, development of Green Belt land in the most sustainable locations will be necessary to meet housing need, whether that is based on the current DLP housing numbers or an increased figure using the anticipated new standard method. The pressure for housing in

the District is not going to diminish. Hill strongly supports SADC's decision to amend Green Belt boundaries to meet this housing need, including the release of M7 specifically, and to promote sustainable patterns of development in accordance with the NPPF (paragraph 147). Hill agrees that exceptional circumstances exist to justify this, irrespective of when the plan is submitted for examination.

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LG4 - Large, Medium and Small Sites

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy LG4: Large, Medium and Small Sites

Apart from the Broad Locations (sites of 250+ homes), SADC is proposing that a significant part of the District's growth will be from Large, Medium or Small sites. The definition of these in terms of size are: Large Sites (100-249 homes); Medium Sites (10-99 homes); and Small Sites (5-9 homes). These sites are generally concentrated within urban areas and around the higher tiers in the Settlement Hierarchy.

Policy LG4 states that proposals on these sites must accord with the requirements set out, in addition to the site-specific requirements listed in Appendix 1. Part e) of the policy requires 'excellence' in design, energy efficiency and water management, however it still doesn't specify how or what excellence is to be assessed against. As a result, the policy is unclear and is inconsistent with paragraph 16d of the NPPF. Further, elements such as energy efficiency and water management are already covered in policies SP2 and CE1 and shouldn't be repeated. Part e) of the policy is not justified and does not serve a clear purpose, in accordance with paragraph 16f of the NPPF, and should be removed.

Parts f), g), h) and i) also repeat other policy requirements and Hill would question whether this is required (or indeed appropriate) in accordance with the NPPF (paragraph 16f).

Hill consider that in order to ensure part j) is effective, proportionate and deliverable, that it should include *"...and where necessary public transport services upgrades/improvements*" to reflect lower impacts / requirements for smaller sites and sites where these may not be required due to existing context.

In order for part k) to be effective, Hill consider that the following wording should be added to ensure flexibility where required and to reflect instances where there are low quality trees on site: "*Where possible, retain significant healthy trees and other important landscape features and ensure that any loss required is appropriately mitigated*".

Part l) requires at least 1 semi-mature tree to be planted for each dwelling, however, there is no mention of this specific requirement within the Infrastructure Delivery Plan (2024) or Local Plan Viability Report (2024). In order for developers to be able to calculate the cost and impact of requirements such as these, there needs to be sufficient justification set out within the evidence base. In addition, the requirement takes no account of the biodiversity strategy for a site. The Biodiversity Metric includes trading rules, and consequently there must be sufficient flexibility for any landscaping strategy to reflect the requirements of the Metric.

Similar to the response above for part j), parts m) and r) should be amended as suggested below in order that the policy is effective, proportionate and deliverable and does not hinder the development of sustainable sites: "*Where necessary and justified, provide contributions to enhance existing strategic, local and recreational public open space, sports facilities, including managed woodland and ecological network links*".

For r): *"For major schemes, where necessary and justified, provide contributions towards the maintenance and / or upgrade of an existing community hall or village hall nearby, which is secured by appropriate mechanism such as a S106 agreement*."

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

Hill considers that exceptional circumstances exist to justify the Site's release for the following reasons:

- The Site is suitable and available for development purposes, and delivery is fully achievable.
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On their own, it is considered that the above provide the exceptional circumstances necessary to justify the Site's removal from the Green Belt and its allocation for residential development. However, the Site also offers an opportunity to increase the supply at a range of tenures in a sustainable growth location, with an appropriate form of development in keeping with the residential character of the area, and without unduly affecting the objective and function of the wider Green Belt. The Site is available now and, subject to the confirmation of the Green Belt release and allocation, would meet the definition of deliverable in the NPPF.

Hill has some concerns regarding the accelerated submission of the DLP for examination (anticipated in December 2024), which aims to submit ahead of the proposed NPPF changes and updated new standard method being published. This would delay SADC's requirement to address the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

Due to the nature of the District, development of Green Belt land in the most sustainable locations will be necessary to meet housing need, whether that is based on the current DLP housing numbers or an increased figure using the anticipated new standard method. The pressure for housing in the District is not going to diminish. Hill strongly supports SADC's decision to amend Green Belt boundaries to meet this housing need, including the release of M7 specifically, and to promote sustainable patterns of development in accordance with the NPPF (paragraph 147). Hill agrees that exceptional circumstances exist to justify this, irrespective of when the plan is submitted for examination.

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LG6 - Green Belt Compensatory Improvements

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy LG6: Green Belt Compensatory Improvements

Policy LG6 sets out compensatory improvements for allocated sites in Appendix 1, where it is concluded that loss of Green Belt land for development is necessary.

In order for part b) to be effective, Hill consider that the following wording should be added to ensure flexibility where required and to reflect instances where there are dangerous or low quality trees on site: "*Where possible, retain existing hedgerows and trees and other areas of biodiversity value such as ponds and ensure any loss required is appropriately mitigated*".

Hill consider that part f) is an onerous requirement when woodland planting is already to be considered within part a), there is no justification to include woodland buffer planting over and above this. Further, this requirement will need a considerable amount of land to build a woodland buffer which could hinder the viability and delivery of sustainable allocated sites from coming forward. It should also be highlighted that the requirement would essentially isolate the site from surrounding urban areas and would not enable suitable integration with surrounding neighbourhoods, preventing the natural surveillance of the site. This part of the policy is not justified or effective and should be removed.

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Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

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Hill has some concerns regarding the accelerated submission of the DLP for examination (anticipated in December 2024), which aims to submit ahead of the proposed NPPF changes and updated new standard method being published. This would delay SADC's requirement to address the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

Due to the nature of the District, development of Green Belt land in the most sustainable locations will be necessary to meet housing need, whether that is based on the current DLP housing numbers or an increased figure using the anticipated new standard method. The pressure for housing in

the District is not going to diminish. Hill strongly supports SADC's decision to amend Green Belt boundaries to meet this housing need, including the release of M7 specifically, and to promote sustainable patterns of development in accordance with the NPPF (paragraph 147). Hill agrees that exceptional circumstances exist to justify this, irrespective of when the plan is submitted for examination.

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HOU1 - Housing Mix

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy HOU1: Housing Mix

The supporting text sets out at paragraph 4.4 that the District has a high proportion of large dwellings in its housing stock and that longstanding trends and population forecasts show smaller average household size, including an increasing proportion of single person households. More small and small-medium sized homes are required which would lead to an increase in the proportion of relatively low-cost market housing available to buy, assisting those who are just able to afford to buy on the open market.

The updated LHNA sets out a slightly different suggested mix for affordable ownership and affordable rented units than the policy, however there is no explanation why the policy has deviated from this within the supporting text. Whilst the LHNA states that a flexible approach should be adopted, it is unclear why the policy mix differs from that identified in the LHNA. To ensure the policy is fully justified and effective, the DLP should provide justification for the specific changes in policy mix.

Further, Hill are currently finding that there is a limit as to what registered providers will accept in terms of both 1 and 4+ bedroom homes, which is reflected in paragraph 8.70 of the LHNA. Hill therefore welcomes the fact the LHNA has considered input from registered providers on the proposed mix.

Hill wish to highlight that LHNA studies are undertaken at particular points in time and take a generalised view across the whole borough. In this case, it is recommended that the Council include some flexibility within the policy to ensure it is effective and can allow for consideration of additional or updated evidence as demand may change over time to reflect market conditions and the economic climate.

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Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

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the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

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It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

Due to the nature of the District, development of Green Belt land in the most sustainable locations will be necessary to meet housing need, whether that is based on the current DLP housing numbers or an increased figure using the anticipated new standard method. The pressure for housing in the District is not going to diminish. Hill strongly supports SADC's decision to amend Green Belt boundaries to meet this housing need, including the release of M7 specifically, and to promote sustainable patterns of development in accordance with the NPPF (paragraph 147). Hill agrees that exceptional circumstances exist to justify this, irrespective of when the plan is submitted for examination.

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HOU2 - Affordable Housing

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy HOU2: Affordable Housing

Part a(i) of the policy requires residential development proposals (Use Class C3) with a gain of 10 or more homes, or where the site has an area of 0.5 hectares or more, to provide 40% of homes as on-site affordable housing. The Local Plan Viability Assessment (2024) recommends that the emerging target of 40% is adopted and applied on a 'maximum reasonable proportion' basis taking site-specific circumstances into account. It is considered that the policy should incorporate wording to reflect the point on 'site specific circumstances', to ensure that the policy is justified and effective and does not risk impacting sustainable sites from coming forward. It is crucial that all development costs are fully accounted for and that there is sufficient head room in development viability to take account of any uncertain costs.

Part b) of the policy encourages three bedroom affordable homes to address the priority needs of the Council's Housing Register and the needs of those in temporary accommodation. However, Policy HOU1 on Housing Mix already covers the proposed mix and so there is no need to repeat requirements in this policy. It is not justified and does not serve a clear purpose, in accordance with paragraph 16f of the NPPF, and should be removed.

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Conclusion

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HOU4 - Accessible and Adaptable Housing

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy HOU4: Accessible and Adaptable Housing

The requirements of part c) of policy HOU4 requires justification in terms of where M4(3)(b) relates to wheelchair accessible housing, as it can only be required on affordable housing where the Council has nomination rights. This should be clearly stated through the DLP evidence base to accord with current guidance in PPG. This will ensure the policy is positively prepared, justified and effective.

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HOU5 - Self-Build and Custom Housebuilding

Comment Number: 12

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* No

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Representation on draft policies

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Policy HOU5: Self-Build and Custom-Build Housing

The policy proposes that housing sites of 100+ homes would be required to provide 3% of developable plots for self and custom build housing. Hill consider that there are many practical issues with developing sites that include self and custom build plots as there are often multiple contractors and large machinery operating on-site. From both a practical and health and safety perspective, it is difficult to accommodate the development of single plots by individuals alongside the construction of market and affordable homes.

The Council should first consider other opportunities to meet this demand, including working with developers and land owners to identify additional sites suitable for self and custom build plots that can meet their needs, in accordance with paragraph 57-025 of the PPG. If the strategy for a blanket approach of 100+ dwellings to meet the requirement remains, then justification should be provided.

Part d) of the policy provides a mechanism as to when self and custom-build plots should return to the developer to be built out. Hill does not consider it necessary for these homes to be offered to the Council or a registered provider prior to being bult out by the developer. The plots are not part of the affordable housing provision on site, therefore following marketing they should return directly to the control of the developer. The 12-month period for marketing is more than sufficient to establish if there is a need for the plots as self/custom build.

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Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 13

Do you consider the St Albans Local Plan to be legally compliant?

* No

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* No

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Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Strategic Policy SP5: Employment and the Local Economy and Policy EMP1: Protected Employment Areas

Hill is supportive of policies SP5 and EMP1 which seek to encourage economic growth, enhance productivity and inward investment of protected employment areas such as Rothamsted Research (site PEA-16).

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EMP1 - Protected Employment Areas

Comment Number: 14

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TRA4 - Parking

Comment Number: 15

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Policy TRA4: Parking

Hill note that parts f) and g) of the policy seek financial contributions for the provision of car clubs and bike share schemes from all major developments. There is no evidence to justify this requirement, therefore Hill consider such requirements to be unsound. Both car clubs and bike share schemes operate on a commercial basis and do not require contributions from developers to support their operations. There may be a need to provide identified parking spaces to support the operation of such schemes but to require a financial contribution from all major developments is not appropriate or necessary.

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UIN1 - Broadband

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

The following section presents representations on specific draft strategic policies within the DLP for the Council's review and consideration.

Policy UIN1: Broadband

Hill recognises the importance of high speed internet access, however, the wider infrastructure required to ensure connection to full fibre broadband is outside of the developers control, therefore in order to ensure the policy is effective, Hill recommend that the wording be amended to help clarify this as follows: "*Planning applications for major residential and employment developments must demonstrate that appropriate infrastructure is to be provided during construction, sufficient to enable all the development to be connected to full fibre broadband once available from the provider.*"

This will ensure that new development is ready to access full fibre broadband without being delayed if external providers are slow in implementing the necessary infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

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NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Representation on draft policies

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Policy NEB6 Biodiversity and Biodiversity Net Gain

Part a)i. of the policy (impact on Sites of Special Scientific Interest) is not required as NPPF 186b already stipulates how the Council should deal with proposals that have an 'adverse effect' on SSSI's. This part of the policy should therefore be removed.

With regard to Biodiversity Net Gain, the legislation already includes a preference for on-site solutions so the current policy wording in the final 'Biodiversity Net Gain' section of text is not necessary nor desirable. Hill also note that the policy states that payments in lieu to the national statutory biodiversity credit scheme will only be allowed in exceptional circumstances. However the use of credits will depend on the ability of net gains to be delivered on site and the availability of credits within the local area or indeed elsewhere. In order to not hinder the delivery of sustainable development where use of credits may be required, Hill would suggest that this sentence is deleted from policy NEB6 so that it is effective.

Part f) should be amended to "*Where necessary and justified, off-site initiatives supporting biodiversity will be through environmental land management schemes including alongside mandatory biodiversity net gain as another source of income to enhance biodiversity and the wider environment*;" This will ensure the policy requirement is sufficiently justified, proportionate and deliverable and does not hinder the development of sustainable sites.

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Conclusion

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

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Representation on draft policies

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

Hill recognise the need to consider biodiversity, however, in order to provide some flexibility and to avoid being overly prescriptive where it may not be suitable, it is suggested that part e) (to include hedgehog highways throughout the development) include the term '*where appropriate'*so that the policy is proportionate and effective.

Further part c) now requires an integrated feature per dwelling, such as integrated bird, bat and insect boxes. This requirement represents a significant increase in provision compared to the Regulation 18 DLP requirement which has not been justified within the DLP or the evidence base. Such justification should be provided to support any increase.

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Conclusion

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NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Representation on draft policies

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Policy NEB12: Green Space Standards and New Green Space Provision

Hill note that some of the quantity standards for new green space set out in Table 10.1 are not justified or based upon the quantity standards set out in the evidence base. For example, the 4.5 sqm per person quantity standard for allotments does not reflect the standard set out in the latest Open Space Study, which indicates that the current level of provision is 0.28 hectares per 1,000 people (i.e 2.8 sqm pp). Further, the standard set by the National Society of Allotments suggesting a standard of 0.25 ha per 1,000 people. This would result in a per person standard of 2.5 sqm of allotment per person. The higher standard set out in the policy is therefore inconsistent with Council's own evidence, is unjustified and is not related in scale to the development. The Council need to review and provide evidence to support the quantity standards set out in the policy.

Part a(vi) encourages the provision of ancillary infrastructure to support the use of green spaces, where appropriate. However, it is not clear what type of ancillary infrastructure it means and therefore cannot be properly considered in terms of whether it is deliverable or viable. The policy wording should provide specific examples in order for the policy to be justified and effective.

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DES5 - Residential Amenity Standards

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Representation on draft policies

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Policy DES5: Residential Amenity Standards

Part c) of the policy requires new residential development to meet or exceed the nationally described space standards (NDSS), however, no evidence has been provided to justify the introduction of this requirement in the district, in accordance with paragraph 135 footnote 52 of the NPPF and paragraph 56-020 of the PPG. SADC should provide evidence of the need for such homes and the impact on the affordability of housing within the area. If the need is justified it should also include some flexibility to meet the needs / affordability of some households.

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DES7 - Servicing of Development

Comment Number: 21

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* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Representation on draft policies

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Policy DES7: Servicing of Development

Part a) of the policy which relates to refuse storage should be amended to state that development will 'take account of County Council guidance'.

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- The development of the Site would present the opportunity for a 'strong green edge' to the western side of the Site, adjoining the open countryside, which would strengthen the boundary between the settlement and the Green Belt.
- Development of this section of land from Green Belt would not harm the purposes of the wider Green Gelt given its visual containment and the fact that it is developed on three sides.
- The site assessed on its own merits makes a limited or no contribution towards checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap.

- The site itself is not subject to physical or environmental constraints that would affect development.
- It is anticipated that it would be possible (based on the current local plan timetable) to deliver new homes by Q1 2028, and therefore the Site could contribute to meeting the housing needs of St Albans City and District, including the local needs of Harpenden, early in the plan period.

On their own, it is considered that the above provide the exceptional circumstances necessary to justify the Site's removal from the Green Belt and its allocation for residential development. However, the Site also offers an opportunity to increase the supply at a range of tenures in a sustainable growth location, with an appropriate form of development in keeping with the residential character of the area, and without unduly affecting the objective and function of the wider Green Belt. The Site is available now and, subject to the confirmation of the Green Belt release and allocation, would meet the definition of deliverable in the NPPF.

Hill has some concerns regarding the accelerated submission of the DLP for examination (anticipated in December 2024), which aims to submit ahead of the proposed NPPF changes and updated new standard method being published. This would delay SADC's requirement to address the proposed increase in housing need and means that there will be less time for SADC to undertake the necessary work to support the submission of the DLP and examination (including preparing responses to objections or concerns raised at Reg 19 stage). Indeed, these representations suggest a number of areas where further justification and evidence are considered necessary. Without proper consideration and justification, SADC is exposed to an increased risk of the DLP being found unsound and having to withdraw from examination. Clearly this would be a regrettable outcome resulting in an avoidable delay to the plan process.

Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

Due to the nature of the District, development of Green Belt land in the most sustainable locations will be necessary to meet housing need, whether that is based on the current DLP housing numbers or an increased figure using the anticipated new standard method. The pressure for housing in the District is not going to diminish. Hill strongly supports SADC's decision to amend Green Belt boundaries to meet this housing need, including the release of M7 specifically, and to promote sustainable patterns of development in accordance with the NPPF (paragraph 147). Hill agrees that exceptional circumstances exist to justify this, irrespective of when the plan is submitted for examination.

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4. Appendix 2b_LVA_Figures_[R].pdf
5. Representation_figures_[R].pdf

M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Introduction

Tor&co has been appointed by Hill Residential Ltd (Hill) to respond to the Regulation 19 consultation with respect to the St Albans City and District Council (SADC) Draft Local Plan 2041 document (DLP). The DLP consultation seeks to establish views on the draft development strategy for the District to 2041, including strategic policies and broad locations for strategic housing, employment and infrastructure, as well as development management policies and site allocations. Following this consultation, SADC intend to submit the DLP to the Planning Inspectorate for examination in December 2024.

Hill is actively promoting land at Townsend Lane, Harpenden (the Site), as selected partner of the landowner Lawes Agricultural Trust (the Trust) for a sustainable and deliverable residential allocation within the emerging SADC Local Plan (a site location plan is included at Figure 1). The Regulation 19 DLP retains the draft residential allocation of the Site (referenced under M7) which is strongly supported by Hill. Harpenden is one of the district's largest settlements and we agree with the Council that the site is a suitable and sustainable opportunity for future residential development. It is directly adjacent to the existing settlement boundary, in close proximity to public transport connections and local services, unconstrained and lacking technical obstacles to delivery and is available for development now (subject to Green Belt release).

Detailed submissions promoting the Site have been made to SADC at each consultation stage to date, including the Call for Sites (2021) and latest Regulation 18 consultation (2023), and Hill now fully supports the Council in progressing with the draft allocation of the Site. These representations should be read in conjunction with those already submitted.

Hill supports the case that exceptional circumstances exist to review the Green Belt, to meet housing need and to promote sustainable patterns of development (NPPF 147). Specifically, the amendments to the Green Belt at Townsend Lane Harpenden and the proposed allocation of the Site is strongly supported. The Site offers the opportunity to secure sustainable plan-led development in accordance with the overarching spatial strategy, and to deliver much needed housing early in the plan period to help provide resilience for the borough in terms of its housing land supply position.

It is confirmed that all of the land set out within the red line at Figure 1 is held by Hill under an option agreement with the Trust. The Trust is a registered charity that aids the advancement of agricultural science by providing support for Rothamsted Research (Rothamsted), the oldest agricultural research station in the World, which is located in Harpenden. The Trust owns the land and buildings at Rothamsted, provides annual research grants and makes capital grants to help complete and to modernise the facilities. The land at Townsend Lane lies on the periphery of the Rothamsted Estate and has been identified as surplus to its requirements.

As a local stakeholder and employer firmly committed to the area, the Trust wish to contribute positively to the local community, as well as securing the longer-term future of research at Rothamsted. Rothamsted are one of the District's major employers, directly employing over 300 people and supporting c.70 students. The Trust's tenants and occupiers on the Rothamsted campus include not only Rothamsted Research, but also a further 35 commercial tenants which between them employ c.330 people on campus in Harpenden. As such the Trust's Rothamsted campus makes a significant contribution to the local and national economy, and the Trust is in the process of planning upgrades to the campus which would further enhance this impact.

Hill is an established, well respected housebuilder who has been selected as the Trust's delivery partner for the Site. As with all of its proposals for new homes, Hill is keen to engage with local representatives and residents before drawing up detailed proposals for the Site. Hill delivers around 2,500 new homes each year and has a proven track record of delivery of high quality and award-winning homes that enhance and complement their surroundings.

The current National Planning Policy Framework (NPPF) includes a policy requirement to apply a standard method as an advisory starting point for calculating Local Housing Need (LHN), unless exceptional circumstances justify an alternative approach. Notwithstanding that this advisory position may change under the revisions proposed earlier this year to the NPPF, we agree with SADC that an alternative approach should not be followed and consider that the LHN should be the minimum housing requirement in the plan. The NPPF also requires that LHN is met through the application of the presumption in favour of sustainable development, which in plan making does allow for the review of Green Belt boundaries to meet need and promote sustainable patterns of growth. Hill fully supports SADC's approach in both respects.

With regard to the above mentioned draft changes to the NPPF, it is highly relevant that the new Labour government announced that planning reform is key to delivering economic growth objectives and with bold promises to deal with a chronic housing shortfall, the government set out its solution to the current crisis and published proposed changes to the NPPF. The consultation on the proposed changes recently ended on 24 September 2024 and it is anticipated that the revised NPPF will be published by the end of the year. There is no mention of this or the government's direction of travel within the DLP.

In this context, it is important to highlight the potential significant increase in LHN for SADC as a result of the new standard method published alongside the recent consultation draft of the NPPF. The anticipated new standard method and the resulting uplift have not been considered or addressed in the DLP. Instead, SADC is accelerating submission of the DLP for examination (anticipated in December 2024), to avoid being considered against the new NPPF policies and the revised standard method.

Given the LHN under the revised method is only expected to increase, Hill does not see any implications on the current draft site allocations on the basis there will still be significant housing need that the Council will be required to meet. The Site will continue to make a valuable contribution to meeting need irrespective of the timing of the DLP. Indeed, the Council will arguably be under even more pressure to review greenfield sites in the Green Belt under the figures resulting from the new NPPF, and the policy changes in the framework provide support for this. Hill is, however, concerned that this accelerated approach raises the risk of the DLP being found unsound and having to withdraw from examination, which would not be reflective of a positive local plan process and would lead to an avoidable delay that could be mitigated by work undertaken now.

Notwithstanding the above concern, it is also notable that the Council is an automatic presumption authority under the Housing Delivery Test, and thus the release of a sufficient number of deliverable sites, including to provide flexibility in the plan, is essential to reverse the track record of historic under delivery. Further, it is vital that the Council actively engages with its partners through the duty to co-operate, to consider whether any unmet need from neighbouring authorities can be accommodated within the District, where practical, in order for the plan to be sound and in accordance with NPPF paragraph 35.

In essence, Hill considers that the land at Townsend Lane is in a suitable and sustainable location for housing, well placed to help meet the District's housing need (including the affordable need), under both the current and emerging standard methods. Through the delivery of new homes across a range of size, type and tenure, the Site will offer increased choice and availability of accommodation within the local area. The Site is linked to the existing urban area and within easy access of facilities within Harpenden. Its development would increase the local population through the delivery of new homes, supporting the local economy and vitality of the town centre.

Subject to confirmation of the Green Belt release and allocation, the M7 site would meet the definition of deliverable in the NPPF.

This document is accompanied by a number of appendices, further demonstrating the opportunities presented by the Site and its capacity, which should be read alongside this report. The series of technical reports already undertaken and submitted to the previous Call for Sites and Regulation 18 consultation are not included again here. However, the findings have been reviewed at this stage and still hold good. If necessary, these can be updated during the course of 2024/2025. Further, the technical work progressed since the last consultation continues to demonstrate that there are no fundamental constraints to delivery of housing on the Site.

For ease of reference, this representation responds to SADC's consultation on the draft policies in the order that they appear in the plan for ease of reference, as well as providing greater detail on the suitability, achievability and deliverability of the draft allocation of the Site.

The comments provided are based on the Draft Local Plan 2041 Regulation 19 document, and the 'tests of soundness' prescribed in NPPF paragraph 35. Specifically, the representation responds to the allocation policy (ref M7 as set out in Figure 1 appended to this response) in Section 2.0 and the following matters in Section 3.0:

- Strategic Policy SP1: A Spatial Strategy for St Albans District
- Strategic Policy SP2: Responding to the Climate Emergency
- Policy CE1: Promoting Sustainable Design, Construction and Building Efficiency
- Policy CE2: Renewable and Low Carbon Energy
- Strategic Policy SP3: Land and the Green Belt
- Policy LG4: Large, Medium and Small Sites
- Policy LG6: Green Belt Compensatory Improvements
- Policy HOU1: Housing Mix
- Policy HOU2: Affordable Housing
- Policy HOU4: Accessible and Adaptable Housing
- Policy HOU5: Self-Build and Custom Housebuilding
- Strategic Policy SP5: Employment and the Local Economy
- Policy EMP1: Protected Employment Areas
- Policy TRA4: Parking
- Policy UIN1: Broadband
- Policy NEB6 Biodiversity and Biodiversity Net Gain
- Policy NEB7 Biodiversity Provision in the Design of New Buildings and Open Spaces
- Policy NEB12: Green Space Standards and New Green Space Provision
- Policy DES5: Residential Amenity Standards
- Policy DES7: Servicing of Development

Land at Townsend Lane, Harpenden (site allocation M7)

Land at Townsend Lane is proposed as a medium site for the allocation of c. 65 homes as set out in Figure 1 under site reference M7.

Hill strongly supports the allocation of this land to deliver new homes in what is a suitable and sustainable location (adjacent to the Nickey Line and strategic walking and cycle routes) that is available now and therefore able to contribute towards the council's five-year housing land supply. Further, medium sites such as M7 have the potential to be quicker to assemble and built out than the Broad Locations. There are no technical constraints to delivering development on this site.

It is noted that only part of the Site (as opposed to most of the Site which the draft policy states and which should be amended / corrected), appears to lie within the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI). Under Policy SP10, housing within the ZOI will require an appropriate contribution to be made towards the Strategic Access Management and Monitoring Strategy (SAMMS).

It states that development proposals will also need to make provision for a new Suitable Alternative Natural Greenspace (SANG), or alternatively contribute towards the maintenance of a suitable SANG project elsewhere. Whilst Hill recognise the need to mitigate adverse impacts on such areas, the need to make such contributions must be considered as part of the site's overall viability to ensure it is not overly burdened or hindered from coming forward as a highly sustainable site.

The Site offers the opportunity to secure sustainable plan-led development, in accordance with the overarching spatial strategy, and to deliver much needed housing across the plan period to help provide resilience for the borough moving forward in terms of its housing land supply position.

Hill has undertaken extensive technical study work that demonstrates the Site's suitability for new homes. This is set out in the Call for Sites 2021 and Regulation 18 response and is not repeated here. However, Hill has progressed updates for some of the technical information previously provided, including for the Land at Townsend Lane Promotional Document and Landscape and Visual Appraisal, which is set out below. These continue to demonstrate that there are no site-specific constraints that would prevent development of the site. This is supported by the enclosed figures (2-6) and attached appendices (1-2).

Landscape and visual considerations

A review of the previously submitted Landscape and Visual Appraisal (LVA) and how the site interacts with the adjoining townscape and landscape has been undertaken and is submitted alongside this document (see Appendix 2), as an update to the LVA submitted as part of the Regulation 18 consultation. Overall, the landscape and visual baseline has not significantly altered in the intervening period and the assessments conclusions remain entirely unchanged.

The appraisal concludes that the site is particularly well contained and shares very limited inter-visibility with the surrounding landscape. With the effective mitigation proposed and set out in the report, the development will be almost entirely screened from the wider landscape. There is therefore no overriding landscape or visual effect that would preclude the development of the site as proposed and, in the longer term, there is the potential for some valuable landscape benefits in the form of a better defined settlement boundary and softer settlement edge adjacent to the site.

As the site is closely associated with built development, sitting within the perceived settlement boundary and further contained by an enhanced boundary, the perceived effect on sprawl is negligible. Further, the existing site and adjacent agricultural land does not currently function as an open gap and so development on site would not contribute to coalescence. The existing plateau forms a natural boundary to development, the settlement itself sitting on the valley sides and at lower elevations to the east. The site is therefore located on the gentle valley sides, is not located on the plateau and so preserves the existing settlement pattern.

Green Belt

The current NPPF (paragraph 142) states *"the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."* Paragraph 143 goes on to identify the five purposes of the green belt as follows:

1. To check unrestricted sprawl of large built-up areas
2. To prevent neighbouring towns merging into one another
3. To assist in safeguarding the countryside from encroachment

4. To preserve the setting and special character of historic towns
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

A new Green Belt Review (2023) has been undertaken to support the emerging Local Plan. This seeks to address issues raised by the Inspector during the previous Local Plan, by providing a more granular approach to identifying potential sub-areas to assess within the Green Belt. The study recommends a number of sub-areas for further consideration where if removed from the Green Belt, would be unlikely to result in harm to the wider Green Belt.

It is noted that the land at Townsend Lane (M7), referred to as SA-16 within the Green Belt Review (2023), is set out as performing strongly for purpose 1, weakly for purpose 2, strongly for purpose 3 and no contribution for purpose 4. However, it's contribution to the wider strategic Green Belt is classed as "*less important*", concluding that "*It's removal is unlikely to alter the performance of the wider Green Belt as it is already enclosed by built form on three sides so could constitute infill development. Its small scale and enclosed nature also prevents longer views and connections to the wider countryside*." Overall, SA-16 was recommended for further consideration in isolation (now as RA-13), on the basis its removal is unlikely to alter the performance of the wider Green Belt.

Hill agree with the conclusion of the Green Belt Review that site SA-16 does not affect the performance of the wider Green Belt. However, the Green Belt Review's sub-area assessment for site SA-16, specifically against purposes 1 and 3, is still disputed. Hill consider that its own assessment of the Site against the Green Belt purposes, as set out within the report submitted for the Call for Sites 2021 consultation, remains unchanged and should be read in conjunction with this representation. This concludes that the Site assessed on its own merits makes limited or no contribution towards the purposes of checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap.

Hill consider that any limited localised harm can be mitigated through the creation of a high-quality new settlement edge, framed by green infrastructure and new boundary planting that can successfully assimilate the development with the surrounding countryside.

Figures 5 and 6 pictorially demonstrate that:

- Placing new homes on this site will not result in a reduction in the distance between Harpenden and Redbourn, or between Harpenden and any other settlements. The outer edge of the current built-up area of Harpenden in the immediate vicinity of the site is aligned with the south western edge of the site
- There are clear defensible boundaries to the edges of the site, which would form the Green Belt boundary in this location, contiguous with the urban edge to the east
- The site is well contained with very limited views from the countryside, due to its topography and landscape features
- The site is surrounded by urban development to the north west, south and east
- The historic core of Harpenden and its conservation area are not visible from the site or countryside in this location. New homes will be of high quality design and complement the existing character of the area.

Along with the conclusions of the latest Green Belt Review, the above points demonstrate that the site in question does not contribute towards the wider performance of the Green Belt, therefore its proposed release and allocation for residential development is justified.

Site availability

The Trust is the sole owner of the 1.91 hectare Site. All land required to access the site is within the control of the landowner or is in the public highway. As such it can be confirmed that the site is immediately available for development. Hill is a high-quality and well respected house builder who has been selected as the Trust's delivery partner on this site. As with all its proposals for new

homes, Hill is keen to engage with local representatives and residents before drawing up detailed proposals for the Site. Hill delivers around 2,500 new homes each year and has a proven track record of delivery.

Achievability and delivery

Given what is known of the Site, it is not expected that there would be a need for any significant enabling or infrastructure works. Therefore, assuming Local Plan adoption by March 2026, the first homes could be built and available for occupation by Q1 2028, contributing to local housing needs early in the plan period. An indicative site layout is being prepared and will be submitted in due course to show how a development of up to 65 homes, in line with the draft allocation and requirement to make effective use of land, could be accommodated on the site.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion

Hill welcomes the DLP's overarching spatial strategy as a general approach and strongly supports the proposed allocation of the land at Townsend Lane (under site M7). While it supports identifying and focussing development at the most appropriate and sustainable settlements, such as Harpenden, and making as much use as possible of brownfield sites, Hill considers that greenfield sites in the Green Belt such as M7 will also be required to meet housing need.

Hill considers that exceptional circumstances exist to justify the Site's release for the following reasons:

- The Site is suitable and available for development purposes, and delivery is fully achievable.
- The development of the Site would present the opportunity for a 'strong green edge' to the western side of the Site, adjoining the open countryside, which would strengthen the boundary between the settlement and the Green Belt.
- Development of this section of land from Green Belt would not harm the purposes of the wider Green Gelt given its visual containment and the fact that it is developed on three sides.
- The site assessed on its own merits makes a limited or no contribution towards checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap.
- The site itself is not subject to physical or environmental constraints that would affect development.
- It is anticipated that it would be possible (based on the current local plan timetable) to deliver new homes by Q1 2028, and therefore the Site could contribute to meeting the housing needs of St Albans City and District, including the local needs of Harpenden, early in the plan period.

On their own, it is considered that the above provide the exceptional circumstances necessary to justify the Site's removal from the Green Belt and its allocation for residential development. However, the Site also offers an opportunity to increase the supply at a range of tenures in a sustainable growth location, with an appropriate form of development in keeping with the residential character of the area, and without unduly affecting the objective and function of the wider Green Belt. The Site is available now and, subject to the confirmation of the Green Belt release and allocation, would meet the definition of deliverable in the NPPF.

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Hill fully supports SADC's approach in applying the standard method as an absolute minimum housing requirement, with flexibility provided through site allocations over and above the requirement. This is an appropriate response to the Council's historic record of delivery performance and unmet housing need. However, as noted in response to Policy SP1, the total housing need figure needs to be updated to reflect the full 17 year plan period.

It will be vital that the Council demonstrates they have actively engaged with neighbouring authorities as part of the duty to co-operate and consider how it could increase its own housing requirement and supply to address some of these unmet needs, otherwise there is a risk that the plan will not be considered to be legally compliant or positively prepared.

Due to the nature of the District, development of Green Belt land in the most sustainable locations will be necessary to meet housing need, whether that is based on the current DLP housing numbers or an increased figure using the anticipated new standard method. The pressure for housing in the District is not going to diminish. Hill strongly supports SADC's decision to amend Green Belt boundaries to meet this housing need, including the release of M7 specifically, and to promote sustainable patterns of development in accordance with the NPPF (paragraph 147). Hill agrees that exceptional circumstances exist to justify this, irrespective of when the plan is submitted for examination.

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351 - Lichfields on behalf of Legal & General

Submission Number: 351 Submission Date: 08/11/24 09:00

Respondent: Adam Donovan

On Behalf Of Legal and General (Strategic Land Harpenden) Ltd : Lichfields on behalf of Legal & General

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission]

1.0 Introduction

1.1 This consultation response has been prepared and submitted by Lichfields on behalf of Legal and General (Strategic Land Harpenden) ('L&G'). This document comprises a formal response to the St Albans City and District Council's ('SACDC') Draft Local Plan 2041 Regulation 19 Publication which commenced on 26th September and runs until Friday 8th November.

1.2 This document builds upon other reports and representations previously submitted by Lichfields on behalf of L&G throughout the current and previous Local Plan processes including; a response to the Regulation 18 consultation on the Local Plan (September 2023); Vision Document prepared by LDA Architects; Review of St Albans Stage 2 Green Belt prepared by LDA Architects and Site Accessibility Information prepared by TPP. These documents are referred within this submission. Where comments have not yet been addressed, they have been included again within these representations for completeness.

Background

1.3 L&G has a long-term interest in the land at North West Harpenden ('NWH') and has engaged with SACDC over many years with regard to the site, part of which is a draft allocation in the emerging Local Plan. The whole of the NWH site has been assessed as suitable in the evidence base underpinning successive emerging Local Plans and proposed for release from the Green Belt and allocation for new housing. Previously, the whole of NWH was identified for development in the (later withdrawn) SACDC Draft Local Plan (2020-2036) and prior to that in the draft Strategic and Detailed Local Plans, also withdrawn.

1.4 Land at NWH is the subject of a live planning application (ref. 5/2023/0327) for up to 550 dwellings including c. 130 C2 integrated retirement homes, 40% affordable housing, early years setting, public open space, allotments and publicly accessible recreation space (including junior sports pitches).

1.5 In the Regulation 19 Draft Local Plan, part of the NWH site is identified as a draft allocation (ref. B7) for c. 293 units and community facilities. The allocation has been updated since the Regulation 18 consultation took place and the requirement for a 60+ nursing care home has been removed. However, the extent of the allocation and the overall housing numbers identified within the draft site allocation has not changed since the Regulation 18 consultation.

Structure of the report

1.6 The whole of the NWH site - previously identified as a suitable allocation and the subject of the current planning application - is not included within the emerging Local Plan which instead proposed the allocation of a smaller part of the site. This results in a reduction in the number of homes which could be accommodated and the planning benefits which could be derived from any future redevelopment. In this context, our representations – and objections - focus on three principle matters that we have identified following a review of the emerging Local Plan:

- **Section 2** considers the housing need and requirement in St Albans, including consideration of affordable housing need and housing mix;
- **Section 3** discusses the Council's identified housing supply and trajectory in the emerging Local Plan;
- **Section 4** considers the specific draft allocation at North West Harpenden;
- **Section 5** concludes the consultation response with an outline of what L&G considers is necessary for a sound Local Plan.

...

6.0 Summary and Conclusions

6.1 Whilst L&G support elements of the Draft Local Plan, our review of the plan and the supporting evidence leads our client to conclude that the draft Local Plan does not meet the tests of soundness required for a Local Plan. In particular:

- The plan has not been *positively prepared* as it does not meet the area's objectively assessed need, including unmet need from neighbouring areas.
- The plan is not *effective* in delivering over the plan period by providing the appropriate number of homes.
- The assumptions around housing trajectory are not *justified* and are not based on proportionate evidence.
- The Green Belt assessment is deficient and as such the plan is not *justified* in terms of how the evidence has informed the production of the plan.
- The plan is not *consistent with national policy* as it does not deliver sustainable development in accordance with the policies in the framework.

6.2 L&G believes the proposed North West Harpenden allocation should be increased in scale, so that it reverts back to that which was proposed in previous emerging Local Plans, consistent with previous Green Belt reviews and the current application boundary. This approach is justified by the following:

1 The current standard method figure for St Albans is capped and has been calculated as 885dpa. The 'uncapped' figure is 285 dwellings per year more than the capped figure. PPG is clear that the cap does not reduce need, and that Councils should consider whether uncapped need can be accommodated (if not, an early review may be required). The Council's own evidence shows an acute affordable housing need, amounting to over 90% of overall need. At the current level of overall delivery, the plan would meet (at most) less than half its affordable needs. PPG is clear that an increase in housing numbers in the plan should be considered where it can help deliver more affordable housing.

2 Recent delivery levels, from both St Albans and elsewhere, show that it is wholly achievable for the district to see housing growth well above its current standard method figure. Market signals show that St Albans is the area of highest housing demand outside London (as indicated by the affordability ratio), and this has become even more acute in recent years; There is an existing amount of known unmet need in the HMA, primarily arising in Three Rivers and Hertsmere, amounting to nearly 9,000 homes. Despite being known, these needs are being deferred, contrary to NPPF para 35(c).

3 The Sustainability Appraisal has not explored reasonable alternatives, insofar as it is entirely reasonable (and indeed necessary) for the Council to explore even higher housing growth options. Notwithstanding, the highest housing growth scenarios currently in the SA have been ruled out despite having very limited negative effects. The plan is therefore contrary to NPPF para 35(b).

4 A review of the housing trajectory within the draft Local Plan concludes that some of the assumptions are not realistic or robust, particularly on the Garden Community proposals. On these, the assumed rates of lead-in and build out rates are overly ambitious when compared against evidence of housing delivery on a national scale. When applying more realistic assumptions to the trajectory the total delivery during the plan period reduces by 1,925 which clearly has significant implications for SACDC's ability to meet the housing requirement over the plan period and leaves a shortfall.

5 We agree with the Council's conclusion that exceptional circumstances exist to justify the release of Green Belt land to meet the acute housing need. However, it is considered that SACDC is overly reliant on HGC to deliver almost a third of the total housing requirement over the plan period. In order to justify the quick lead-in times and high delivery rates proposed, very robust evidence must be provided to demonstrate that these are achievable. It is important that the trajectory is robust, supported by the best available evidence and realistic, to give SACDC and in due course, the Inspector, confidence in its conclusions. On this basis the trajectory is considered to be unsound in its current form and needs to be reconsidered.

6 It is considered that SACDC has not established an appropriate tipping point (i.e. the maximum amount of Green Belt release on potential site allocations. In the case of NWH, the draft plan recognises that it is a sustainable location for development but, by proposing to allocate only part of the site that was promoted (and which had been a proposed allocation in previous draft plans), it infers that the Council has identified a 'strong reason' related to the unallocated part of the site that justifies why it should not be released to help address those needs (either now, or in the future, based on permanent Green Belt boundaries). L&G does not believe the evidence supports the Council's tipping point.

7 In the case of NWH, L&G's view – supported by evidence it has submitted with its current planning application – is that the site boundary in the planning application is the most suitable boundary for the emerging allocation; it has been determined with regard to a detailed assessment of the landscape and Green Belt considerations. It is a boundary consistent with, and supported by, previous Council assessments undertaken to inform previous drafts of the Local Plan. To not allocate the whole of the site for development does not make optimal use of the potential of the site, as required by para 129 of the NPPF.

8 L&G is committed to the delivery of NWH and the creation of a high quality residential scheme which will meet the need of Harpenden and St Albans. NWH is a self-contained development without major upfront infrastructure costs, and L&G is able to deliver the scheme quickly and make a contribution to SACDC's housing supply in the short term. This is demonstrated through the submission of the planning application which has been informed by analysis of the existing site, its context, landscape and Green Belt impact. The benefits to be gained – both locally and strategically - by allocating the wider site for development are significant and outweigh any additional harm to the Green Belt that might arise.

6.3 Therefore, taking in the above into account it is therefore requested that draft site allocation for NWH (B7) is extended so that it aligns with the current planning application and previous draft allocations. The allocation of the whole of the site for residential development is appropriate and consistent with national policy and an assessment of the Green Belt. The benefits which will be delivered by the larger site are considerably greater than the current draft allocation.

6.4 Finally, it is noted that it is SACDC's intention to Submit the Plan for Examination on 29 November 2024. The consultation on the plan closes on 8 November 2024. This therefore only allows 15 working days between the receipt of consultation responses and the submission of the final plan for examination. Firstly, it is not clear how SACDC could feasibly review all of the consultation comments which would be expected in response to the draft Local Plan within this time period. The Regulation 18 consultation attracted 955 individual responses from residents, resident organisations, groups and organisations, landowners and Councillors. It is considered that 15 days is a wholly inadequate amount of time to allow for the review of this level of consultation responses alongside a consideration of potential changes to the plan. Secondly, based on the inadequate amount of time being allocated for this review of consultation responses, it is questioned whether SACDC intend to make any further changes to the local plan and whether this consultation is meaningful.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[Please see attachment for full submission]

6.0 Summary and Conclusions

6.1 Whilst L&G support elements of the Draft Local Plan, our review of the plan and the supporting evidence leads our client to conclude that the draft Local Plan does not meet the tests of soundness required for a Local Plan. In particular:

- The plan has not been *positively prepared* as it does not meet the area's objectively assessed need, including unmet need from neighbouring areas.
- The plan is not *effective* in delivering over the plan period by providing the appropriate number of homes.
- The assumptions around housing trajectory are not *justified* and are not based on proportionate evidence.
- The Green Belt assessment is deficient and as such the plan is not *justified* in terms of how the evidence has informed the production of the plan.
- The plan is not *consistent with national policy* as it does not deliver sustainable development in accordance with the policies in the framework.

6.2 L&G believes the proposed North West Harpenden allocation should be increased in scale, so that it reverts back to that which was proposed in previous emerging Local Plans, consistent with previous Green Belt reviews and the current application boundary. This approach is justified by the following:

1 The current standard method figure for St Albans is capped and has been calculated as 885dpa. The 'uncapped' figure is 285 dwellings per year more than the capped figure. PPG is clear that the cap does not reduce need, and that Councils should consider whether uncapped need can be accommodated (if not, an early review may be required). The Council's own evidence

shows an acute affordable housing need, amounting to over 90% of overall need. At the current level of overall delivery, the plan would meet (at most) less than half its affordable needs. PPG is clear that an increase in housing numbers in the plan should be considered where it can help deliver more affordable housing.

2 Recent delivery levels, from both St Albans and elsewhere, show that it is wholly achievable for the district to see housing growth well above its current standard method figure. Market signals show that St Albans is the area of highest housing demand outside London (as indicated by the affordability ratio), and this has become even more acute in recent years; There is an existing amount of known unmet need in the HMA, primarily arising in Three Rivers and Hertsmere, amounting to nearly 9,000 homes. Despite being known, these needs are being deferred, contrary to NPPF para 35(c).

3 The Sustainability Appraisal has not explored reasonable alternatives, insofar as it is entirely reasonable (and indeed necessary) for the Council to explore even higher housing growth options. Notwithstanding, the highest housing growth scenarios currently in the SA have been ruled out despite having very limited negative effects. The plan is therefore contrary to NPPF para 35(b).

4 A review of the housing trajectory within the draft Local Plan concludes that some of the assumptions are not realistic or robust, particularly on the Garden Community proposals. On these, the assumed rates of lead-in and build out rates are overly ambitious when compared against evidence of housing delivery on a national scale. When applying more realistic assumptions to the trajectory the total delivery during the plan period reduces by 1,925 which clearly has significant implications for SACDC's ability to meet the housing requirement over the plan period and leaves a shortfall.

5 We agree with the Council's conclusion that exceptional circumstances exist to justify the release of Green Belt land to meet the acute housing need. However, it is considered that SACDC is overly reliant on HGC to deliver almost a third of the total housing requirement over the plan period. In order to justify the quick lead-in times and high delivery rates proposed, very robust evidence must be provided to demonstrate that these are achievable. It is important that the trajectory is robust, supported by the best available evidence and realistic, to give SACDC and in due course, the Inspector, confidence in its conclusions. On this basis the trajectory is considered to be unsound in its current form and needs to be reconsidered.

6 It is considered that SACDC has not established an appropriate tipping point (i.e. the maximum amount of Green Belt release on potential site allocations. In the case of NWH, the draft plan recognises that it is a sustainable location for development but, by proposing to allocate only part of the site that was promoted (and which had been a proposed allocation in previous draft plans), it infers that the Council has identified a 'strong reason' related to the unallocated part of the site that justifies why it should not be released to help address those needs (either now, or in the future, based on permanent Green Belt boundaries). L&G does not believe the evidence supports the Council's tipping point.

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8 L&G is committed to the delivery of NWH and the creation of a high quality residential scheme which will meet the need of Harpenden and St Albans. NWH is a self-contained development without major upfront infrastructure costs, and L&G is able to deliver the scheme quickly and make a contribution to SACDC's housing supply in the short term. This is demonstrated through the submission of the planning application which has been informed by analysis of the existing site,

its context, landscape and Green Belt impact. The benefits to be gained – both locally and strategically - by allocating the wider site for development are significant and outweigh any additional harm to the Green Belt that might arise.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NWH-RE~1.pdf
2. Legal_&_General_(Strategic_Land_Harpenden)_Email_[R].pdf

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission]

2.0 Housing Need and Requirement

Housing Need

2.1 As noted in our previous representations to the Regulation 18 consultation, the National Planning Policy Framework (2023) ("NPPF") para 61 requires that, to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance ("PPG").

2.2 Strategy Policy SP1 of the Regulation 19 plan states that the Council will deliver a minimum of 14,603 dwellings, equivalent to 885 dwellings per year over the plan period, in line with its standard method figure based on the methodology set out in the PPG. This is a marginal reduction from the figure in the Regulation 18 consultation (888 dwellings per year) but reflects amendments to the underlying data and does not have a material impact on our comments regarding housing need for the purposes of the Regulation 19 plan.

Meeting uncapped housing needs

2.3 St Albans' current standard method figure, 885 dwellings per annum, is subject to the cap set out in Step 3 of the methodology set out in the PPG. This is shown in Table 2.1. The difference between the capped and the uncapped figure is 285 dwellings per year, or nearly 5,000 homes in total over the plan period (2024-41).

Table 2.1 Standard Method figure calculation for St Albans

[Please see attachment for Table]

2.4 When explaining why the cap is applied, the PPG states:

"The standard method may identify a minimum local housing need figure that is significantly higher than the number of homes currently being planned for. The cap is applied to help ensure that the minimum local housing need figure calculated using the standard method is as deliverable as possible." (ID 2a-007)

2.5 However, the PPG goes on to state that:

"

The cap reduces the minimum number generated by the standard method, but does not reduce housing need itself. Therefore strategic policies adopted with a cap applied may require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible. Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered. This may help prevent authorities from having to undertake an early review of the relevant policies." (ID 2a-007) (emphasis added)

2.6 On this basis, the Council should strongly consider whether its 'uncapped' standard method figure can be met through this plan, given its current need figure is subject to a cap. This was a point raised within our representations to the Reg 18 consultation (see para 2.2 of Lichfields' reps). St Albans' true housing need is well in excess of that being planned for through the emerging plan, and these are real needs (associated with real people) that will continue to go unmet. In the absence of this, the plan will require an early review to address needs, particularly given the scale of difference between the capped and uncapped figure.

2.7 Of note, since the standard method was introduced, a significant amount of under-delivery against the LHN figure has already been accruing in St Albans, and each year the plan's base date moves forward there is significant need going unmet[2]. Since the standard method was introduced in the 2018 version of the NPPF, St Albans has accrued a shortfall of over 2,000 against its capped figure and nearly 6,000 against its uncapped figure. These are real housing needs, including affordable housing needs, that are not being addressed as a result of continuous delays to plan-making, and further illustrate the importance of St Albans recognising and planning for its true level of housing need now (or, as a bare minimum, incorporating an early review mechanism).

[Footnote 2: It is acknowledged that the current PPG does not explicitly require backlog to be take into account when assessing housing needs because the standard method applies an affordability uplift; in theory each year there is under-delivery against need, this is reflected in a higher affordability ratio and therefore a higher uplift. However, with such severe under-delivery against

need even with worsening affordability this does not yield a sufficient adjustment (equivalent to several hundred homes per year more) to 'make good' this shortfall. The analysis is for illustrative purposes.]

Other factors affecting housing needs

2.8 The NPPF is clear that the Government's objective is to significantly boost the supply of homes and that local authorities should utilise the standard method to determine the minimum number of homes needed. However, the PPG states:

"When might it be appropriate to plan for a higher housing need figure than the standard method indicates? The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates." (PPG ID 2a-010). (emphasis added)

2.9 Circumstances that are given as examples of where this may be the case includes where growth strategies are in place, strategic infrastructure improvements, unmet needs, recent delivery levels and previous assessments of need (e.g. SHMAs) are significantly greater than the standard method. The list of circumstances in the PPG is non-exhaustive, however there are some clear circumstances which are applicable to St Albans.

Affordable Housing Needs

2.10 The PPG states, with regard to affordable housing needs and how they relate to overall housing need:

"The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of affordable housing to be delivered by eligible market housing led developments. An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes." (PPG ID 2a-024) (emphasis added)

2.11 The Council's latest evidence of affordable housing need is within the South West Herts Local Housing Needs Assessment Update (LHN Update) 2024. Of relevance to affordable housing need context, the Council's LHN Update shows that:

- Households in St Albans require an estimated £84,600 income to be able to buy in St Albans – the highest in the HMA. Households require an income of £40,000 to rent privately (LHN Update Table 7.1);
- As of 2022, there were 559 households on St Albans' waiting list (LHN Update para 7.18), a number which appears to have been fairly steady over the last 5-8 years (LHN Update Figure 7.1);
- There are (as of 2023) 98 households in St Albans living in temporary accommodation, and this has averaged c.100 per year over the last four years (LHN Update Figure 7.2);
- Across the Housing Market Area (South West Herts) there are 4,269 households who are concealed or homeless, and 10,752 who are in overcrowded housing (LHN Update Table 7.3); and
- In the future, an estimated 39.7% of households forming in St Albans (469 per year) will be unable to afford housing (LHN Update Table 7.6), with a further 123 per year from existing households falling into need (LHN Update Table 7.7).

2.12 It concludes that **net affordable (rented) housing need in St Albans is 449 per year**; up slightly from 443 assessed in the 2020 version of the study (as shown in LHN Update Table 7.11). It also identifies a **further need for 353 affordable ownership homes per year** in

St Albans (comprising First Homes, shared ownership and other intermediate tenures, see LHN Update Table 1.2). This brings the total affordable housing need to 802 per year, which equates to **91% of the overall housing need** indicated by the standard method.

2.13 This significant need for affordable housing reflects the prevailing housing market

circumstances in St Albans. As shown in Figure 2.1, the affordability ratio in St Albans has steadily worsened since the 2008/09 financial crisis. Prior to 2008/09, house prices in St Albans were around 10-11 times local earnings, and St Albans ranked around 15-20 (out of around 300 authorities in England) in terms of affordability. This was clearly substantially above the national or regional averages at the time, yet affordability has continued to worsen, placing severe pressure on affordable housing demands and limiting the ability of households to get onto the housing ladder. Affordability in 2023 now stands at around 18, with St Albans ranking 4th nationally (with only the London Boroughs of Westminster, Kensington & Chelsea and Richmond being less affordable). This compares with an affordability ratio of c.8 for England, 10 for the East region and 12 for Hertfordshire as a whole.

Figure 2.1 Affordability Ratio – St Albans and wider comparators – 2003-23

[Please see attachment for Figure]

2.14 St Albans' latest Annual Monitoring Report shows that on average over the last c.20 years the Council has seen 18% of all housing completions as affordable housing. If this rate of delivery were to continue, the Council would need to deliver nearly 4,500 homes per year to meet its affordable housing need in full. If delivery increased, in line with the emerging plan requirement for 40% affordable housing (as per Policy HOU2), this would still require just over 2,000 homes per year to meet affordable housing needs in full. Based on the current plan requirement (885 per year), delivery at 40% would indicate 354 affordable homes delivered each year; a shortfall against need of 448 affordable homes each year (in other words, less than half of affordable housing need being met). Over a 17-year plan period, this could create an affordable housing shortfall of nearly 8,000 homes.

2.15 The severity of affordable housing needs is clear cause for consideration of increasing overall housing need in the plan to help address this, in line with the PPG. Without such increases, the backlog and unmet need for affordable housing will only increase substantially over the plan period, resulting in greater pressures on the Council, growing waiting list and growing numbers in temporary accommodation (and associated costs to the Council). Lower paid workers in particular could also struggle to find housing close to their place of work, which could undermine local businesses and services.

Recent Delivery Levels

2.16 Historic delivery levels are important context for considering housing need in St Albans – not only delivery in St Albans itself, but delivery in similar areas as evidence for what could realistically be achieved. The Council has not adopted a plan since the 'District Local Plan Review' in 1994, and the housing requirement therein time-expired in 2001. Therefore historic delivery levels over the last 20 years in St Albans are essentially the result of solely windfall development (rather than planned growth). Furthermore, as an authority which is almost entirely Green Belt constrained, development to date in St Albans has not been fuelled by any significant scale Green Belt release and has been driven by development on brownfield sites; the Council's latest AMR shows that over the last 20 years 86% of housing development in St Albans has come from previously developed land (PDL).

2.17 Despite these apparently severe limitations on housing delivery, St Albans has achieved an average of 400 net dwelling completions per year since the mid-1990s, and in recent years (particularly prior to the pandemic) housing growth has reached a rolling five-year average of around 450 dwellings per year.

Figure 2.2 Historic net completions in St Albans and five-year rolling average

[Please see attachment for Figure]

2.18 Based on data produced by MHCLG[6], the overall rate of housing stock growth in St Albans over the last 20 years has been 0.8% per year (15% overall). This is only marginally lower than the national average, of 0.9% per year (18% overall). In other words, St Albans has been able to almost keep pace with national growth, despite being a highly constrained local authority with no plan in place.

[Footnote 6: MHCLG Live Table 125 Dwelling Stock by Local Authority]

2.19 Evidence of recent growth elsewhere demonstrates that significantly higher growth is wholly achievable for St Albans:

1 **Watford** – this is similar in geographic (insofar as its location relative to London), planning (insofar as its constraints, including Green Belt) and housing market terms to St Albans (in terms of poor affordability). However, Watford has had a plan in place for [at least] the last decade and has seen housing growth of 28%, or 1.4% per year over the last 20 years. If St Albans saw similar rates of growth, this would equate to c.900 dwellings per year. Watford's recently adopted local plan housing requirement is even more ambitious than past growth and equates to 1.8% housing growth per year[7]; if St Albans saw this rate it would equate to c.1.1,50 dwellings per year;

[Footnote 7: Available here– see Policy HO3.1 which plans for at least 784 dwellings per year, relative to stock of 42,946 in 2023 according to MHCLG.]

2 **Cambridge** – similarly this is a highly constrained (including Green Belt) authority with severe housing market pressures (being amongst the least affordable cities in England), yet it has seen housing growth of 32% (1.6% per year) over the last 20 years. This rate of growth in St Albans would equate to just under 1,000 dwellings per year. Like Watford, it is likely that Cambridge will further increase its rate of delivery through its emerging plan, although the precise quantum is to be confirmed;

3 **Dartford** – similarly, a highly constrained (including Green Belt) authority within London's wider housing market area, Dartford has adopted plans in both 2011 and in 2024. Over the last two decades it has seen housing growth of 33% (1.7% per year) making it one of the fastest growing authorities in England; and

4 **London Boroughs** – a number of London Boroughs have seen growth well in excess of the national average, at around 25-30% (or more) over the last 20 years, including Hackney, Islington, Newham, Southwark, Wandsworth, Westminster, Brent and Hounslow.

2.20 These authorities demonstrate that high rates of housing growth are entirely achievable in highly constrained areas which are similar in geographic, socio-economic and housing market terms to St Albans. They are evidence of the ability of areas to deliver housing well in excess of the national average where it is planned for. As St Albans is one of the areas of highest housing demand in England, there is no reason to believe that St Albans could not achieve – or exceed – these levels of delivery if it planned for it.

2.21 Recent delivery levels – both of St Albans itself (without a plan in place) – and similar areas in the wider south-east which are equally constrained and have similar housing market pressure, but which have had plans in place – are therefore evidence that St Alban's should be planned for more housing than indicated by the standard method.

Unmet Needs

2.22 The standard method figure does not represent the final housing requirement figure that should be planned for in an authority's area. Paragraph 35(a) of the NPPF identifies that for Plans to be considered 'sound' they should, as a minimum, seek to meet the area's

objectively assessed need, and be informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where it is practical to do so and consistent with achieving sustainable development.

2.23 In St Albans, the issue of unmet need from neighbouring authorities is also a relevant factor influencing how many additional homes the Council should plan for particularly as the NPPF specifically stipulates that such issues should not be deferred to a later date. The NPPF tests of soundness require that plans are:

"deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred" (NPPF 35c)

2.24 St Albans is part of the established South West Hertfordshire Housing Market Area (SWH HMA) alongside Dacorum Borough Council, Hertsmere Borough Council, Three Rivers District Council and Watford Borough Council. St Albans is working with these authorities to deliver a Joint Strategic Plan (JSP) for South West Hertfordshire. Consultation on a 'Vision Statement' was held in 2022 and this has subsequently been adopted, although this document itself does not comprise the Strategic Plan[e] (and therefore it does not, for example, establish the distribution of housing or unmet needs across the area).

[Footnote e: The Foreword of the Vision Document, here, states "Publication of this vision marks an exciting step in preparing a Joint Strategic Plan, which will set out our approach to the long term planning of our area to 2050"]

2.25 Notwithstanding, the issue of distributing housing needs is one the area will need to be grappled with. The most significant pressures of unmet need will likely arise from:

1 **Three Rivers** – In October 2018 Three Rivers Council undertook its fourth Regulation 18 consultation on what it termed its 'Preferred Lower Housing Growth Option' local plan[9]. This plan set out that over the period 2023-41 the Council would plan for 270 homes per year – less than half its current standard method figure of 640 per year. Over the plan period, the shortfall would equate to nearly 7,000 homes; and

2 **Hertsmere** – Hertsmere Council undertook additional public consultation on its plan in April 2024 which proposed to amend the housing supply from a number of its strategic sites (this was not a re-consultation on the plan overall). This consultation[10] set out that the Council is now planning to meet approximately 75% of its standard method need, delivering c.590 homes per year (or 9,400 homes in total from 2025-41). With Hertsmere's current standard method figure standing at 731 per year, the total shortfall over Hertsmere's plan period would equate to c.2,250 homes

2.26 These are summarised in Table 2.3 below, and collectively would yield nearly 9,000 homes of unmet need in the SWS HMA by 2041. These are unmet needs that are known now (and have already been accruing historically) however by not addressing these needs now, the authorities are effectively deferring the issue of unmet need contrary to the NPPF para 35(c).

Table 2.3 Summary of unmet need arising from Three Rivers and Hertsmere

[Please see attachment for Table]

2.27 The issue of unmet need in the HMA will only worsen, as set out below. **Future Changes to the NPPF**

2.28 In July 2024, the Government published its proposed changes to the NPPF, including proposed changes to the standard method. Its proposed transitional arrangements state that where plans have been submitted for examination (Reg 22) by [publication date + one month] that the policies in the previous – December 2023 – Framework apply.

2.29 We note St Albans' intention to submit the plan for examination in December 2024, and thus the current standard method applies. However, if for any reason there is a delay, St Albans will likely be required to commence plan-making under the new Framework, in which case the proposed standard method figure – 1,544 dwellings per year – would apply. This figure would also apply if, for any reason, the St Albans plan were found to be unsound (or otherwise withdrawn) and the Council had to commence preparation of a new plan.

2.30 However, even if the Council submits its plan under the current framework, the proposed NPPF transitional arrangements also state that:

"Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need." (proposed NPPF, July 2024, para 227)

2.31 St Albans' proposed standard method figure is clearly well over 200 homes per year more than its current figure (1,544 per year would equate to 660 dwellings per year more than the current figure of 885). Therefore, if it successfully submits and adopts its current draft plan, the Council would still be expected to commence plan-making under the new framework at the earliest opportunity, likely in the form of an immediate review. The emphasis in para 227 is clear that the Government would like to see plans reviewed as early as possible, in order to support the Government's objective of delivering 1.5 million homes over the course of this Parliament.

2.32 The scale of difference between St Albans' current housing need and that under the proposed standard method, coupled with the urgency placed by Government on areas commencing an early review, is yet further evidence that the Council should be exploring meeting its current uncapped figure so that the plan meets current needs (the testing of which is required by the PPG) and is sufficiently 'future-proofed' against the rise in housing needs in the future.

2.33 The proposed changes to the framework are therefore the second clear indication that the Council needs to commit to an early review of the plan. Not only should it commit to an early review under the current system (reflecting the current PPG which states an early review may be required where housing need is capped – which is the case in St Albans) but the transition to a new framework also would require St Albans to undertake an early review in order to deliver its additional housing needs (as indicated by the proposed standard method).

Implications for unmet need

2.34 Furthermore, the increase in housing needs across the wider area under the proposed standard method has potentially significant implications for the quantum of unmet needs that exist in the neighbouring areas. This is particularly important given that upcoming reforms are likely to introduce strategic planning (formalised in legislation), and the proposed Framework includes additional emphasis on cross-boundary working, including new and emphasised policies related to plan-making and unmet need as part of 'maintaining effective co-operation'. The increase in housing needs across the HMA could amount to:

1 In Three Rivers, the standard method figure would increase by c.100 dwellings per year, from 640 to 739. Over the 18-year plan period, this equates to a further c.1,800 dwellings of unmet need (on top of the c.6,700 that already exists), totalling around **8,500** homes of unmet need;

2 In Hertsmere, the standard method figure would increase by c.230 dwellings per year, from 731 to 959. Over the 16-year plan period this equates to a further c.3,700 dwellings of unmet need (on top of the c.2,250 that already exists), totalling around **6,000** homes of unmet need; and

3 In Dacorum, the standard method figure would increase by c.300 per year, from 1,016 to 1,313. Over a 15 year period this would yield around **4,500** homes of unmet need.

2.35 Collectively, these would yield around **19,000** homes of unmet need in the HMA. This further highlights the urgency of ensuring the St Albans plan meets as much housing need now as is sustainably possibly and commits to an early review to address housing needs.

Housing Requirement

Options Tested in the SA

2.36 The Sustainability Appraisal (SA) sets out the options explored for the purposes of the plan, based on different levels of housing delivery. It tests options for the delivery of up to c.16,400 homes (equivalent to 1,025 per year, as it applies over 16 years) which is 16% above the standard method figure (these are scenarios 6 and 8 in the SA). The Council's preferred option is scenario 3, which is 15,000 dwellings, or 3% above the standard method.

2.37 Figure 2.3 shows the summary of scenarios within the SA from the Non-Technical Summary[11]. It shows that in terms of:

1 **Accessibility**, scenario 8 (12% above standard method) performs equally as positively as the preferred option (scenario 3 – 3% above the standard method), with significant positive effects. Whilst scenario 6 (also 12% above the standard method) carries slightly lesser positive weight, it is nonetheless positive;

2 **Air quality**, similarly, scenario 8 performs equally as well as the preferred option, with scenario 6 performing neutrally;

3 Both **biodiversity** and **climate adaptation**, scenarios 6 and 8 perform the same as the preferred option – all being neutral;

4 **Climate mitigation**, all three have limited/uncertain negative effects, but scenarios 6 and 8 perform better than the preferred option;

5 **Communities and health**, all three have limited/uncertain positive effects;

6 **Economy and employment,** all three have significant positive effects;

7 **Historic environment**, whilst there is a limited/unknown negative effect in scenario 6, both scenario 8 and the preferred option are neutral;

8 **Homes**, scenario 8 carries significant positive effect, whilst scenario 6 and the preferred option have limited/uncertain positive effects;

9 **Land, soil and resources**, all scenarios perform equally/neutral;

10 **Landscape**, the preferred option is the only scenario which carries a neutral effect. All other scenarios, including 6 and 8, carry limited/unknown negative effects;

11 **Transport**, the preferred option and scenarios 6 and 8 carry the same effects – limited/uncertain positive; and

12 **Water,** the preferred option has a neutral effect, whereas scenarios 6 and 8 have limited/unknown negative effects.

2.38 Taken as a whole, and when considered against the backdrop of the severe housing need pressures that exist in St Albans, this assessment would suggest that the Council can sustainably plan for housing need of at least up to 12% more than the standard method, if not more. The current SA does not identify any significant negative effects of the highest housing scenario it tested, and even where it identified limited or unknown negative effects, in the case of climate mitigation this is also the case for the preferred scenario. The areas for which the SA has identified unknown or limited negative effects for the higher scenarios (which are neutral in the preferred scenario) are landscape and water. In relation to these two topics, we note that:

1 In relation to **landscape**, the SA notes that "*the primary concern is recorded as allocating both sites [on the edge of St Albans], as it can be envisaged that there would be in combination effect resulting from strategic expansion of St Albans to the north, east and southeast (albeit the most sensitive landscape, to the west, would be protected*" (SA NTS). Therefore, the potentially negative (albeit limited/unknown at this stage) arises due to the specific sites included in the scenario, as opposed to being a general impact from the overall quantum of development. It is possible that the plan could achieve a neutral landscape impact from a higher housing growth scenario through careful site selection. In any event, the Council will need to consider the degree to which some limited landscape harm may be necessary to address the urgent need for housing, or balance other factors (for example, scenario 6 ranks better in terms of climate mitigation effect than the preferred scenario) taking into account NPPF Para 11 b); and

2 In relation to **water**, the SA states that "*there is limited available evidence, but it is appropriate to flag a concern with higher growth in light of the Environment Agency's 2023 consultation response*." Therefore, it would not be proportionate or consistent with NPPF Para 11 b) to rule out higher growth scenarios now, on the basis of potential water impacts, based on this limited evidence.

2.39 Given the SA does not identify any significant negative effects associated with higher levels of development, and any areas where it has identified limited or unknown negative effects do not warrant ruling out higher scenarios, the SA should test scenarios of higher housing growth to understand whether higher growth can be sustainably accommodated. These higher scenarios would represent reasonable alternatives, in light of the housing pressures faced in St Albans, and therefore at present the plan is not sound because it is not justified (an appropriate strategy, taking into account the reasonable alternatives) as required by NPPF para 35b.

Figure 2.3 Summary appraisal of the reasonable growth scenarios

[Please see attachment for Figure]

Summary

2.40 The Council has correctly identified its minimum local housing need figure based on the standard method, which underpins Policy SP1. However, this minimum figure does not represent the final housing need or requirement that should be planned for, because:

1 The **current minimum need standard method figure for St Albans is capped**, and the 'uncapped' figure is 285 dwellings per year more than the capped figure. PPG is clear that the cap does not reduce need, and that Councils should consider whether 'true' uncapped need can be accommodated (if not, an early review may be required), but the Council has not done so;

2 The Council's own evidence shows an **acute affordable housing need**, amounting to over 90% of overall need. At the current level of overall delivery, the plan would meet (at most) less than half its affordable needs. PPG is clear that an increase in housing numbers in the plan should be considered where it can help deliver more affordable housing, but the Council has not done so;

3 **Recent delivery levels**, from both St Albans and elsewhere, show that it is wholly achievable for the district to see housing growth well above its current standard method figure. Market signals show that St Albans is the area of highest housing demand outside London (as indicated by the affordability ratio), and this has become even more acute in recent years;

4 There is an existing amount of known **unmet need** in the HMA, primarily arising in Three Rivers and Hertsmere, amounting to nearly 9,000 homes. Despite being known, these needs are being deferred, contrary to NPPF para 35(c); and

5 The Sustainability Appraisal has not explored **reasonable alternatives**, insofar as it is entirely reasonable (and indeed necessary) for the Council to explore higher housing growth options. Notwithstanding, the highest housing growth scenarios currently in the SA have been ruled out despite having very limited negative effects. The plan is therefore contrary to NPPF para 35(b).

2.41 Notwithstanding the above, it is imperative that the Council commits to an early review of the plan, because:

- This is required under the current framework (current PPG) which sets out that an early review may be required if an authority progresses a plan with a capped standard method figure. In St Albans, the uncapped need is significantly higher, warranting an early review; and
- In any event, this will be required under the proposed transitional arrangements for the revised framework, which will require authorities to review their plan as quickly as possible if the proposed standard method figure is more than 200 dwellings per year higher than their current figure.

2.42 As currently drafted, the plan is therefore not 'sound' because it fails to address paras 35(b) and 35(c) of the framework. In broader terms, it is also unsound in regard to para 35(d) insofar as is it not consistent with national policy, because it does not enable the delivery of sustainable development (as it does not "*aim to meet as much of an area's identified housing need as possible*", as required by NPPF para 60).

3.0 Housing Supply and Spatial Strategy

Overview of Housing Supply

3.1 The NPPF (2023) makes clear that to support the objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, and that the overall aim should be to meet **as much of an area's identified housing need as possible** (Para 60). Strategic policies should therefore identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability (Para 69); this includes a supply of:

a specific, deliverable sites for five years following the intended date of adoption (in this case, the intended date of adoption is March 2026[12]); and

[Footnote 12: SACDC Local Development Scheme (September 2024) available here]

b specific, developable sites or 'broad locations for growth' for the following years 610 and where possible, for years 11-15 of the remaining plan period.

3.2 As set out earlier, to meet the standard method figure of 885 dpa, the Spatial Strategy Regulation 19 Plan seeks to deliver at least 14,603 net additional new homes over the **16.5-year period from 1 October 2024 to 31 March 2041.** This is based on the Settlement Hierarchy in Table 1.3 of the draft Plan, which provides the basis for allocation and location of growth, directing most growth within or adjacent to the larger and most sustainable urban centres of St Albans and Hemel Hempstead, Harpenden, and London Colney. Broad locations (large urban extensions comprising 250 or more homes) are also identified in Table 3.1 of the draft Plan, with a minimum residential capacity of 8,731 new dwellings within the plan period – representing 60% of growth. The Hemel Garden Communities represent 29.5% of growth.

3.3 This is shown in Table 3.1 below and includes the NWH site for 293 new dwellings. To accommodate the allocation of these Broad Locations (among other sites), the release of Green Belt land is proposed in a number of locations across the district.

Table 3.1 Broad Locations allocated in the Regulation 19 Local Plan

[Please see attachment for Table]

Housing Trajectory

3.4 Table 3.2 of the Draft Plan sets out a trajectory illustrating the expected rate of housing delivery over the plan period (copied below in Table 3.2). NPPF Paragraph 75 states that all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites; Table 3.2 splits the trajectory out into different sources of supply, including the Hemel Garden Communities and all other Broad Locations.

3.5 Overall, the housing trajectory identifies a total supply of 14,989 dwellings over the plan period, which represents a marginal overall 2.6% buffer over the total housing requirement of 14,603 new homes. The plan explains that the housing trajectory has been stepped to allow sufficient time for the significant uplift in housing delivery to be realistically delivered. The stepped housing requirement is as follows:

a 389 dpa in the first 1.5 years (October 2024 to March 2026), with supply from permitted sites and estimated future completions (applying an 8% lapse rate);

b 485 dpa in the first five years of post-adoption (March 2026 to 2031), with supply including permissions, windfalls allowance, and delivery from Local Plan site allocations from year 2029/30;

c 1,255 dpa in years 6-10 of the plan post-adoption (March 2031 to 2036), with ongoing supply from permissions, windfalls, and allocations; and

d 1,025 dpa in the final years 11-15 of the plan (March 2036 to 2041), with supply from windfalls and the remaining capacity at the Hemel Garden Communities and other Broad Locations.

3.6 Having regard to recent delivery levels (see Figure 2.2 above), whereby the district has achieved an average of around 400-450 net dwelling completions per year, this conservative stepped approach – only reaching a significant uplift in housing delivery from 2031, five years after adoption of the plan – may be justified.

Table 3.2 St Albans City and District Council Regulation 19 Local Plan Housing Trajectory

[Please see attachment for Table]

3.7 However, the trajectory must be as realistic as possible, and as currently drafted there are concerns in relation to the buffer, timing of delivery and build out rates contained therein. This is discussed below.

Broad Locations and Hemel Garden Communities

3.8 As set out above (see Table 3.1) the Draft Plan seeks to allocate 12 Broad Locations, of which four comprise the 'Hemel Garden Communities' ('HGC'). These are expected to deliver 4,300 homes in the plan period (with a further 1,200 homes delivered beyond the plan period by 2050). This represents a reduction in supply from the Regulation 18 consultation, which allocated 4,750 new homes from HGC in the plan period (-450 homes).

3.9 As noted in our previous representations to the Regulation 18 consultation, despite HGC being split into four sites within the Draft Plan, it is understood that HGC is being brought forward by the landowners and partners for the site as part of a cohesive development. Draft Policy LG1 (Broad Locations) also requires a coordinated, masterplanned approach to proposals within Broad Locations, and Draft Policy LG2 (Support for Transformation of Hemel Hempstead) requires: all development at HGC to be in accordance with HGC Concept Plan and Design Codes; developers to secure a collaboration agreement with each other and the Council to ensure an integrated and seamless approach across site application boundaries; and critical infrastructure to be delivered ahead of occupation.

3.10 While the updated trajectory in the Regulation 19 Plan delays delivery to commence a year later, in 2029/30, this remains overly ambitious, and the expected rates of delivery are unchanged and therefore still very high: starting at 100 dpa in 2029/30 and increasing to a peak of 500 dpa in 2038/39. While the Council's Housing Land Supply, Windfall and Housing Capacity Evidence Paper (September 2024) explains that SACDC's approach to build out rates

is generally informed by the methodology in the Lichfields Start to Finish ('StF') (third edition) 2024 report, it confirms that an alternative approach is used for build out rates for the HGC housing site allocations because of 'the unique scale and nature of the HGC programme' which includes 11,000 homes across both the SACDC and Dacorum Borough Council (DBC) areas – with Start to Finish including 'limited examples beyond 5,000 homes in size'. The Evidence Paper states that the HGC trajectory has instead been informed by case studies (e.g. Milton Keynes, Ebbsfleet Garden City, and Northstowe in Cambridgeshire), and input from stakeholders including Homes England, Hertfordshire County Council, the Crown Estate and others. It also points to other factors influencing higher build out rates on very large-scale sites in St Albans, such as diversified housing types and tenures, higher demand and increased outlets.

3.11 There may be some merit in this approach, but the lead-in times and trajectory for HGC are still not considered to be justified or effective as the Housing Land Supply, Windfall and Housing Capacity Evidence Paper is not based on proportionate evidence and does not demonstrate that the assumptions will be deliverable over the plan period.

3.12 Lichfields StF research published in September 2024 acknowledges that its conclusions may not be applicable in all areas or on all sites. Notwithstanding, it provides a good understanding of real-world examples and evidence on absorption rates, and there are three key relevant considerations applicable to HGC, as follows:

1 In reality, the HGC site allocation(s) – totalling 5,500 homes – will be brought forward separately, across multiple major planning applications and delivery vehicles, under different landowners/promoters and developers. Even if each of the three HGC Broad Locations for residential development were treated separately, the analysis set out in StF (see Figure 4.1) demonstrates that East Hemel Hempstead (South) could be expected to deliver c. 100-188 dpa, and East Hemel Hempstead (North) and North Hemel Hempstead could be expected to deliver c. 74-130 dpa, based on average annual build-out rates by respective site size. This indicates a maximum build rate of 448 dpa across the SACDC HGC sites. If the HGC allocations were treated as one in the trajectory, as they are, a realistic maximum average delivery figure would be c.325 dpa based on StF findings.

2 Some schemes can – and do – achieve very high rates of build-out in particular 'peak' years. For example, StF shows that five large sites (including Cambourne new settlement and Ebbsfleet Garden City) achieved a peak high annual build out rate of between 520 to 620 dpa in one given year. The analysis clearly found that this rate of delivery is anomalous and not sustained, with average annual build out rates for these sites significantly lower, between 162 to 255 dpa.

3 While average annual completions clearly increase with additional outlets, average completions per outlet decrease at the same time. For instance, StF finds that a site with five outlets (i.e. five phases being built out in parallel by different housebuilders) can be expected to deliver 286 dpa in total, with average completions per outlet at 57 dpa.

3.13 On this basis, the build out rates in the trajectory for the Hemel Garden Communities Broad Locations are considered overly ambitious, particularly those presented in years 2036/37 onwards. The Housing Land Supply, Windfall and Housing Capacity Evidence Paper does not provide sufficient evidence to demonstrate why delivery at this location would be significantly higher than precedents elsewhere. There is no evidence that the site allocations will be able to achieve the high build out rates set out in the trajectory, and there is no evidence of such sustained high build out rates, even on greenfield sites with multiple outlets in strong housing markets.

3.14 In addition, Lichfields StF research (2024) finds that sites of 1,500-2,000 dwellings have a planning approval period of five years on average, with a further planning to delivery period of 1.6 years. For sites over 2,000 units, this changes to 5.1 years and 1.5 years respectively, but amounts to a total average period of 6.6 years between validation of the first planning application to completion of the first dwelling. Even assuming that planning applications

at the proposed HGC site allocations were submitted upon adoption of the plan (which in itself is challenging considering the intended date of adoption is March 2026 and the site requirements and masterplanned approach that needs to be agreed), this evidence indicates that first completions could realistically be expected in 2032/33.

3.15 On the basis of the above, we set out below in Table 3.3 an amended, updated trajectory for HGC which takes into account realistic lead-in times and build-out rates. This demonstrates that by applying realistic assumptions to the trajectory based on Lichfields' Start to Finish research, the total delivery during the plan period can be expected to be c. 2,475 units within the plan period. This is a reduction of 1,925 units in the trajectory which has significant implications for SACDC's ability to meet its housing requirement over the plan period.

3.16 It is also noted that the other Broad Locations are included in the trajectory, with delivery commencing in 2031/32 and increasing to a peak of 500 dpa. However, individual sites in this category are not identifiable and the trajectory does not therefore adequately identify the expected rate of housing delivery from individual sites as would be expected at this stage in plan development. It follows that it is not possible to draw up to date conclusions regarding whether identified delivery/build out rates are justified or achievable for the other Broad Locations included in the supply.

Table 3.3 Suggested amended trajectory for Hemel Garden Communities (**2026/27-2040/41**)

[Please see attachment for Table]

3.17 As noted above, in the Draft Plan, SACDC is reliant on Broad Locations to deliver 60% of the total housing requirement – half of which comprises the HGC. The NPPF (para 74) states that '*the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns*.' However, the same paragraph also emphasises that authorities must make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites. Overall, it is considered that the trajectory, and the evidence supporting it, is not realistic or sufficiently robust. It is overly ambitious when compared against evidence of housing delivery on a national scale, and no clear evidence has been provided to justify the significantly quicker lead-in times and higher rates of delivery expected at this location.

3.18 For the plan to be considered sound, SACDC should reconsider this trajectory. Absent adequate proportionate evidence to justify its current approach this will, as set out in Table 3.3 above, likely to result in a deficit in housing delivery over the plan period, and SACDC will need to consider how this can be resolved. This should include a review of other allocation sites including the remaining Broad Locations (such as land at NWH), which may have additional capacity and are relatively smaller sites that could come forward more quickly. This is particularly important given the marginal buffer currently included within the overall housing trajectory (2.6%); additional supply should be available to provide at least a greater headroom (oversupply) or to realise a higher annual target. At present in either scenario the headroom/oversupply is not considered adequate to provide sufficient flexibility; it would only take one or two components of the proposed supply not coming forward as envisaged for the overall housing requirement to be missed by a significant margin.

Establishing Exceptional Circumstances

3.19 Paragraph 145 of the NPPF states that authorities may alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Paragraph 146 goes on to set out that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the authority should demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. The Regulation 19 plan – at para 3.19 – confirms that the Council's strategy has followed the NPPF requirements, including:

a Making as much use as possible of suitable brownfield sites and underutilised land;

b Optimising the density of development; and

c Being informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development (as demonstrated through the statement of common ground).

3.20 The supporting Green Belt and Exceptional Circumstances - Evidence Paper (September

2024) explains that the draft Plan has undertaken an extensive and rigorous search for PDL opportunities both within existing built-up areas and in the Green Belt, applying a 'no stone unturned' approach in its search. As such, Officers have concluded that exceptional circumstances exist which justify amending Green Belt boundaries to meet housing need. This has also been informed by an acute affordable housing need (see para 2.11 above), a lack of five-year housing land supply (1.7-year 4YHLS as of April 2023)[13], a failure of the Housing Delivery Test (55%, 2022 result), and difficulties in delivering sustainable development without impinging on the Green Belt (with an identified total urban capacity of just 2,174 dwellings[14]).

[Footnote 13: SACDC Authority Monitoring Report 2023 available here]

[Footnote 14: SACDC Housing and Economic Land Availability Assessment 2021 available here]

3.21 The Regulation 19 Plan is therefore sound in concluding that exceptional circumstances

exist to justify the release of Green Belt land in the district. It is clear that the Council has met the tests set out in paragraph 146 of the NPPF by making as much use as possible of land in urban areas and optimising the density of development. As set out above (para 2.34), SACDC is not able to rely on neighbouring authorities to assist with any unmet need, and the district is highly constrained with over 81% of its land classified as Green Belt. Therefore, it is entirely appropriate for the Council to release land from the Green Belt to meet housing need and exceptional circumstances exist to justify this.

3.22 Having established that exceptional circumstances exist for altering the Green Belt

boundaries and in view of the significant need, it is therefore necessary for the Council to establish a suitable 'tipping point' where (in line with NPPF para 11b), there is a strong reason for restricting development, or any adverse impacts of development would significantly and demonstrably outweigh the benefits. In practical terms, this requires SACDC to establish the point at which the adverse impacts of releasing Green Belt land outweighs the benefits, and/or a strong reason for restricting development emerges. The Council has sought to justify through the SA the specific choices it has made over whether or not exceptional circumstances exist – or not - for each of the Green Belt releases proposed. As discussed above, it is considered that the SA has not explored **reasonable alternatives**, insofar as it is entirely reasonable (and indeed necessary) for the Council to explore even higher housing growth options. This applies at both a macro level (across the District) but also at a site allocation level, including at NWH, where the site as a whole was proposed for release for development in previous draft local plans, but is now proposed for release only in part.

3.23 In this context, and having considered the evidence, it is considered that SACDC has not established an appropriate tipping point (i.e. the maximum amount of Green Belt release on potential site allocations). It is widely acknowledged that there are a number of benefits associated with Green Belt release, including:

1 Delivering a greater mix of homes including the provision of family housing;

2 Delivering a higher proportion of affordable housing due to less complex viability considerations;

3 Ability to deliver significant areas of public open space for existing and future residents' use;

4 Typically able to commence on site quickly to assist with housing supply in the early years of the plan period, whereas complex brownfield sites may have more issues to resolve; and

5 Overall, boosting housing supply to assist with meeting the significant housing need within the area.

3.24 In order to be consistent with the NPPF, the Spatial Strategy should maximise development in the district (including the release of Green Belt land) up to the point that its benefits are outweighed by its adverse impacts, specifically harm to the Green Belt. For land at NWH, SACDC recognise it is a sustainable location for development but infer (by allocating only part of the site) that beyond the extent of the draft allocation, significant harm to the Green Belt purposes would provide a strong reason for not meeting need. This was a point raised within our representations to the Reg 18 consultation in relation to concerns regarding the scale of draft allocations based on the Green Belt assessment and is discussed further in the remaining section of these representations.

Summary

3.25 The Spatial Strategy seeks to meet the housing requirement of 14,603 new homes over the plan period. In order to meet this target, Green Belt release is proposed in a number of strategic locations, including at NWH, the most significant of these being the proposed HGC development. SACDC has correctly identified that exceptional circumstances exist for releasing land from the Green Belt within the District, to meet the acute housing need.

3.26 However, it is considered that SACDC is overly reliant on HGC to deliver almost a third of the total housing requirement over the plan period. In order to justify the quick lead-in times and high delivery rates proposed, very robust evidence must be provided to demonstrate that these are achievable. Comparing the proposed trajectory to Lichfields' widely cited Start to Finish research identifies that a more realistic trajectory would deliver c. 2,475 new homes at HGC. This is 1,925 homes fewer than the draft trajectory. It is important that the trajectory is robust, supported by the best available evidence and realistic, to give SACDC and in due course, the Inspector, confidence in its conclusions.

3.27 On this basis the trajectory is considered to be unsound in its current form and needs to be reconsidered. Reviewing the extent and capacity of the Broad Locations such as NWH could assist with meeting this identified shortfall. There is a compelling case that Broad Locations and other site allocations (or increases in proposed site allocations) should be released from the Green Belt to optimise housing delivery from these sites and assist in closing the gap between the 'true housing need' and the proposed housing requirement, and thereby reduce the scale of unmet need that is not currently being addressed elsewhere.

4.0 Green Belt Review

4.1 The supporting evidence base for the Regulation 18 Local Plan included a 'Stage 2 Green Belt Review (June 2023) ('GBR') prepared by Arup. This review was the latest in a number of Green Belt assessments which have been undertaken to inform a subsequent Local Plan review.

4.2 L&G's representations to the Regulation 18 Local Plan included a review of the GBR undertaken by LDA Design who are responsible for master planning the current planning application and the associated documents including the parameter plans, Design Code, Green Belt Assessment and the Landscape and Visual ES Chapter.

4.3 LDA's review identifies a number of concerns about the GBR in relation to its assessment of the Site at NWH which can be summarised as follows:

1 The way the sub-areas have been defined, ignoring the ridgeline separating the Luton Road valley from the River Lee valley, which is the key topographical feature which has driven the identification of the extent of land within the planning application proposals.

2 The GBR's failure, having defined the sub-areas, to assess how the southern part of SA-20 performs differently from the remainder of the sub-area, and to consider the release of the southernmost part of SA-20 separately from the remainder of the sub-area, notwithstanding that the GBR does consider the release of parts of other sub-areas.

4.4 The consequence of these failings is that, despite the GBR acknowledging the importance of assessing sites promoted in the Call for Sites and the subsequent emerging Local Plan, it has failed to provide a proper assessment of the land at NWH. Therefore, L&G's previous representations concluded that the GBR cannot be solely relied on as robust evidence to inform the merits of the site.

4.5 It is noted that the current consultation on the Regulation 19 Draft Local Plan includes the GBR as part of the evidence base, alongside the previous Green Belt Review which was undertaken in 2013. However, following the Regulation 18 Local Plan consultation and the comments received, no further Green Belt review or additional assessments have been undertaken to address or response to the deficiencies within the GBR.

4.6 The current consultation does not seek to provide further evidence or explanation as to how the failures within the latest GBR in relation to the definition of sub-areas and recognition of the key topographical features have been translated into the draft site allocations.

4.7 It is not therefore clear or appropriately explained how the extent of the Draft Site Allocations are justified in relation to the evidence in relation to the Green Belt Review. This is particularly relevant considering that SACDC's own previous reviews of the Green Belt came to a different conclusion regarding the site at NWH enabling the whole of the site to be proposed for allocation in the previous draft local plans.

4.8 Two related studies were undertaken by SKM: Green Belt Review Purposes Assessment, 2013 and Green Belt Review: Sites and Boundaries Study, 2014. Section 6 of the 2014 review concluded that the only Green Belt purpose which the Site at NWH contributes towards is the safeguarding of the countryside from encroachment. Partial contribution is made towards checking sprawl. The site was considered to make limited or no contribution toward preventing merging and preserving setting and maintaining the existing settlement pattern. The fifth purpose (Purpose e) is excluded from the assessment for reasons set out within the report.

4.9 The 2014 review concluded that the site is less sensitive in Green Belt terms and comprises a 'Tier 2' site and is therefore identified as most suitable for potential Green Belt release and future development. This assessment took account of the entire site's contribution towards Green Belt purpose and also environmental, historic constraints, landscape sensitivity and capability of integration into existing settlements.

4.10 The public law principle of consistency requires plan-makers to treat situations alike and grapple properly with the reason for any disagreement with an earlier inconsistent approach. The June 2023 GBR does not provide robust or sufficient justification for reaching a different conclusion regarding the site at NWH from those in previous studies. Therefore, it is considered that that the Draft Local Plan is not sound and is not justified as it is not based on proportionate evidence or take account of reasonable alternatives.

...

...

6.0 Summary and Conclusions

6.1 Whilst L&G support elements of the Draft Local Plan, our review of the plan and the supporting evidence leads our client to conclude that the draft Local Plan does not meet the tests of soundness required for a Local Plan. In particular:

- The plan has not been *positively prepared* as it does not meet the area's objectively assessed need, including unmet need from neighbouring areas.
- The plan is not *effective* in delivering over the plan period by providing the appropriate number of homes.
- The assumptions around housing trajectory are not *justified* and are not based on proportionate evidence.
- The Green Belt assessment is deficient and as such the plan is not *justified* in terms of how the evidence has informed the production of the plan.
- The plan is not *consistent with national policy* as it does not deliver sustainable development in accordance with the policies in the framework.

6.2 L&G believes the proposed North West Harpenden allocation should be increased in scale, so that it reverts back to that which was proposed in previous emerging Local Plans, consistent with previous Green Belt reviews and the current application boundary. This approach is justified by the following:

1 The current standard method figure for St Albans is capped and has been calculated as 885dpa. The 'uncapped' figure is 285 dwellings per year more than the capped figure. PPG is clear that the cap does not reduce need, and that Councils should consider whether uncapped need can be accommodated (if not, an early review may be required). The Council's own evidence shows an acute affordable housing need, amounting to over 90% of overall need. At the current level of overall delivery, the plan would meet (at most) less than half its affordable needs. PPG is clear that an increase in housing numbers in the plan should be considered where it can help deliver more affordable housing.

2 Recent delivery levels, from both St Albans and elsewhere, show that it is wholly achievable for the district to see housing growth well above its current standard method figure. Market signals show that St Albans is the area of highest housing demand outside London (as indicated by the affordability ratio), and this has become even more acute in recent years; There is an existing amount of known unmet need in the HMA, primarily arising in Three Rivers and Hertsmere, amounting to nearly 9,000 homes. Despite being known, these needs are being deferred, contrary to NPPF para 35(c).

3 The Sustainability Appraisal has not explored reasonable alternatives, insofar as it is entirely reasonable (and indeed necessary) for the Council to explore even higher housing growth options. Notwithstanding, the highest housing growth scenarios currently in the SA have been ruled out despite having very limited negative effects. The plan is therefore contrary to NPPF para 35(b).

4 A review of the housing trajectory within the draft Local Plan concludes that some of the assumptions are not realistic or robust, particularly on the Garden Community proposals. On these, the assumed rates of lead-in and build out rates are overly ambitious when compared against evidence of housing delivery on a national scale. When applying more realistic assumptions to the trajectory the total delivery during the plan period reduces by 1,925 which clearly has significant implications for SACDC's ability to meet the housing requirement over the plan period and leaves a shortfall.

5 We agree with the Council's conclusion that exceptional circumstances exist to justify the release of Green Belt land to meet the acute housing need. However, it is considered that SACDC is overly reliant on HGC to deliver almost a third of the total housing requirement over the plan period. In order to justify the quick lead-in times and high delivery rates proposed, very robust evidence must be provided to demonstrate that these are achievable. It is important that the

trajectory is robust, supported by the best available evidence and realistic, to give SACDC and in due course, the Inspector, confidence in its conclusions. On this basis the trajectory is considered to be unsound in its current form and needs to be reconsidered.

6 It is considered that SACDC has not established an appropriate tipping point (i.e. the maximum amount of Green Belt release on potential site allocations. In the case of NWH, the draft plan recognises that it is a sustainable location for development but, by proposing to allocate only part of the site that was promoted (and which had been a proposed allocation in previous draft plans), it infers that the Council has identified a 'strong reason' related to the unallocated part of the site that justifies why it should not be released to help address those needs (either now, or in the future, based on permanent Green Belt boundaries). L&G does not believe the evidence supports the Council's tipping point.

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6.3 Therefore, taking in the above into account it is therefore requested that draft site allocation for NWH (B7) is extended so that it aligns with the current planning application and previous draft allocations. The allocation of the whole of the site for residential development is appropriate and consistent with national policy and an assessment of the Green Belt. The benefits which will be delivered by the larger site are considerably greater than the current draft allocation.

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make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[Please see attachment for full submission]

6.0 Summary and Conclusions

6.1 Whilst L&G support elements of the Draft Local Plan, our review of the plan and the supporting evidence leads our client to conclude that the draft Local Plan does not meet the tests of soundness required for a Local Plan. In particular:

- The plan has not been *positively prepared* as it does not meet the area's objectively assessed need, including unmet need from neighbouring areas.
- The plan is not *effective* in delivering over the plan period by providing the appropriate number of homes.
- The assumptions around housing trajectory are not *justified* and are not based on proportionate evidence.
- The Green Belt assessment is deficient and as such the plan is not *justified* in terms of how the evidence has informed the production of the plan.
- The plan is not *consistent with national policy* as it does not deliver sustainable development in accordance with the policies in the framework.

6.2 L&G believes the proposed North West Harpenden allocation should be increased in scale, so that it reverts back to that which was proposed in previous emerging Local Plans, consistent with previous Green Belt reviews and the current application boundary. This approach is justified by the following:

1 The current standard method figure for St Albans is capped and has been calculated as 885dpa. The 'uncapped' figure is 285 dwellings per year more than the capped figure. PPG is clear that the cap does not reduce need, and that Councils should consider whether uncapped need can be accommodated (if not, an early review may be required). The Council's own evidence shows an acute affordable housing need, amounting to over 90% of overall need. At the current level of overall delivery, the plan would meet (at most) less than half its affordable needs. PPG is clear that an increase in housing numbers in the plan should be considered where it can help deliver more affordable housing.

2 Recent delivery levels, from both St Albans and elsewhere, show that it is wholly achievable for the district to see housing growth well above its current standard method figure. Market signals show that St Albans is the area of highest housing demand outside London (as indicated by the affordability ratio), and this has become even more acute in recent years; There is an existing amount of known unmet need in the HMA, primarily arising in Three Rivers and Hertsmere, amounting to nearly 9,000 homes. Despite being known, these needs are being deferred, contrary to NPPF para 35(c).

3 The Sustainability Appraisal has not explored reasonable alternatives, insofar as it is entirely reasonable (and indeed necessary) for the Council to explore even higher housing growth options. Notwithstanding, the highest housing growth scenarios currently in the SA have been ruled out despite having very limited negative effects. The plan is therefore contrary to NPPF para 35(b).

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NWH-RE~1.pdf
2. Legal_&_General_(Strategic_Land_Harpenden)_Email_[R].pdf

B7 - North West Harpenden, AL5 3NP

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

[Please see attachment for full submission]

5.0 Draft Allocation at North West Harpenden

5.1 Part of L&G's landholding at NWH is the subject of a draft allocation in the Regulation 19 draft of the Local Plan (Ref. B7), as a Broad Location for c. 293 new homes and community facilities. Figure 5.1 below demonstrates the extent of the draft allocation site boundary (12.19 ha) alongside the red line boundary of the live planning application (24.81 ha).

Figure 5.1 Draft B7 North West Harpenden Site Allocation Boundary compared to the Site Boundary of Planning Application ref:5/2023/0327

[Please see attachment for Figure]

5.2 While L&G continues to support the principle of residential development at NWH, and agrees with SACDC that exceptional circumstances exist to justify Green Belt release in this location, it is considered that the draft allocation should be extended to the full extent of the planning application boundary, for a number of reasons which are clearly articulated within the planning application and summarised below:

1 The wider site has previously been assessed by SACDC as suitable for residential development through successive emerging Local Plans and proposed for release from the Green Belt and allocation for development of new housing. The change in SACDC's position regarding the area of the site that is suitable for development is not adequately justified or supported by the supporting evidence published with the draft Local Plan. In particular, no further evidence or review has been provided as to how the 2023 GBR has been applied to extent of the draft site allocation.

2 The supporting documents submitted alongside the live planning application demonstrate that the proposed extent of development has been informed by analysis of the existing site, its context, landscape and Green Belt impact. The extensive evidence prepared to support the planning application clearly shows that the significant additional benefits of the wider proposal outweigh any additional harm to the Green Belt and all other harms, in accordance with the NPPF tests. The planning application proposals will create a beautiful new neighbourhood within Harpenden, responding to the needs and requirements of both the existing and future population of the town.

3 The delivery of the wider site will result in numerous additional community benefits for existing and future residents, including, but not limited to, a greater quantum of housing including older people's accommodation, the ability to deliver a significant quantum of new public open

space, early years provision, and a community and social hub. Conversely, the smaller site will result in a more limited scheme, with limited ability to deliver new public open space and other community benefits.

4 A review of the St Albans Stage 2 Green Belt Review (June 2023) prepared by Arup was undertaken by LDA Design ('LDA') to accompany the Regulation 18 representations. This review concluded that the new Green Belt Review fails to provide a proper assessment of the wider NWH site. LDA raise a number of concerns regarding the methodology of the report and as such it cannot be relied upon as evidence to support the draft allocation. In any event, the recommendations of the Green Belt Review must be weighed up alongside other considerations to establish a suitable site boundary (which is an approach that SACDC have taken on other Broad Location sites).

5.3 This section sets out a summary of the background to the site, the planning application, and discusses the points set out above in detail. A summary of the site background and live planning application can be found within paras 6.4- 6.20 of the Regulation 18 consultation representations and is therefore not repeated here. However, further relevant information related to the benefits which would be derived from the allocation of the whole of NWH, compared to the smaller site is provided below alongside relevant comments received from statutory consultees in relation to the live planning application.

Benefits

5.4 The benefits can be broken down into the following categories:

- Delivery of new homes
- Affordable housing
- Specialist housing
- Community facilities and early years facility
- Public open space
- Landscaping and ecology

5.5 These are addressed in turn below.

Delivery of New Homes

5.6 Paragraph 60 of the National Planning Policy Framework ('NPPF') states that:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community."

5.7 There is an acute housing need in St Albans, which is recognised in the draft Local Plan. The Local Plan identifies that the figure for housing need calculated by the standard method is 885 dwellings per annum. This is a capped figure and therefore, the 'true' objectively assessed need for housing without any cap applied is significantly greater than 885 dpa, at 1,186 dpa.

5.8 The 2022 Housing Delivery Test results were published in December 2023; St Albans scored only 55%. This reflects significant under-delivery over the previous three years and demonstrates that a backlog of housing need is continuing to accumulate while the Local Plan is being prepared. It is therefore crucial for the Council to allocate sufficient housing sites in the new plan to assist in meeting the district's substantial and growing housing need.

5.9 The emerging Local Plan states that broad locations are intended to be sustainable

neighbourhoods which will deliver a "*significant portion of the growth"*set out in the plan, at a scale to deliver significant services (paragraphs 3.28-3.31). In line with paragraph 129 of the NPPF, the Plan should seek to optimise the use of land and ensure that developments make optimal use of the potential of each site. This is particularly important for the broad locations which have been identified as sustainable new urban extensions for significant growth and the associated opportunity to make a significant contribution to housing delivery.

5.10 In the context of substantial housing need, which has direct impact on the future prosperity and vitality of the town, and the need to optimise the potential of the site, the delivery of new homes at NWH will be a significant benefit of allocating the site. As demonstrated by the live planning application, should the wider site be allocated, c. **550 new homes** could be comfortably accommodated on the site. This is c. 250 additional new homes in comparison with the c. 300 homes stated in the draft allocation, an increase of 83%. The delivery of **250 additional new homes** is a significant additional benefit in the context of the district's acute housing need and will make a significant contribution.

Affordable Housing

5.11 As a result of additional housing provision, delivery of the wider site would allow for the provision of more affordable housing. The live application proposes 40% affordable housing (excluding the specialist housing provision) which equates to **168 affordable homes**. A scheme compliant with the draft allocation would provide just 117 affordable homes. Therefore, the wider site could deliver an **additional 51 affordable homes** in comparison with the draft allocation scheme which equates to a further 43% of affordable homes from the site.

5.12 The South West Hertfordshire Local Housing Needs Assessment sets out a need for 449 affordable homes to rent and 353 affordable homes to own per annum in St Albans. Therefore, the scale of affordable housing need in the District is substantial. An additional 51 affordable homes would make a highly material contribution to addressing the affordable housing need in the District.

Specialist Housing

5.13 In addition to conventional housing, there is a significant need for specialist housing for elderly people in the district. In the consultation response to the current live planning application, Hertfordshire County Council Adult Care Services stated that there is a deficit of specialist elderly care in the area up to 2042. Based on an expected population growth in those aged over 75, 19210 people by 2042, Adult Care Services have identified a need of the following number of units of Housing with Care:

- 439 homes by 2032, comprising 45 affordable homes and 394 market homes
- 1,078 homes by 2042, comprising 110 affordable homes and 968 market homes

5.14 The live planning application includes a proposed Integrated Retirement Community (IRC). This includes a maximum of **130 integrated retirement homes** (C2), whereas the draft allocation, which previously allowed for one 60+ bed nursing home, does not provide any allowance for elderly or specialist care. The 130 retirement homes in the planning application will provide flexible care and support on site, and allow residents to own their own property, have their own front door, and maintain their privacy or be as involved with the wider community as they would like.

5.15 The proposals for the IRC have been developed with the wellbeing of older residents in mind; it is a high-quality proposal which goes beyond a standard residential care facility in providing flexible accommodation which is easily adapted to suit occupants' changing needs. This is in line with the ambitions of the Regulation 18 Local Plan which states at para 4.12 that "*accommodation for the elderly is moving towards more flexible forms of living and support, which seek to maintain people's independence* [...] *residents can enjoy their own self-contained home within a site offering extra-care facilities'"*.

5.16 Using an occupancy ratio of 1.8[15] the 130 IRC would provide accommodation for **234 elderly people**. This would also have an indirect impact on the broader housing market by 'freeing-up' under-occupied family homes, many of them likely to be local.

5.17 The current draft Local Plan does not provide any justification or explanation as to why the previously identified elderly care facility in the draft allocation has been removed.

Community Facilities and Education

5.18 The draft allocation policy sets out that community facilities must be provided as part of the scheme, however it does not provide further details as to the form of these facilities or the needs they are seeking to address.

5.19 Whilst the provision of community facilities is likely to be achievable as part of the scheme for the draft allocated site, the size of the site naturally limits the scope of what can be provided alongside the other requirements for housing, , open space and infrastructure. On the basis of a c.293 unit scheme, it is likely that these facilities would take the form of a small-scale facility both in terms of physical capacity and viability.

5.20 The allocation of the wider site could provide the opportunity to incorporate **educational facilities** into the allocation, subject to identified need. The live planning application includes an **early years facility** providing care for pre-school children; no educational facilities are currently required as per the draft allocation. It is also noted that previous draft allocations for this site have included the requirement for land for a secondary school; L&G would be willing to discuss the inclusion of a secondary school site in the wider allocation with SACDC and HCC, should this be identified as a requirement.

Public Open Space

5.21 Following a high-level feasibility exercise undertaken in relation to the draft allocation, it is estimated that a policy compliant quantum of public open space could be provided on the site (c. 3.5ha). While provision would be sufficient to meet *policy* requirements, the site area and the density required to achieve the identified quantum of development results in the open space provision being inherently limited and not providing open space which goes beyond the minimum requirement.

5.22 In contrast, the allocation of the wider site would allow for a truly **landscape-led masterplan with generous open space provision** to be achieved on the site (see Figure 5.2). This is demonstrated by the current planning application which includes over **11ha (27 acres) of new public open space,** which is above policy requirements. Green open spaces wrap around and weave through the site ensuring that people are only a few minutes' walk from being in touch with nature and opportunities to ensure communal outdoor space.

5.23 The application also includes provision to address the existing local deficiency in **junior football pitches, children's play and teenage areas.** Furthermore, the site provides the opportunity to deliver increased access to a variety of green spaces that will encourage health and wellbeing for existing and future residents of Harpenden.

5.24 The provision of these play spaces and specifically the inclusion of sports pitches would not be possible within the draft allocation.

Figure 5.2 Public Open Space Plan

[Please see attachment for Figure]

5.25 In the consultation response to the live planning application, Sport England in consultation with the Football Foundation, have confirmed their support for the provision of two football pitches and associated ancillary facilities on the Site. The response states:

"*The pitches proposed would meet the additional demand for youth and mini football pitches generated by the population of the development and positively respond to the deficiencies identified in St Albans City & District Council's Playing Pitch & Outdoor Sport Strategy & Action Plan (2023).*"

5.26 In addition to the on-site provision of new sports facilities, the application would also contribute over £500,000 towards off-site financial contributions which would go towards 3G artificial grass pitches, cricket, rugby union, rugby league, hockey and tennis facilities.

Landscaping and Ecology

5.27 In the context of the Environment Act and the requirement for new developments to provide a 10% Biodiversity Net Gain ('BNG'), it is expected that the draft allocation site could achieve a 10% BNG in compliance with this requirement. However, due to the constrained site boundary, it could be challenging to exceed this figure in terms of improving biodiversity on the site.

5.28 In contrast, the live planning application scheme is expected to secure a **BNG of over 20%,** exceeding the minimum requirement as set out in the Environment Act. This is due to the retention of existing habitats and the **delivery of significant new habitats**, which will benefit existing important ecological features on the site.

5.29 The planning application scheme includes numerous landscape features which seek to mitigate the potential effects of the development as far as possible. This includes significant **new woodland and hedgerow/hedgerow tree planting** along the north and northeastern boundaries of the site to help screen and soften views of the built form within views from the north and north-east; creation of new public open space that exceeds standards with a range of use and habitat potential around the periphery and within the residential area; and restricting height of built form to two storeys upon more elevated ground within the site.

5.30 Clearly, the extension of the partial allocation to incorporate the wider site allows for significant additional benefits to be achieved in terms of landscaping and biodiversity at North West Harpenden. Due to the constraints of the site boundary in the draft allocation, the achievable BNG is likely to be limited to compliance with the regulations in the Environment Act, in comparison with a BNG of c. 20% that is achievable on the wider site. The wider site also provides the opportunity to incorporate a strengthened landscape buffer to the northern boundary which not only **reduces the visual impact of the development**, but provides a new **defensible green edge to Harpenden** and provides amenity and habitat for people and wildlife.

Economic Benefits

5.31 The delivery of an additional 250 new homes alongside increased community floorspace would naturally allow for additional economic benefits for Harpenden and the wider District. Table 5.3 sets out the estimated economic benefits of the 550 unit application scheme, compared with those for a 300 unit scheme including a small community facility

Table 5.3 Economic Benefits of a 550 and 300 unit scheme

[Please see attachment for Table]

5.32 Table 5.3 demonstrates that there are significant additional economic benefits that could be delivered to Harpenden and the wider district through the development of the wider site allocation, including, during the construction period, the generation of over **100 additional jobs per year** (for a 6 year rather than four-year period) and an additional c. **£9m of economic output**. During the operation period, the scheme would support an additional 9 jobs per annum, with a further **35 jobs supported locally per annum** through resident expenditure. This local expenditure (including first occupation expenditure - what new residents spend to 'make a house a home') is almost **£6m more annually**; this is money that will be spent on local services and facilities.

5.33 Furthermore, based on the live planning application, the scheme is expected to generate c. £25,000 per unit in S106 contributions towards education, healthcare and other local services/facilities (N.B. this does not include highways contributions which are not known at this stage). Therefore, an **additional c. £6.4m in S106 contributions** could be generated by allocation of the wider site, suitable for an additional c. 250 units.

Summary

5.34 In summary, L&G supports the principle of residential development at NWH but it is considered that the draft allocation should be extended to the full extent of the planning application boundary, consistent with how previous draft Local Plans have defined the potential development of the site.

5.35 The planning application demonstrates that the extent of the site proposed for residential development has been informed by analysis of the existing site, its context, landscape and Green Belt impact. This is reflected by the consultation comments received in relation to the current planning application.

5.36 In addition, whilst the allocation site is in principle deliverable and a high-quality scheme could be achieved on this site, it is clear that the benefits to be gained by allocating the wider site for development are significant and outweigh any additional harm to the Green Belt. The additional dwellings provided on the site will also assist SACDC in meeting the shortfall in their housing trajectory identified in Section 3.0.

6.0 Summary and Conclusions

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...

6.0 Summary and Conclusions

6.1 Whilst L&G support elements of the Draft Local Plan, our review of the plan and the supporting evidence leads our client to conclude that the draft Local Plan does not meet the tests of soundness required for a Local Plan. In particular:

- The plan has not been *positively prepared* as it does not meet the area's objectively assessed need, including unmet need from neighbouring areas.
- The plan is not *effective* in delivering over the plan period by providing the appropriate number of homes.
- The assumptions around housing trajectory are not *justified* and are not based on proportionate evidence.
- The Green Belt assessment is deficient and as such the plan is not *justified* in terms of how the evidence has informed the production of the plan.
- The plan is not *consistent with national policy* as it does not deliver sustainable development in accordance with the policies in the framework.

6.2 L&G believes the proposed North West Harpenden allocation should be increased in scale, so that it reverts back to that which was proposed in previous emerging Local Plans, consistent with previous Green Belt reviews and the current application boundary. This approach is justified by the following:

1 The current standard method figure for St Albans is capped and has been calculated as 885dpa. The 'uncapped' figure is 285 dwellings per year more than the capped figure. PPG is clear that the cap does not reduce need, and that Councils should consider whether uncapped

need can be accommodated (if not, an early review may be required). The Council's own evidence shows an acute affordable housing need, amounting to over 90% of overall need. At the current level of overall delivery, the plan would meet (at most) less than half its affordable needs. PPG is clear that an increase in housing numbers in the plan should be considered where it can help deliver more affordable housing.

2 Recent delivery levels, from both St Albans and elsewhere, show that it is wholly achievable for the district to see housing growth well above its current standard method figure. Market signals show that St Albans is the area of highest housing demand outside London (as indicated by the affordability ratio), and this has become even more acute in recent years; There is an existing amount of known unmet need in the HMA, primarily arising in Three Rivers and Hertsmere, amounting to nearly 9,000 homes. Despite being known, these needs are being deferred, contrary to NPPF para 35(c).

3 The Sustainability Appraisal has not explored reasonable alternatives, insofar as it is entirely reasonable (and indeed necessary) for the Council to explore even higher housing growth options. Notwithstanding, the highest housing growth scenarios currently in the SA have been ruled out despite having very limited negative effects. The plan is therefore contrary to NPPF para 35(b).

4 A review of the housing trajectory within the draft Local Plan concludes that some of the assumptions are not realistic or robust, particularly on the Garden Community proposals. On these, the assumed rates of lead-in and build out rates are overly ambitious when compared against evidence of housing delivery on a national scale. When applying more realistic assumptions to the trajectory the total delivery during the plan period reduces by 1,925 which clearly has significant implications for SACDC's ability to meet the housing requirement over the plan period and leaves a shortfall.

5 We agree with the Council's conclusion that exceptional circumstances exist to justify the release of Green Belt land to meet the acute housing need. However, it is considered that SACDC is overly reliant on HGC to deliver almost a third of the total housing requirement over the plan period. In order to justify the quick lead-in times and high delivery rates proposed, very robust evidence must be provided to demonstrate that these are achievable. It is important that the trajectory is robust, supported by the best available evidence and realistic, to give SACDC and in due course, the Inspector, confidence in its conclusions. On this basis the trajectory is considered to be unsound in its current form and needs to be reconsidered.

6 It is considered that SACDC has not established an appropriate tipping point (i.e. the maximum amount of Green Belt release on potential site allocations. In the case of NWH, the draft plan recognises that it is a sustainable location for development but, by proposing to allocate only part of the site that was promoted (and which had been a proposed allocation in previous draft plans), it infers that the Council has identified a 'strong reason' related to the unallocated part of the site that justifies why it should not be released to help address those needs (either now, or in the future, based on permanent Green Belt boundaries). L&G does not believe the evidence supports the Council's tipping point.

7 In the case of NWH, L&G's view – supported by evidence it has submitted with its current planning application – is that the site boundary in the planning application is the most suitable boundary for the emerging allocation; it has been determined with regard to a detailed assessment of the landscape and Green Belt considerations. It is a boundary consistent with, and supported by, previous Council assessments undertaken to inform previous drafts of the Local Plan. To not allocate the whole of the site for development does not make optimal use of the potential of the site, as required by para 129 of the NPPF.

8 L&G is committed to the delivery of NWH and the creation of a high quality residential scheme which will meet the need of Harpenden and St Albans. NWH is a self-contained development without major upfront infrastructure costs, and L&G is able to deliver the scheme quickly and make a contribution to SACDC's housing supply in the short term. This is demonstrated through the

submission of the planning application which has been informed by analysis of the existing site, its context, landscape and Green Belt impact. The benefits to be gained – both locally and strategically - by allocating the wider site for development are significant and outweigh any additional harm to the Green Belt that might arise.

6.3 Therefore, taking in the above into account it is therefore requested that draft site allocation for NWH (B7) is extended so that it aligns with the current planning application and previous draft allocations. The allocation of the whole of the site for residential development is appropriate and consistent with national policy and an assessment of the Green Belt. The benefits which will be delivered by the larger site are considerably greater than the current draft allocation.

6.4 Finally, it is noted that it is SACDC's intention to Submit the Plan for Examination on 29 November 2024. The consultation on the plan closes on 8 November 2024. This therefore only allows 15 working days between the receipt of consultation responses and the submission of the final plan for examination. Firstly, it is not clear how SACDC could feasibly review all of the consultation comments which would be expected in response to the draft Local Plan within this time period. The Regulation 18 consultation attracted 955 individual responses from residents, resident organisations, groups and organisations, landowners and Councillors. It is considered that 15 days is a wholly inadequate amount of time to allow for the review of this level of consultation responses alongside a consideration of potential changes to the plan. Secondly, based on the inadequate amount of time being allocated for this review of consultation responses, it is questioned whether SACDC intend to make any further changes to the local plan and whether this consultation is meaningful.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NWH-RE~1.pdf
2. Legal_&_General_(Strategic_Land_Harpenden)_Email_[R].pdf

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352 - Cllr Mike Hobday

Submission Number: 352 Submission Date: 07/11/24 09:00

Respondent: St Albans Council Labour Group Cllr Mike Hobday

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We wish to object to the Reg 19 Local Plan.

We believe that it is unsound (National Planning Policy Framework, section 35) insofar as its contents are not justified given the alternatives and that it is not consistent with national policy.

Our primary objection is that the plan insufficiently follows the brown-field – grey-belt – green belt sequence. This is contrary to numerous parts of the National Planning Policy Framework, including:

- Para 123: “makes as much use as possible of previously-developed or ‘brownfield’ land”
- Para 124 (c): “give substantial weight to the value of using suitable brownfield land”
- Para 146 (a): “make[s] as much use as possible of suitable brownfield sites and underutilised land”
- Para 147: “Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed”

This failing has both district-wide and local consequences:

- At a District level, table 3.2 (page 26 of main document) suggests that only 903 homes (6% of 14,989) are explicitly built on brownfield land and only 137 (0.9%) on grey belt land (previously developed land in the green belt). While both these figures are likely to rise through windfall sites, this may well not reach a reasonable expectation of avoidance of green belt development.
- At a local level, individual sites have been proposed which prioritise development on high-quality agricultural green belt over brownfield and grey belt land. In London Colney, which we represent as councillors, this has led to the prioritisation of development on prime agricultural land on Shenley Lane, south of Napbsury Park (site B6) and decisions not to propose development on brownfield land at the increasingly derelict Riverside Industrial estate or on the previously developed grey-belt land at and behind the Pastoral Centre further south along Shenley Lane.

The council's process to determine sites for development was flawed. A scoring system was used to assess the suitability of different sites for development, but the results were ignored. Each site was considered and scored as a weak, medium or strong development case under 31 criteria.

- The "broad location site" West of London Colney and South of Napsbury Park scored: 10 weak, 10 medium, 11 strong. This is recommended by the council for development.
- In contrast, the site south-west of Willowside, London Colney scored: 8 weak, 9 medium, 14 strong. Land at the corner of the A1081 and Courser's Road scored: 4 weak, 13 medium, 14 strong. Land south of the A414, north of the London Colney by-pass scored: 6 weak, 12 medium, 13 strong. The All Saints Pastoral Centre, mentioned above, scored: 11 weak, 11 medium, 9 strong. Land east and south of the A414 scored: 4 weak, 13 medium, 14 strong. The rural estate north of Napsbury scored: 4 weak, 1 medium, 16 strong. All of these sites score higher, yet none are recommended for development.

We are not advocating for development on specific sites, but simply saying that the council adopted a flawed methodology.

The council has ignored its scoring system in favour of a political preference to build on the outskirts of existing settlements. This runs counter to the primary purpose of the green belt, to check the unrestricted sprawl of large built-up areas. We believe that the most valuable green belt land is that which the public see and have access to, namely that adjacent to built-up areas. The council's approach deliberately targets the most valuable green belt in the district for development.

The council's consideration of development sites, at its planning policy committee in September, was flawed in that it did not include the Riverside Industrial Estate in London Colney, recommended for housing development by the London Colney Parish Council. This was rejected by the council at Reg 18 stage on the basis that employment land is required in London Colney. Yet this decision to protect dated and mainly unused employment land did not account for the high-quality employment land being developed at the Strategic Rail Freight Interchange a few minutes' drive away. Given the railfreight development, the case to retain the Riverside Industrial Estate is weaker.

The council's determination to find the simple route of allocating green belt agricultural land for massive development came as a result of consistently down-playing options for brown-field development. For example:

- The council has been slow to redevelop council housing garage sites, which would be suitable for social housing. The garage site around the former Cotlandswick Community in London Colney is in poor repair and has no garages let. Planning permission for redevelopment for flats was granted in 2013, but the garages remain derelict. Other large garage sites, such as that behind 80-82 Five Acres in London Colney remain unused.
- The council has taken too restrictive an approach to the development of taller buildings. It is entirely reasonable, indeed laudable, to protect views of St Albans Abbey. But views of other protected buildings, such as Trinity URC Church, St Alban and St Stephen Catholic Church and Christ Church may not merit this same level of protection. The purpose of expressing this concern is not to advocate tall buildings on individual sites, but to show that the council has taken an extreme approach to discouraging brownfield development.

We further wish to object to the settlement hierarchy, table 1.3, which seeks to redesignate London Colney from a village to a town. There is no evidence that this matches the understanding, vision or aspirations of local residents who repeatedly say that they see London Colney as a village. It is believed by many that this is an inappropriate and artificial device, designed purely to facilitate future development proposals.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important that the Inspector hears and can question objections to the council's failure to brownfield - greybelt - greenbelt principle

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

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* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important that the Inspector hears and can question objections to the council's failure to brownfield - greybelt - greenbelt principle

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

B6 - West of London Colney, AL2 1LN

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

For the reasons outlined in my comments under chapter 1, I wish to oppose this location as unsound. Brownfield and greybelt sites in London Colney have been rejected in favour of a lower scoring site.

I also wish to endorse the objection from Corinne Fishman on behalf of the Napsbury Park Residents Association.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

There is strong opposition in London Colney to this unsound proposal, and the Inspector should hear and be able to question this opposition.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

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353 - Greenbelt

Submission Number: 353 Submission Date: 08/11/24 09:00

Respondent: Greenbelt Greenbelt

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Policy

Number:

SP1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

1. **Summary**

1.1 The Regulation 18 public consultation process that St Albans City and District Council (SADC) conducted was flawed.

1.2 SADC failed to follow the LGA's Good Planning Guide Paragraph 6.2, and instead allowed speculative development to drive the Plan. In addition, it did not provide the necessary objectively-assessed evidence for the appropriate appraisal of sites to be undertaken. It was therefore proposing to authorise building in unsustainable locations.

1.3 SADC is failing to ensure that the houses that would be built would be truly "affordable", instead allowing vast tracts of the Green Belt to be sacrificed for the building of larger properties that are not required, under the misapprehension that this will reduce house prices.

1.4 Inappropriate duress was applied to the Councillors prior to the vote to launch the Regulation 18 process, which meant that minimal scrutiny took place, causing flaws in Arup's Green Belt Review to be incorporated into the Draft Plan.

1.5 The consultation was not well advertised, with inadequate presentations being undertaken. This consultation took place through the summer holidays when many residents were away or otherwise distracted, which led to a relatively small response.

1.6 The portal established for the community to make comments was difficult to use, and involved a misleading “short questionnaire”. The Council failed to make it clear that responses could be made by email outside the portal framework. This prevented many more comments being made.

1.7 The vast majority of respondents expressed their objection to building on the Green Belt, which directly conflicts with the path that the Council is taking.

1.8 Specific issues highlighted by the public as part of the Regulation 18 process, were not adequately addressed.

1.9 The rapid progress of the Draft Plan at the Regulation 19 stage, is being driven by a fear of larger housing targets being imposed on the district, which is causing fundamental underlying problems with the Plan to be disregarded.

1.10 Inadequate is being taken of feedback from the Regulation 19 process.

1.11 The current Plan is not sound and should be withdrawn.

2. **Formulation of the Plan**

2.1 We are extremely concerned about the strategy and the formulation of the Draft Local Plan, in relation to the Green Belt.

2.2 The Green Belt locations earmarked in the Plan, have been driven by speculative developers via the various “call for sites” processes, and are often not located in the most sustainable locations or, in many cases, not located in areas that could be described as sustainable at all. This makes them the least suitable in meeting the needs of lower-income households and will drive up car usage, in a district where there is already a chronic traffic issue, with the associated pollution, exacerbated by the District being sandwiched between three major motorways. This is creating a “demand” led plan, rewarding speculative developers.

2.3 The Council has adopted a policy that new developments of over 10 units must include 40% “affordable” dwellings. As many developments comprise fewer than 10 units, this would make it likely that in excess of 70% of houses built in the District (the figure will always be over 60%), would be market price houses, in most cases large properties, built at low densities. The District does not need these executive homes, so c70% of the Green Belt that would be surrendered, would be sacrificed needlessly.

2.4 When the sizes of these units are assessed, the actually percentage of unwanted executive homes by bedrooms will actually be higher, since the “affordable” units tend to be the smaller ones.

2.5 Property prices within the District are high, therefore the concept of allowing a 60% build as an “enabling” development, to help finance the “affordable” element of a site, does not stand up to scrutiny.

2.6 The term “affordable” has been used liberally in the Plan, however no mechanism exists in the Draft Local Plan to ensure that these properties are within the renting or purchasing limitations of low-income households.

2.7 The Council is under the misapprehension that by building more houses, property values will fall. In their promotional video for the Regulation 18 process, they stated *“shortage of housing is helping to drive up house prices, young people can no longer afford to buy their first home”*, but this disregards the reality in the market. The availability of additional privately available houses has consistently attracted more people to the District, especially from London. This increased demand absorbs any additional supply, thus neutralising any effect on prices.

2.8 The proposed sites were just “lifted” from a Green Belt review produced by Arup, with no assessment of site sustainability, having been undertaken. It therefore disregarded: site access, traffic or transport assessments, viability of proposed transport improvements, proximity to employment, leisure, schools and shops, availability and capacity of other facilities such as water and other utilities, GP and dental services etc.

2.9 There are flaws in the methodology used for Arup’s Green Belt Review, which have not been addressed prior to their proposals being adopted “wholesale” into the Draft Plan. Examples of this are:

1. The inclusion of sub-areas the rural side of defensible boundaries, which according to Arup’s own methodology, should be excluded from consideration
2. The disregarding of buffers that Arup itself determined

- Subjectively defining the 250/400m buffers in the first place, without a firm basis for the selection of these sizes.

3. **Flaws in the Regulation 18 consultation process**

3.1 The Regulation 18 consultation process was flawed in its preparation and implementation:

3.2 There was negligible scrutiny applied to the Plan prior to the approval of the Regulation 18 process and only limited discussion was permitted at the two committee meetings on 26 June and 10 July 2023. Despite a number of serious concerns having been raised by Committee Councillors, no alterations were made to any of the 82 pages of site allocations. Councillors were only shown the 42 and 82-page Draft Local Plan documents, and the Green Belt Assessment documents of 146 (Final Report) and 762 pages (Annex), a few days before the first meeting. This appears to have been designed to restrict them from being able to properly assess the documents.

3.3 The Committee was required to vote on entering the Regulation 18 process only 2 weeks after the Draft Local Plan was first presented to them, under the threat that if they did not proceed in accordance with the proposed timetable, it would result in the plan-making process being taken away from SADC and the Council being put into “special measures”. Unnecessary duress was therefore applied to the Committee.

3.4 The process for determining potential sites for development in the Regulation 18 process was not undertaken in an objective manner, since it was not based on a comprehensive evidence base. Paragraph 6.2 of the Local Government Association’s Good Plan Making Guide, states:

“Evidence should inform what is in the plan, rather than being collected retrospectively in an attempt to justify the plan. You should have a clear idea about what the evidence is needed for, how it is going to be used and how much detail is needed”.

3.5 With the exception of a Green Belt Review, which was not properly scrutinised, little other evidence had been collected. Not collecting the evidence first clearly does not conform to these guidelines, so decisions about site selection cannot be objectively justified.

3.6 Only a very small proportion of the District’s residents were aware that the consultation was taking place, due to inadequate publicity by SADC.

3.7 Public presentations were made at a handful of locations over a two-week period before the deadline. However, no presentations were made in Chiswell Green, Park Street, North St Albans and many other areas that had proposals for large scale Green Belt release, or where there were on-going applications for large scale Green Belt developments. These were poorly attended since they were not well advertised and took place during the working week, making it particularly difficult for the many commuters with families to attend. There was no static exhibition at any centrally located Council office for any of the consultation period which residents could view independently. The Council recognised that it was not appropriate to hold any presentations during the summer holidays.

3.8 Many of those who tried to use the Council web portal struggled with it, and many gave up, preventing them from making comments. The portal was prohibitively complicated to use, as is illustrated by a comment from a Mount Drive resident:

“Not user friendly at all - may be why there isn’t a lot of objections - funny that.. !! “

3.9 On the “Survey Details” introduction page, it stated that all comments must be made through the portal:

“This event requires you to first Login or Register before providing a response.”

Then:

“To make comments in the questionnaire you will need to sign in or register.”

3.10 This was not correct, since email responses were being accepted, but much of the public was unaware of this. Therefore, many of those who were unable to cope with the complexities of the portal believed that they could not make a comment at all. Nowhere on the portal did it make clear that responses could be emailed, or even posted, to the Council.

3.11 Many residents found that the short questionnaire was too restricted; the prescribed choice of answers constituted a poor reflection of the respondents’ opinions, forcing them to select responses that did not accurately represent their views. Some felt that it was “biased”, forcing residents to make binary choices, for example between housing or protecting the environment as a priority.

3.12 The widespread belief that the Council would do what it wants, irrespective of the public’s opinions, caused many not to take the time to submit their thoughts. The level of this disengagement went beyond the common cynicism prevalent with such matters, and appeared to be driven by the perceived arrogance of the Council and planning department leaders, through actions such as those highlighted in “3.2” and “3.3” above.

3.13 In addition to the technical difficulties and the misleading advice given about submitting a comment, this process was commenced at the beginning of the summer holidays, adding another impediment to the task of obtaining extensive resident feedback. Whilst Cllr White stated that the minimum 6-week consultation had been extended for this reason, the reality is that the consultation on such an important document should never have been as short as the statutory minimum of 6 weeks. The minimal extension beyond the statutory period was inadequate compensation for the loss of the 6-week summer holiday period.

3.14 There was only a 3-week period subsequent to the school holidays during which the Council felt it was appropriate to hold public presentations. This is akin to recognising that, realistically, there was only a meaningful consultation period of about this duration.

3.15 The lack of engagement throughout the holidays was further evidenced by the insignificant number of responses made in that period. Approximately 90% of all responses were made in the final week. Whilst there is always a “last minute rush” with any consultation with a deadline, this was particularly extreme.

3.16 The SADC Regulation 18 public consultation was deeply flawed because of the above reasons. Only 955 responses were received, and this included statutory consultees, making the number of responses from the public even smaller. This is out of approximately 115,000 adults in the District, many of whom have very strong views about aspects of the plan, in particular building on Green Belt land. The vast majority of those who did respond expressed their opposition to Green Belt development, which is the overriding theme of the responses.

3.17 The Council has continued on this trajectory, despite the high proportion of objections from respondents to building on the Green Belt. This reaffirms the public’s belief that it is pointless contributing to a consultation process such as this.

3.18 Examples of the public's comments being dismissed can be seen in relation to site L2. On pages 114 to 130 in the Local Plan Consultation Summary Responses Table, buried within the Public Pack for the PP&CC meeting on 12th December 2023. There are a very considerable number of public comments, which are merely responded to with a standard word or phrase eg "noted".

3.19 Where the public have highlighted flaws, for example in respect of the Arup Green Belt Review, no examination of the stated flaws has been made, rather the following standard phrase has been repeatedly quoted in the responses table:

"The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration".

4. Flaws in the Regulation 19 consultation process

4.1 A similar approach has been taken with the Regulation 19 process, as with the Regulation 18 process, in terms of haste.

4.2 Following the new Government's publication of the draft NPPF, the timetable for the Regulation 19 process and presentation of the document for Examination, was brought forward.

4.3 The revised timetable meant that there was no scrutiny of the Draft Plan prior to the Regulation 19 process being entered into. This was under the threat that if the Plan did not reach the Examination stage prior to the adoption of the new NPPF, that the District's housing requirement would rise from 885 units per year to 1,544, a 70% increase.

4.4 Councillors therefore supported the Plan, not because it was sound, but rather that the consequences of not doing so would be a housing target that would not be achievable without a completely different policy approach.

4.5 Officers accepted that the undue haste may cause concerns with the soundness of the plan at Examination. Under "Risk Management" at 3.28 on page 19 in the Public Reports Pack for the 23rd September 2024 meeting, they state:

"The accelerated timescale to Submission (intended on 2 December 2024) means that there will be less time to undertake work to support Submission of the Plan and Examination, which raises the risk of having to withdraw the Plan at Examination. This is primarily because, at(the) point of Submission in(is) December 2024, rather than the end of March 2025".

4.6 Additionally at 3.40 it is stated:

"To meet the planned Publication launch date of 26 September 2024, Councillors will need to note that limited editorial changes will be possible within the 2-day turnaround time".

Then under: "***4. Alternative Options Considered and Not Recommended***", pressure is exerted on Councillors to approve the plan at the meeting when it is first presented:

"To not bring this report at this time would not allow Councillors to take forward the Local Plan at this time. This will increase the length of time necessary until a new Local Plan can be adopted and will raise the likelihood of Government intervention in the Local Plan process and/or having to go back 2-3 years to bring forward a new draft Plan in line with the proposed new NPPF."

4.7 In short, this Regulation 19 process is being fast-tracked without adequate scrutiny in order to beat the publication date of the new NPPF, all under the threat of Government intervention.

4.8 On 16th October, only half way through the Regulation 19 Consultation, the Full Council voted to approve the Local Plan. Considerable concerns were expressed by elected councillors at that meeting, regarding the soundness of the Plan.

4.9 Approving the Plan prior to the conclusion of the consultation, completely undermines the concept of requesting input from Stakeholders, and taking this into consideration within the decision making process.

4.10 As a result of the decision having already been made ahead of the close of the consultation, many interested parties did not bother raising any comment.

4.11 The timetable which was approved by the Planning Policy and Climate Change Committee at their meeting on 12th September, endorsed going to Examination immediately after their meeting on 28th November, rather than the previous planned date in March. This short timeframe re-affirms the Council's Policy not to make changes to the Plan based on opinions received through the consultation.

4.12 As a result of "4.7" and "4.9" above, the Regulation 19 consultation is a sham.

5. Conclusion

5.1 The Regulation 18 process should not have taken place with such haste. It appeared designed to intentionally circumvent the opportunity for scrutiny, and meant that the Evidence Base was incomplete.

5.2 It was badly organised at a strategic level and poorly implemented on a technical level.

5.3 We believe that our elected councillors and the community should have had the opportunity for the resulting Draft Local Plan to be properly scrutinised prior to the commencement of the Regulation 18 process.

5.4 Where flaws were highlighted with site selections or methodology, these were disregarded, quoting standard phrases.

5.5 The Regulation 19 process has been expedited in an attempt to circumvent the new government's anticipated higher housing targets imposed by the draft NPPF. In doing so, this consultation has become a sham, through the lack of consideration of feedback and undermining the public's contribution of that feedback.

5.6 The Council's actions in circumventing proper procedures in an attempt to have a Local Plan adopted quickly, has deprived the local community from having the opportunity of being presented with a robust Plan, which represents their desires for the future shape of their community.

5.7 We therefore believe that the current Plan should be rejected at the earliest opportunity, so that work can commence as soon as possible on one that better represents the community's views.

5.8 The District has been repeatedly let down by planning officers and Council heads in the formulation of Local Plans over many years, which has led to the current untenable situation. The mistakes of the past have been repeated several times, with planning officers failing to consider the views and needs of the community. The top down approach from the very same officers is unsurprisingly likely to result in yet another inadequate and inappropriate Plan being presented for Examination.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The current Plan is not sound and should be withdrawn.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. R19 Greenbelt Response_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

1. **Summary**

1.1 The Regulation 18 public consultation process that St Albans City and District Council (SADC) conducted was flawed.

1.2 SADC failed to follow the LGA's Good Planning Guide Paragraph 6.2, and instead allowed speculative development to drive the Plan. In addition, it did not provide the necessary objectively-assessed evidence for the appropriate appraisal of sites to be undertaken. It was therefore proposing to authorise building in unsustainable locations.

1.3 SADC is failing to ensure that the houses that would be built would be truly "affordable", instead allowing vast tracts of the Green Belt to be sacrificed for the building of larger properties that are not required, under the misapprehension that this will reduce house prices.

1.4 Inappropriate duress was applied to the Councillors prior to the vote to launch the Regulation 18 process, which meant that minimal scrutiny took place, causing flaws in Arup's Green Belt Review to be incorporated into the Draft Plan.

1.5 The consultation was not well advertised, with inadequate presentations being undertaken. This consultation took place through the summer holidays when many residents were away or otherwise distracted, which led to a relatively small response.

1.6 The portal established for the community to make comments was difficult to use, and involved a misleading "short questionnaire". The Council failed to make it clear that responses could be made by email outside the portal framework. This prevented many more comments being made.

1.7 The vast majority of respondents expressed their objection to building on the Green Belt, which directly conflicts with the path that the Council is taking.

1.8 Specific issues highlighted by the public as part of the Regulation 18 process, were not adequately addressed.

1.9 The rapid progress of the Draft Plan at the Regulation 19 stage, is being driven by a fear of larger housing targets being imposed on the district, which is causing fundamental underlying problems with the Plan to be disregarded.

1.10 Inadequate is being taken of feedback from the Regulation 19 process.

1.11 The current Plan is not sound and should be withdrawn.

2. **Formulation of the Plan**

2.1 We are extremely concerned about the strategy and the formulation of the Draft Local Plan, in relation to the Green Belt.

2.2 The Green Belt locations earmarked in the Plan, have been driven by speculative developers via the various "call for sites" processes, and are often not located in the most sustainable locations or, in many cases, not located in areas that could be described as sustainable at all. This makes them the least suitable in meeting the needs of lower-income households and will drive up car usage, in a district where there is already a chronic traffic issue, with the associated pollution, exacerbated by the District being sandwiched between three major motorways. This is creating a "demand" led plan, rewarding speculative developers.

2.3 The Council has adopted a policy that new developments of over 10 units must include 40% "affordable" dwellings. As many developments comprise fewer than 10 units, this would make it likely that in excess of 70% of houses built in the District (the figure will always be over 60%), would be market price houses, in most cases large properties, built at low densities. The District does not need these executive homes, so c70% of the Green Belt that would be surrendered, would be sacrificed needlessly.

2.4 When the sizes of these units are assessed, the actually percentage of unwanted executive homes by bedrooms will actually be higher, since the "affordable" units tend to be the smaller ones.

2.5 Property prices within the District are high, therefore the concept of allowing a 60% build as an "enabling" development, to help finance the "affordable" element of a site, does not stand up to scrutiny.

2.6 The term "affordable" has been used liberally in the Plan, however no mechanism exists in the Draft Local Plan to ensure that these properties are within the renting or purchasing limitations of low-income households.

2.7 The Council is under the misapprehension that by building more houses, property values will fall. In their promotional video for the Regulation 18 process, they stated *"shortage of housing is helping to drive up house prices, young people can no longer afford to buy their first home"*, but this disregards the reality in the market. The availability of additional privately available houses has consistently attracted more people to the District, especially from London. This increased demand absorbs any additional supply, thus neutralising any effect on prices.

2.8 The proposed sites were just "lifted" from a Green Belt review produced by Arup, with no assessment of site sustainability, having been undertaken. It therefore disregarded: site access, traffic or transport assessments, viability of proposed transport improvements, proximity to employment, leisure, schools and shops, availability and capacity of other facilities such as water and other utilities, GP and dental services etc.

2.9 There are flaws in the methodology used for Arup's Green Belt Review, which have not been addressed prior to their proposals being adopted "wholesale" into the Draft Plan. Examples of this are:

1. The inclusion of sub-areas the rural side of defensible boundaries, which according to Arup's own methodology, should be excluded from consideration
2. The disregarding of buffers that Arup itself determined

- Subjectively defining the 250/400m buffers in the first place, without a firm basis for the selection of these sizes.

3. Flaws in the Regulation 18 consultation process

3.1 The Regulation 18 consultation process was flawed in its preparation and implementation:

3.2 There was negligible scrutiny applied to the Plan prior to the approval of the Regulation 18 process and only limited discussion was permitted at the two committee meetings on 26 June and 10 July 2023. Despite a number of serious concerns having been raised by Committee Councillors, no alterations were made to any of the 82 pages of site allocations. Councillors were only shown the 42 and 82-page Draft Local Plan documents, and the Green Belt Assessment documents of 146 (Final Report) and 762 pages (Annex), a few days before the first meeting. This appears to have been designed to restrict them from being able to properly assess the documents.

3.3 The Committee was required to vote on entering the Regulation 18 process only 2 weeks after the Draft Local Plan was first presented to them, under the threat that if they did not proceed in accordance with the proposed timetable, it would result in the plan-making process being taken away from SADC and the Council being put into "special measures". Unnecessary duress was therefore applied to the Committee.

3.4 The process for determining potential sites for development in the Regulation 18 process was not undertaken in an objective manner, since it was not based on a comprehensive evidence base. Paragraph 6.2 of the Local Government Association's Good Plan Making Guide, states:

"Evidence should inform what is in the plan, rather than being collected retrospectively in an attempt to justify the plan. You should have a clear idea about what the evidence is needed for, how it is going to be used and how much detail is needed".

3.5 With the exception of a Green Belt Review, which was not properly scrutinised, little other evidence had been collected. Not collecting the evidence first clearly does not conform to these guidelines, so decisions about site selection cannot be objectively justified.

3.6 Only a very small proportion of the District's residents were aware that the consultation was taking place, due to inadequate publicity by SADC.

3.7 Public presentations were made at a handful of locations over a two-week period before the deadline. However, no presentations were made in Chiswell Green, Park Street, North St Albans and many other areas that had proposals for large scale Green Belt release, or where there were on-going applications for large scale Green Belt developments. These were poorly attended since they were not well advertised and took place during the working week, making it particularly difficult for the many commuters with families to attend. There was no static exhibition at any centrally located Council office for any of the consultation period which residents could view independently. The Council recognised that it was not appropriate to hold any presentations during the summer holidays.

3.8 Many of those who tried to use the Council web portal struggled with it, and many gave up, preventing them from making comments. The portal was prohibitively complicated to use, as is illustrated by a comment from a Mount Drive resident:

"Not user friendly at all - may be why there isn't a lot of objections - funny that.. !! "

3.9 On the "Survey Details" introduction page, it stated that all comments must be made through the portal:

"This event requires you to first Login or Register before providing a response."

Then:

"To make comments in the questionnaire you will need to sign in or register."

3.10 This was not correct, since email responses were being accepted, but much of the public was unaware of this. Therefore, many of those who were unable to cope with the complexities of the portal believed that they could not make a comment at all. Nowhere on the portal did it make clear that responses could be emailed, or even posted, to the Council.

3.11 Many residents found that the short questionnaire was too restricted; the prescribed choice of answers constituted a poor reflection of the respondents' opinions, forcing them to select responses that did not accurately represent their views. Some felt that it was "biased", forcing residents to make binary choices, for example between housing or protecting the environment as a priority.

3.12 The widespread belief that the Council would do what it wants, irrespective of the public's opinions, caused many not to take the time to submit their thoughts. The level of this disengagement went beyond the common cynicism prevalent with such matters, and appeared to be driven by the perceived arrogance of the Council and planning department leaders, through actions such as those highlighted in "3.2" and "3.3" above.

3.13 In addition to the technical difficulties and the misleading advice given about submitting a comment, this process was commenced at the beginning of the summer holidays, adding another impediment to the task of obtaining extensive resident feedback. Whilst Cllr White stated that the minimum 6-week consultation had been extended for this reason, the reality is that the consultation on such an important document should never have been as short as the statutory minimum of 6 weeks. The minimal extension beyond the statutory period was inadequate compensation for the loss of the 6-week summer holiday period.

3.14 There was only a 3-week period subsequent to the school holidays during which the Council felt it was appropriate to hold public presentations. This is akin to recognising that, realistically, there was only a meaningful consultation period of about this duration.

3.15 The lack of engagement throughout the holidays was further evidenced by the insignificant number of responses made in that period. Approximately 90% of all responses were made in the final week. Whilst there is always a "last minute rush" with any consultation with a deadline, this was particularly extreme.

3.16 The SADC Regulation 18 public consultation was deeply flawed because of the above reasons. Only 955 responses were received, and this included statutory consultees, making the number of responses from the public even smaller. This is out of approximately 115,000 adults in the District, many of whom have very strong views about aspects of the plan, in particular building on Green Belt land. The vast majority of those who did respond expressed their opposition to Green Belt development, which is the overriding theme of the responses.

3.17 The Council has continued on this trajectory, despite the high proportion of objections from respondents to building on the Green Belt. This reaffirms the public's belief that it is pointless contributing to a consultation process such as this.

3.18 Examples of the public's comments being dismissed can be seen in relation to site L2. On pages 114 to 130 in the Local Plan Consultation Summary Responses Table, buried within the Public Pack for the PP&CC meeting on 12th December 2023. There are a very considerable number of public comments, which are merely responded to with a standard word or phrase eg "noted".

3.19 Where the public have highlighted flaws, for example in respect of the Arup Green Belt Review, no examination of the stated flaws has been made, rather the following standard phrase has been repeatedly quoted in the responses table:

"The inclusion of this site is in line with the methodology in the Arup Green Belt Review 2023, which recommends the site for further consideration".

4. Flaws in the Regulation 19 consultation process

4.1 A similar approach has been taken with the Regulation 19 process, as with the Regulation 18 process, in terms of haste.

4.2 Following the new Government's publication of the draft NPPF, the timetable for the Regulation 19 process and presentation of the document for Examination, was brought forward.

4.3 The revised timetable meant that there was no scrutiny of the Draft Plan prior to the Regulation 19 process being entered into. This was under the threat that if the Plan did not reach the Examination stage prior to the adoption of the new NPPF, that the District's housing requirement would rise from 885 units per year to 1,544, a 70% increase.

4.4 Councillors therefore supported the Plan, not because it was sound, but rather that the consequences of not doing so would be a housing target that would not be achievable without a completely different policy approach.

4.5 Officers accepted that the undue haste may cause concerns with the soundness of the plan at Examination. Under "Risk Management" at 3.28 on page 19 in the Public Reports Pack for the 23rd September 2024 meeting, they state:

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The current Plan is not sound and should be withdrawn.

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1. R19 Greenbelt Response_[R].pdf

354 - Kitewood

Submission Number: 354 Submission Date: 14/11/24 09:00

Respondent: Miss Sara Sweeney

On Behalf Of : Kitewood

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP1- A Spatial Strategy for St Albans District

We maintain our support for Strategic Policy SP1: *A Spatial Strategy for St Albans District*, which recognises the importance of Hemel Garden Communities as a well-planned sustainable development and we recognise that policy requires that *"Growth must be supported by the necessary community infrastructure, transport improvements, green spaces and tree planting."*

In order for development in the HGC Growth Area to be delivered in the plan period, the infrastructure requirements identified within the Infrastructure Delivery Plan (IDP) need to be provided to facilitate comprehensive and sustainable development. These include the M1 Jtc 8 Enhancement Phase 2 (which includes the 'Sustainable Transport Corridor') and the M1 Jtc 8 Enhancement Phase 3 which are both noted in the IDP as being critical delivery items.

We consider that for the policy to be effective a joined-up approach is required by St Albans City & District and Dacorum Borough to ensure the infrastructure items that relate to the Growth Area that are set out in the Councils' respective Infrastructure Delivery Plans are fully aligned, and these accord with the HGC Infrastructure Delivery Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Kitewood Estates letter to SACDC Reg 19 Local Plan Consultation Final 08112024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Kitewood is a development company and landowner of part of the proposed Hemel Garden Communities (HGC) Growth Area to the north and east of Hemel Hempstead. Our landholding falls wholly to the north within Dacorum Borough, and abuts the boundary with the St Albans City & District, adjacent to the Reg 19 Local Plan proposed allocation H1- north Hemel Hempstead.

Kitewood considers that the *Draft Local Plan 2041 Regulation 19 is Legally compliant*, has been *Positively prepared*, is *Justified*, and is *consistent with national policy*.

However, we do not consider that Policies SP1, SP8 and TR1 are effective because all the evidence does not yet exist to demonstrate effective joint working on cross-boundary strategic matters.

Kitewood therefore request participation in the forthcoming Examination in Public to discuss policy matters relating to the Proposed site allocations H1, H2, H3 and H4

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG1 - Broad Locations

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG1 – Broad Locations

We support Policy LG1: *Broad Locations*, which establishes a clear set of policy requirements for the HGC Growth Area and recognises the importance of a coordinated approach to the planning, design and delivery of homes and associated infrastructure.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Support for LG1

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I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Kitewood Estates Ltd ('Kitewood') welcome the opportunity to comment on the Draft Local Plan 2041 Regulation 19 ('the Reg 19 Local Plan') and the supporting documents that have been published for consultation.

We understand that following the consultation, all representations will be sent to the Planning Inspectorate along with the draft Local Plan to be Examined by a government-appointed Planning Inspector who will consider if any modification need to be made to the Local Plan before it can be adopted.

The Planning Inspector will assess whether the draft Local Plan has been prepared in accordance with legal and procedural requirements, and whether it is 'sound'.

This representation is therefore focused on matters relating to soundness.

Kitewood Interest in the Draft Plan

Kitewood is a development company and landowner of part of the proposed Hemel Garden Communities (HGC) Growth Area to the north and east of Hemel Hempstead. Our landholding falls wholly to the north within Dacorum Borough, and abuts the boundary with the St Albans City & District, adjacent to the Reg 19 Local Plan proposed allocation H1- north Hemel Hempstead.

HGC (including the proposed Growth Area) is a collaboration between Dacorum Borough Council, St Albans City and District Council, Hertfordshire County Council and Hemel Garden Communities, and is supported by the Hertfordshire Local Enterprise Partnership. The landowner group, of which Kitewood is part of, have continued to work positively with HGC partners in progressing the ambitious proposals for growth and transformation.

The HGC Growth Areas to the north and east of Hemel Hempstead are expected to extend beyond the Plan period and will deliver up to 11,000 new homes and 10,000 new jobs by 2050 across St Albans District and Dacorum Borough.

The HGC Growth Area is consistent with the government's strong aspiration to boost the delivery of new homes and infrastructure in a comprehensive manner. It is also aligned with the government's agenda to facilitate the delivery of New Towns.

The plan extract below from *Hemel Garden Communities Position Statement* dated July 2024 identifies the full extent of the north and east Hemel Hempstead Growth Area.

Hemel Garden Communities Program Area extract from the *Hemel Garden Communities Position Statement*

See 'Kitewood Estates letter to SACDC Reg 19 Local Plan Consultation Final 08112024' attachment for figure

The proposed HGC Growth Area is supported by a comprehensive and robust evidence base, including the Framework Plan 2024, HGC Framework Plan Story (July 2024) and HGC Technical Report (Sept 2024). Further evidence is also emerging to support the Local Plans and the future planning applications.

The publication of the St Albans District Draft Local Plan 2041 Regulation 19 for consultation and the Council's intention to submit the Plan for Examination is a significant milestone for the HGC Growth Area, and we commend the Council for their continued engagement with us, the other landowners and HGC partners.

Whilst Dacorum Borough Council are slightly behind St Albans City & District Council in terms of the consultation on their respective Pre-Submission Dacorum Local Plan to 2041 (Regulation 19) which will run until 17th December 2024, we are of the view that it would be beneficial for the Submitted Plans to be Examined together given the importance of the HGC Growth Area to both authorities.

In addition to these comments, joint landowner representations are also submitted to this consultation by David Lock Associates (DLA) on behalf of ourselves (Kitewood), The Crown Estate, Pigeon Investments Limited and Bloor Homes.

*Kitewood support of the Proposed Broad Location for growth identified at Hemel Hempstead and in particular the proposed site allocation **H1, H2, H3 and H4:***

- **H1 – North Hemel Hempstead**
- **H2 – East Hemel Hempstead (North)**
- **H3 – East Hemel Hempstead (Central)**
- H4 East Hemel Hempstead (South)

The Proposed Site Allocations H1, H2, H3 and H4 are identified on the Key Diagram, extract below.

Reg 19 Local Plan Fig 1.2 Key Diagram extract of the Proposed Site Allocation H1, H2, H3, H4

See 'Kitewood Estates letter to SACDC Reg 19 Local Plan Consultation Final 08112024' attachment for figure

These allocations (H1, H2, H3 and H4) form part of the wider HGC Growth Area and they will together deliver around 5,500 dwellings, around half of the required homes in the designated Growth Area and land for up to 6,000 jobs.

The Local Plan Reg 19 proposed that 4,400 of the dwellings (around 75% of the total) will be delivered during the plan period.

Our comments relate to the need to ensure that a fully comprehensive approach is taken across all of these allocations (H1, H2, H3 and H4) and the wider HGC Growth Area to ensure the delivery of the cross-boundary infrastructure requirements, to ensure the draft Plan's *effectiveness*.

Our concerns about effectiveness of the Reg 19 Plan relate to the current lack of detail on how the infrastructure will be phased alongside the delivery of the development, and how this aligns with the delivery of the proposed north Hemel Hempstead allocation in Dacorum Borough to ensure the vision for the Hemel Garden Communities is realised and delivered without delay.

Our Comments principally relate to Policies LG1, SP1, SP8 and TRA1.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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We consider that for the policy to be effective a joined-up approach is required by St Albans City & District and Dacorum Borough to ensure the infrastructure items that relate to the Growth Area that are set out in the Councils' respective Infrastructure Delivery Plans are fully aligned, and these accord with the HGC Infrastructure Delivery Plan.

We are of the view that further consideration should be given to the comprehensive infrastructure requirements to support the overall proposed overall HGC Growth Area, the delivery phasing across the authority boundaries and mechanism for appropriating cost.

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Kitewood considers that further evidence is required to demonstrate cross-boundary co-operation and cumulative impact assessments on transport matters and further information is necessary in relation to the mechanisms that will ensure the sustainable growth of Hemel Hempstead during the plan period.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Kitewood Estates letter to SACDC Reg 19 Local Plan Consultation Final 08112024_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Kitewood considers that the *Draft Local Plan 2041 Regulation 19 is Legally compliant*, has been *Positively prepared*, is *Justified*, and is *consistent with national policy*.

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Kitewood therefore request participation in the forthcoming Examination in Public to discuss policy matters relating to the Proposed site allocations H1, H2, H3 and H4

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP8 - Transport Strategy

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP8- Transport Strategy

We support the aspiration of Policy SP8: *Transport Strategy* to "*prioritise the use of active and sustainable transport modes and deliver accessibility improvements to the transport and highways network…*".

We recognise that there are a number of evidence base documents that support Policy SP8 Including the following documents:

- HCC Local Transport Plan 2018-2031 (LTP4), which promotes sustainable transport modes, related infrastructure, encourages change in travel behaviour and seeks to reduce the need to travel.
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To ensure the effectiveness and deliverability of the Transport Strategy Policy SP8 aspiration, we are of the view that further consideration should be given to the comprehensive infrastructure requirements to support the overall proposed overall HGC Growth Area, the delivery phasing across the authority boundaries and mechanism for appropriating cost.

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* Yes

TRA1 - Transport Considerations for New Development

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy TRA1 - Transport Considerations for New Development

Policy TRA1: *Transport Considerations for New Development* sets out the importance that proposals will not lead to highways safety problems or cause unacceptable impacts upon the transport network.

Part (x.) of Policy TRA1 states that; "*Suitable mechanisms will be provided to secure sustainable transport measures, including delivery of schemes identified in the LCWIP, Bus Service Improvement Plan, Growth & Transport Plan and IDP and improvements to the existing highway network and other appropriate transport mitigations, including as identified in Supporting Documents to the Local Transport Plan."*

Kitewood considers that further evidence is required to demonstrate cross-boundary co-operation and cumulative impact assessments on transport matters and further information is necessary in relation to the mechanisms that will ensure the sustainable growth of Hemel Hempstead during the plan period.

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Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Kitewood Estates Ltd ('Kitewood') welcome the opportunity to comment on the Draft Local Plan 2041 Regulation 19 ('the Reg 19 Local Plan') and the supporting documents that have been published for consultation.

We understand that following the consultation, all representations will be sent to the Planning Inspectorate along with the draft Local Plan to be Examined by a government-appointed Planning Inspector who will consider if any modification need to be made to the Local Plan before it can be adopted.

The Planning Inspector will assess whether the draft Local Plan has been prepared in accordance with legal and procedural requirements, and whether it is 'sound'.

This representation is therefore focused on matters relating to soundness.

Kitewood Interest in the Draft Plan

Kitewood is a development company and landowner of part of the proposed Hemel Garden Communities (HGC) Growth Area to the north and east of Hemel Hempstead. Our landholding falls wholly to the north within Dacorum Borough, and abuts the boundary with the St Albans City & District, adjacent to the Reg 19 Local Plan proposed allocation H1- north Hemel Hempstead.

HGC (including the proposed Growth Area) is a collaboration between Dacorum Borough Council, St Albans City and District Council, Hertfordshire County Council and Hemel Garden Communities, and is supported by the Hertfordshire Local Enterprise Partnership. The landowner group, of which Kitewood is part of, have continued to work positively with HGC partners in progressing the ambitious proposals for growth and transformation.

The HGC Growth Areas to the north and east of Hemel Hempstead are expected to extend beyond the Plan period and will deliver up to 11,000 new homes and 10,000 new jobs by 2050 across St Albans District and Dacorum Borough.

The HGC Growth Area is consistent with the government's strong aspiration to boost the delivery of new homes and infrastructure in a comprehensive manner. It is also aligned with the government's agenda to facilitate the delivery of New Towns.

The plan extract below from *Hemel Garden Communities Position Statement* dated July 2024 identifies the full extent of the north and east Hemel Hempstead Growth Area.

Hemel Garden Communities Program Area extract from the *Hemel Garden Communities Position Statement*

See 'Kitewood Estates letter to SACDC Reg 19 Local Plan Consultation Final 08112024' attachment for figure

The proposed HGC Growth Area is supported by a comprehensive and robust evidence base, including the Framework Plan 2024, HGC Framework Plan Story (July 2024) and HGC Technical Report (Sept 2024). Further evidence is also emerging to support the Local Plans and the future planning applications.

The publication of the St Albans District Draft Local Plan 2041 Regulation 19 for consultation and the Council's intention to submit the Plan for Examination is a significant milestone for the HGC Growth Area, and we commend the Council for their continued engagement with us, the other landowners and HGC partners.

Whilst Dacorum Borough Council are slightly behind St Albans City & District Council in terms of the consultation on their respective Pre-Submission Dacorum Local Plan to 2041 (Regulation 19) which will run until 17th December 2024, we are of the view that it would be beneficial for the Submitted Plans to be Examined together given the importance of the HGC Growth Area to both authorities.

In addition to these comments, joint landowner representations are also submitted to this consultation by David Lock Associates (DLA) on behalf of ourselves (Kitewood), The Crown Estate, Pigeon Investments Limited and Bloor Homes.

Kitewood support of the Proposed Broad Location for growth identified at Hemel Hempstead and in particular the proposed site allocation ***H1, H2, H3 and H4:***

- **H1 – North Hemel Hempstead**
- **H2 – East Hemel Hempstead (North)**
- **H3 – East Hemel Hempstead (Central)**
- H4 East Hemel Hempstead (South)

The Proposed Site Allocations H1, H2, H3 and H4 are identified on the Key Diagram, extract below.

Reg 19 Local Plan Fig 1.2 Key Diagram extract of the Proposed Site Allocation H1, H2, H3, H4

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* Yes

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I would like to be notified about the adoption of the Local Plan:

* Yes

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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* Yes

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* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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The Planning Inspector will assess whether the draft Local Plan has been prepared in accordance with legal and procedural requirements, and whether it is 'sound'.

This representation is therefore focused on matters relating to soundness.

Kitewood Interest in the Draft Plan

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The HGC Growth Area is consistent with the government's strong aspiration to boost the delivery of new homes and infrastructure in a comprehensive manner. It is also aligned with the government's agenda to facilitate the delivery of New Towns.

The plan extract below from *Hemel Garden Communities Position Statement* dated July 2024 identifies the full extent of the north and east Hemel Hempstead Growth Area.

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The publication of the St Albans District Draft Local Plan 2041 Regulation 19 for consultation and the Council's intention to submit the Plan for Examination is a significant milestone for the HGC Growth Area, and we commend the Council for their continued engagement with us, the other landowners and HGC partners.

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- **H1 – North Hemel Hempstead**
- **H2 – East Hemel Hempstead (North)**
- **H3 – East Hemel Hempstead (Central)**
- H4 East Hemel Hempstead (South)

The Proposed Site Allocations H1, H2, H3 and H4 are identified on the Key Diagram, extract below.

Reg 19 Local Plan Fig 1.2 Key Diagram extract of the Proposed Site Allocation H1, H2, H3, H4

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These allocations (H1, H2, H3 and H4) form part of the wider HGC Growth Area and they will together deliver around 5,500 dwellings, around half of the required homes in the designated Growth Area and land for up to 6,000 jobs.

The Local Plan Reg 19 proposed that 4,400 of the dwellings (around 75% of the total) will be delivered during the plan period.

Our comments relate to the need to ensure that a fully comprehensive approach is taken across all of these allocations (H1, H2, H3 and H4) and the wider HGC Growth Area to ensure the delivery of the cross-boundary infrastructure requirements, to ensure the draft Plan's *effectiveness*.

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H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 10

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* Yes

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* Yes

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355 - Wendy Carruthers

Submission Number: 355 Submission Date: 08/11/24 09:00

Respondent: Wendy Carruthers

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I was having difficulty submitting a comment. Wasn't sure if I was in the right place as message was that I would be first to comment!

Anyway, I would like to point out that insufficient consideration has been given to what would happen to cars that currently park at UC54, UC15 and UC14, the Harpenden car parks.

The Transport Impact Assessment states that there are no showstoppers to these sites. However, this is incorrect, as nowhere in the assessment have they given consideration as to where the cars that need to park would go.

I note that there is a big push to move people to cycling, which is hugely commendable and I fully support, and sincerely hope that we see fully segregated, well maintained, well lit cycle paths in the future. However, these would not remove the need for the Harpenden car parks. They are only expected to reduce traffic by around 30%. In addition the users of the station car park will often live too far to consider cycling and users of the Church Green car park will have shopping that needs to be transported home in a car.

Please remove the option of building on the 3 Harpenden car parks from the plan.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Carruthers_W_[R].pdf

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 2

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* No

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1. Carruthers_W_[R].pdf

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 1

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* No

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356 - Rachael Donovan

Submission Number: 356 Submission Date: 11/11/24 09:00

Respondent: Hertfordshire and West Essex ICB Rachael Donovan

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

1. **Local Plan Policies**

In responding to this consultation, the HWE ICB has reassessed and reviewed the impact of the spatial strategy against health infrastructure needs, and against the NHS' long term health planning and pipeline projects, to determine whether these projects spatially meet the distribution of housing growth and the quantum of need in the Local Plan. Please see comments in relation to the Infrastructure Delivery Plan in section 3.

The Vision for St Albans District in 2041

The way places are planned, designed, built and managed will have a significant influence over whether communities are able to live healthy lives. The Vision as worded omits reference to creating places that *are safe, inclusive and accessible and which promote health and well-being*. In line with the NPPF, Chapter 8. Promoting healthy and safe communities and para. 135. f), minor amendments to the vision are sought which incorporate creating places that are ***safe*** and which ***promote health and well-being.***

Table 1.2 - Local Plan Objectives

The HWE ICB supports the Local Plan objectives to make sufficient provision for community infrastructure in sustainable locations and the delivery of healthy places and high-quality design. In relation to the provision of community infrastructure, the HWE ICB notes that the Local Plan includes policies (LG1- Broad Locations & IMP1 Additional Infrastructure Requirements for Strategic Scale Development) that seek proactive, early engagement with infrastructure providers before planning applications are submitted, in line with NPPF para. 100, and this is supported.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 6

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP1: A Spatial Strategy for St Albans District

The HWE ICB notes the Spatial Strategy is based on the Government's required 'Standard Method' for calculating local housing need and allocates 885 dwellings per annum in the period 1 October 2024 to 31 March 2041. In this response, the HWE ICB has reassessed and reviewed the impact of the spatial strategy against health infrastructure needs, which can be found in section 3.

The proposed changes to the Standard Housing Methodology as set out in the July NPPF consultation, will substantively uplift local housing requirements in St Albans, which in turn will have health infrastructure implications for St Albans, and bring significant challenges to the NHS. Under these new proposals where the new standard methodology uplifts annual housing requirements, further speculative planning applications are likely to come forward, compounded by the proposed transitional arrangements.

Within Hertfordshire and west Essex, where Local Plans are in preparation, the HWE ICB has seen a significant increase in the number of speculative planning applications. Where this happens, it has happened at the expense of properly planned for health services and infrastructure to support housing growth. Infrastructure planning is a precursor to the successful delivery of housing and employment growth. Therefore, the absence of proper infrastructure planning can detrimentally impact existing and new communities and businesses and lead to negative perceptions of new development.

The HWE ICB responded to the NPPF consultation suggesting where Hertfordshire and west Essex local authorities are vulnerable to speculative planning applications, it would be sensible to allow these local planning authorities to progress their Regulation 19 Local Plans on lower housing targets, but in parallel to revisiting evidence on land supply and delivery constraints to identify where the shortfall in housing can be met.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy CE1 –Promoting Sustainable Design, Construction and Building Efficiency

The HWE ICB supports the policy ambition of draft Policy CE1 to ensure new build development can demonstrate sustainable design, construction and resource efficiency. However, the policy and supporting text could be clearer what evidence an applicant is required to submit to demonstrate sustainable design, construction and resource efficiency and clearer how *'to a degree proportionate to the proposal'*, will be measured.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Type:

* Table

Number:

3.1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Table 3.1 –Broad Locations

North Hemel Hempstead and East Hemel Hempstead (North) - As per the HWE ICB's response to the Regulation 18 Local Plan, heath infrastructure provision, in the form of new on-site medical centre was identified in either North Hemel Hempstead or East Hemel Hempstead (North), whichever comes forward the sooner. Therefore, please also add '***medical centre'*** to the list of infrastructure requirements for North Hemel Hempstead.

North St Albans– As per the HWE ICB's response to the Regulation 18 Local Plan, new heath infrastructure provision, in the form of a new on-site medical centre was identified in either North St Albans or East St Albans. Further assessment has shown the need for a new onsite medical centre in North St Albans. Therefore, please add ***'medical centre'*** to the list of infrastructure requirements for North St Albans.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

LG1 - Broad Locations

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG1 –Broad Locations Please add for completeness:

(u) Demonstrate the co-location of community facilities (such as schools, ***health facilities and services****, shops...)*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

LG5 - Green Belt

Comment Number: 5

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

LG5 –Green Belt

The Local Plan should put health facilities on a level footing with education and public transport improvements in order to ensure that healthcare infrastructure and funding requirements arising from planned growth are appropriately represented given its strategic importance. Accordingly, it is requested that LG5 – Green Belt is amended as follows, to ensure the Local Plan can be found sound:

b) Infrastructure provision identified in this Plan that is essential to ensure sustainable development across the District and beyond, that demonstrates 'very special circumstances', namely:

I. New state schools

II. The creation of new transport infrastructure; [deleted text]

III. New healthcare facilities and services; and

IV. Small scale, largely open forms of infrastructure development such as outdoor sport and recreation facilities and uses (including detached playing fields for schools), drainage areas and utilities installations.

Please note, health facilities and services also include acute healthcare and ambulance services.

This omission is also considered to be contrary to para 100 of the NPPF, which requires faster delivery of hospitals, and para 20, which requires local authorities to make sufficient provision for healthcare facilities in general. Further, policy LG5 as currently worded does not aligned with paragraph 4.3.4 of the Infrastructure Delivery Plan that defines health facilities as essential infrastructure.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Strategic Policy SP4 - Housing

Comment Number: 7

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP4 –Housing and Policy HOU2- Affordable Housing

The HWE ICB welcomes the inclusion in the explanatory text, that 'affordable housing' includes key worker access to affordable housing. It would be helpful for the Local Plan to also define 'key workers' in the glossary. At the very least the NPPF definition should be referenced which focusses on essential frontline workers in health, education and community safety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

HOU2 - Affordable Housing

Comment Number: 15

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP4 –Housing and Policy HOU2- Affordable Housing

The HWE ICB welcomes the inclusion in the explanatory text, that 'affordable housing' includes key worker access to affordable housing. It would be helpful for the Local Plan to also define 'key workers' in the glossary. At the very least the NPPF definition should be referenced which focusses on essential frontline workers in health, education and community safety.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

HOU3 - Specialist Housing

Comment Number: 8

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

HOU3 –Specialist Housing

The explanatory text should be expanded to recognise that there will be an impact on health services arising from planning applications made by specialist housing providers. Where planning applications are made for specialist housing, the NHS will seek developer contributions to mitigate the impact.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Chapter 7 - Community Infrastructure

Comment Number: 9

Type:

* Paragraph

Number:

7.4; 7.7; 7.2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Chapter 7 –Community Infrastructure
Please amend para 7.4 to the following:

Hertfordshire and West Essex Integrated Care Board is the commissioner of NHS health services. In line with the Health and Care Act 2022, the HWE ICB and partner NHS Trusts and NHS Foundation Trusts work in collaboration with local Health and Wellbeing Boards to provide NHS services to improve the general health and wellbeing of Hertfordshire and west Essex residents and improve health care services in the area*. [deleted text] Within the District there are a range of local healthcare facilities including an acute care hospital,* ***emergency ambulance,*** *GP surgeries,* ***community, mental health,*** *[deleted text]pharmacy, dentistry, and ophthalmology services. The District has one main NHS hospital at St Albans City Hospital operated by West Hertfordshire Teaching Hospitals NHS Trust (WHTHT) who are committed to enhancing and upgrading the existing healthcare provision at the hospital. There is also the Kingsley Green mental health and learning disability site, which opened in 2014 and is operated by Hertfordshire Partnership Foundation Trust (HPFT). A limited number of services are also provided at Harpenden Memorial Hospital. [deleted text]* ***There are currently two ambulance station response posts in Harpenden and St Albans. More ambulance stations and response posts will be required in the St Albans District area to ensure EEAST can meet the Category 1 (life-threatening) incidents.***

Please amend para 7.7 to the following:

The key emergency facilities in the District are two police stations at St Albans and Harpenden; four fire stations at St Albans, Redbourn, Harpenden and Wheathampstead; and two ambulance station ***response posts (located at fire stations)*** *at Harpenden and St Albans.*

...

3. **Supporting Documentation**: **Infrastructure Delivery Plan (IDP)**

The HWE ICB and system partners have reviewed the detailed IDP and accompanying schedule and welcome further engagement in this iterative process to refine NHS project requirements and costs.

The HWE ICB seeks the following changes to the IDP:

Table 1 Infrastructure Delivery Plan Scope by Topic

Health - NHS Herts and West Essex Integrated Care Board, ***system partner NHS Trusts and NHS Foundation Trusts including the*** *West* ***Hertfordshire Teaching*** *Hospital NHS Trust and Hertfordshire County Council.*

Primary Care Pages 28 & 29

*Insert –'****The HWE ICB keeps up to date Primary Care Network (PCN) patient lists and closely monitors the current and future capacity of GP surgeries against Local Plan allocations/ housing trajectories. There are five PCNs in St Albans City and District where groups of GP practices work together with community, mental health, social care, pharmacy, hospital, and voluntary services in their local areas to meet the needs of the population.***

PCNs are small enough to provide the personal care, valued by both patients and GPs, but large enough to have impact and economies of scale through better collaboration between GP practices and others in the local health and social care system.

PCNs are expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services in order to ensure an integrated approach to patient care.

The Hertfordshire and West Essex ICB calculate the General Medical Services cost of the

additional infrastructure needed to deliver planed new home using the following formula.....

It should be noted that above costs are based on a single GP practice however, all GP surgeries vary in size. In circumstances where investments are made in larger buildings, economies of scale can reduce the overall impact per unit as there will be some common and shared areas. Despite this, space and technical guidance requires larger sized rooms than those in older premises; newer buildings are both larger and more costly.

For the purposes of long-term planning, the HWE ICB has also adopted an alternative calculation based on 18 patients per m2, which still has regard to national GMS space guidelines but also considers opportunities for economies of scale.

[deleted text]

Given that the exact primary care impact is difficult to assess due to uncertainty of timing of developments coming forward and the resulting increase in patient numbers, this is an average threshold that HWE ICB applies for planning purposes. Each case varies subject to specific area demographics, how a particular practice operates its business, number of sessions offered, workforce mix etc. It also depends on the nature of their building, e.g. age, type of build.'

Community and Mental Healthcare, Page 29

[deleted text]'***In the context of the NHS'*** *integrated care model, community and mental health* ***will increasingly*** [deleted text]*be located with GP services. The HWE ICB will therefore explore with its community and mental health service providers the opportunities to bring forward "Health and Wellbeing Centres" alongside identified new GP surgeries needed to meet the proposed housing growth and resulting increased population within the plan period.'*

Source: [deleted text] ***Hertfordshire and West Essex Integrated Care Board***

Add Acute Care

The IDP is missing a section on Acute Care. Please add the following:

'The West Hertfordshire Teaching Hospitals NHS Trust (WHTH) is a large teaching hospitals Trust and the main provider of hospital services in west Hertfordshire, with hospital sites in Watford, Hemel Hempstead and St Albans.

Funding for hospitals and mental health services is secured from a variety of sources in addition to Treasury funding, including developer contributions, providing related Community Infrastructure Levy (CIL) tests are met.'

5.2 Health and Social Care

In reviewing the Local Plan, Infrastructure Delivery Plan and Schedule, the health impacts arising from 14,603 proposed new homes and their spatial distribution have been reassessed in terms of future local healthcare needs and health infrastructure provision.

Please note, the following sections, (similar to those included in the HWE ICB and system partner response to the Regulation 18 Local Plan) have been updated in line with this reassessment and will need incorporating into the next iteration of the IDP and IDP Schedule.

Primary Healthcare

The HWE ICB keeps up to date PCN patient lists and closely monitors the current and future capacity of GP surgeries against Local Plan allocations/ housing trajectories.

There are five PCNs in St Albans City and District. The PCNs, the practice membership and list size (as of October 2024) are detailed in the table below.

[Please see table in attachment]

Please note, this is a snapshot in time, PCN memberships can change, and practices may merge to share resources and improve their collective resilience.

The HWE ICB ranks PCNs using existing premises data and known development data. This will identify and rank hotspots across the PCN patch where there is a need to explore projects to increase capacity, for example, by either re-configuring, extending or relocating GP premises to provide sufficient space to increase resources and clinical services to keep patient lists open.

Table 1 below sets out the existing capacity/constraint at a surgery level as well as by settlement, showing how many additional patients can be accommodated before 18 patients per m2 is reached. It also shows the proposed new housing numbers and committed dwellings, as per the Regulation 19 consultation, the resulting increase in patient numbers, consequential capacity requirement in terms of net internal floor area and the corresponding capital impact.

Please note, the proposed dwelling figures in this table do not include the proposed new dwellings in East of Hemel Hempstead, Radlett & Park Street and Colney Heath. This is because growth in these locations affects practices in Dacorum Borough Council (East of Hemel Hempstead), Hertsmere Borough Council (Radlett & Park Street) and Welwyn Hatfield Borough Council (Colney Heath) Localities rather than St Albans District.

It is evident that collectively, GP surgeries in all settlements are operating either over capacity or are very close to reaching capacity, hence their ability to accept new patients is limited.

Data demonstrates that the settlements of Hemel Hempstead, St Albans and Harpenden will experience significant GP capacity constraints when factoring future housing growth to 2041. As such the HWE ICB requests that health infrastructure is provided, in the form of on-site provision for new medical centres in each settlement listed below:

- **Hemel Hempstead** - North Hemel Hempstead and East Hemel Hempstead
- **St Albans** - North St Albans

[Please see table in attachment]

To address current PCN capacity issues and hotspots, there have been recent investments in the GP estate to serve the residents of St Albans, which are listed below.

- **Summerfield Medical Centre in London Colney** – relocation of the (previously known as) Lattimore and Village surgeries. This is a modern, purpose-built facility that replaces two converted residential properties, one in St Albans and the other in London Colney. This facility has been built with sufficient capacity to absorb the planned growth in its vicinity. The HWE ICB will therefore apply for developer's contributions retrospectively on any new development that would impact on this surgery, in order to offset the increased cost burden on NHS.
- **Hatfield Road Surgery in St Albans** – within the building an additional area has been brought into General Medical Services use.

The following proposals have received HWE ICB support in principle.

- **Midway Surgery in Chiswell Green** - will be affected by significant development in and around St Albans. The former CCG approved a project for the extension and refurbishment of the Practice, however, due to the lack of capital, this project is currently on hold. The HWE ICB would therefore apply for developer's contributions on any new development that would impact on this surgery.
- **Harvey House Surgery** – potential to increase capacity in current location; Project Initiation Document received; full proposal yet to be developed.

The projects listed below are in early development, with the HWE ICB yet to receive a formal Project Initiation Document or Business Case:

- **New medical centre at North of St Albans a.k.a. Woollam Park** – consultation with the practices affected by this proposed major development has identified a need for additional primary care facilities.
- **The Maltings Surgery** – options to increase capacity have been considered in recent years and work continues to identify the best solution going forward.

Opportunities to expand have been identified in several existing GP surgeries and the HWE ICB is expecting to receive proposals as and when these practices are nearing their capacity. Given some projects are advanced and will be completed ahead of housing growth, please note that the HWE ICB will seek developer contributions, either through CIL or Section 106 agreements for projects listed above, to offset the forward investment from the HWE ICB, from residential planning applications, whether a Local Plan site allocation, windfall site or speculative planning application, in line with the legal tests for planning obligations.

Impact of specific proposed site allocations and committed sites on Primary Care Infrastructure

- **H1 - North Hemel Hempstead - 1,500 dwellings (1,125 by 2041)**
- **H2 - East Hemel Hempstead (North) – 1,600 dwellings (1,235 by 2041)**
- **H4 - East Hemel Hempstead (South) – 2,400 dwellings (1,940 by 2041)**

This is the St Albans District element of the cross-border Hemel Garden Community development, which is expected to deliver 10,500 units in total. 5,500 of these will be in St Albans District and 5,000 in Dacorum Borough.

Such unprecedented level of growth cannot be absorbed by the existing estate and options for an on-site medical centre in both North Hemel Hempstead and East Hemel Hempstead (North) need to be reserved, with the location of a new facility dependent on which of these strategic sites come forward first.

- **B1 – North of St Albans – 1,097 dwellings**
- **B4 – East of St Albans – 472 dwellings**

There will be circa 5,700 additional new homes in St Albans and Chiswell Green by 2041 and additional facilities will be required. These are to include an on-site medical centre at North of St Albans and extension/reconfiguration works to several existing GP surgeries – e.g. Grange Street Surgery, Lodge Surgery and Harvey House Surgery. Section 106 contributions will therefore be sought towards these projects in order to meet the needs of the growing population.

- **B2 – North East Harpenden – 738 dwellings**
- **B7 – North West Harpenden – 293 dwellings**

There will be circa 2,200 additional new homes in Harpenden and Wheathampstead by 2041 and additional capacity will be needed. There is a potential in the existing GP premises portfolio in Harpenden to create more capacity by extending and reconfiguring or by removing patient records and re-purposing the vacated space for clinical or administrative use. Section 106 contributions will therefore be sought towards these projects in order to meet the needs of the growing population.

- **B3 – West of Redbourn – 545 dwellings**

This development will impact on Redbourn Medical Centre and S106 funds will be required in order to increase the capacity by reconfiguring some of the existing space and digitising or storing the

patient records off-site. For this reason, developer contributions will be sought from new development proposals in and around Redbourn.

- **B5 – Glinwell, Colney Heath – 484 dwellings**

This development will impact on Northdown Surgery in Hatfield and Potterells Medical Centre. There is currently a proposal pending for the relocation of Northdown Surgery to the regenerated Highview development, subject to NHS governance and business case processes. The ICB has also engaged with Potterells Medical Centre to develop a long-term premises solution within the next 4 years to increase capacity to meet the needs of the growing population. Section S106 funds will therefore be required from any new development in and around Colney Heath towards these projects.

- **B6 – West of London Colney – 324 dwellings**

As described above, Summerfield Medical Centre in London Colney was constructed to not only replace two outdated surgeries with a modern purpose-built facility, but to also provide for future housing growth. The HWE ICB will therefore seek developer contributions on any new development in and around London Colney to offset the forward investment from the HWE ICB.

- **B8 – Radlett – 274 dwellings**

This development will impact on Red House Surgery, which is one of the most constrained practices in the locality. Early discussions have taken place regarding relocation to a new purpose-built facility. A detailed proposal is yet to be developed. As with any such proposal, it will be subject to NHS governance and business case processes. To mitigate the primary healthcare impact new developments in and around Radlett will have on Red House Surgery, developer contributions will be sought.

- **L2 – Park Street – 104 dwellings**

This development will impact on Red House Surgery branch in Park Street. Relocation of their main surgery will help to alleviate pressures in Park Street and for this reason, the HWE ICB will seek developer's contributions from any new development in and around Park Street towards the relocation of Red House Surgery.

- **L1 – Burston Nurseries – 180 dwellings**
  As per L2 above.
- **L3 – Chiswell Green – 101 dwellings**

This development will impact on Midway Surgery. As explained earlier in this document, the former CCG approved a proposal for the extension and refurbishment of the practice, however, due to the lack of capital, this project is currently on hold. The HWE ICB would therefore apply for developer contributions on the above and any other new development in and around Chiswell Green towards creating additional capacity at Midway Surgery.

Forecasting Housing Growth and Planned Infrastructure

The HWE ICB calculates the General Medical Services cost of the additional infrastructure needed to deliver planned new homes using the following formula (based on a 1,000 dwelling development).

1,000 dwellings x 2.4 (commonly accepted occupancy factor) = 2,400 new patients

2,400/ 2,000 = 1.2 GP (based on ratio of 2,000 patients per GP and 199m2 as set out in the

NHS England "Premises Principles of Best Practice Part 1 Procurement & Development")

1.2 x 199m2 = 238.8 m2 additional space required

238.8 x £7,000* (build costs including land, fit out and fees) = £1,671,600

£1,671,600 / 1,000 = £1,671.60 ~ £1,672 per dwelling (rounded up)

*Last updated 1 July 2024, subject to change in line with market movements

It should be noted that above costs are based on a single GP practice, however, all GP surgeries vary in size. In circumstances where investments are made in larger buildings, economies of scale can reduce the overall impact per unit as there will be some common and shared areas. Despite this, space and technical guidance requires larger sized rooms than those in older premises; newer buildings are both larger and more costly.

For the purposes of long-term planning, the HWE ICB has also adopted an alternative calculation based on 18 patients per m2, which still has regard to national GMS space guidelines but also considers opportunities for economies of scale.

Given that the exact primary care impact is difficult to assess due to uncertainty of timing of developments coming forward and the resulting increase in patient numbers, this is an average threshold that the HWE ICB applies for planning purposes. Each case varies subject to specific area demographics, how a particular practice operates its business, number of sessions offered, workforce mix etc. It also depends on the nature of their building, e.g. age, type of build.

Community and Mental Healthcare

HWE ICB commissions community and mental health care from multiple providers. These services are known as secondary services as patients will usually be referred into these services by their GP or on discharge from hospital. These services are delivered from day assessment units or clinics and inpatient facilities.

Adult community services are currently being provided by Central London Community Healthcare NHS Trust (CLCH) and children's services by Hertfordshire Community NHS Trust (HCT).

Community services would include (not exhaustive):

- Adult Community Nursing
- Specialist Long Term Condition Nursing
- Therapy Services
- Preventive Services such as Sexual Health and Smoking Cessation Clinics
- Child Health Service including Health visiting and School Nursing

Mental Health services are being provided by Hertfordshire Partnership Foundation NHS Trust (HPFT) and would include (not exhaustive):

- Schizophrenia
- Bipolar Disorder
- Anxiety Disorders
- Depression
- Eating Disorders
- Personality Disorders
- Drugs, Alcohol and Mental Health
- Post-Traumatic Stress Disorder (PTSD)

The Hertfordshire Community NHS Trust (HCT) is one of the principal providers of community-based healthcare services to more than 1.2 million people living in Hertfordshire and beyond, with some services extending into neighbouring areas. The HCT supports people at every stage of their lives from health visiting, school nursing and specialist dental or speech services to community nursing rehabilitation and palliative care. The HCT works closely with system partners, including the Primary Care Networks, to improve community services in the area, collaborate with partners to redesign services and integrate clinical pathways for the benefit of patients.

The Hertfordshire Partnership University NHS Foundation Trust provides mental health and learning disabilities inpatient care and treatment in the community for young people, adults and older people in Hertfordshire.

In the context of the NHS' integrated care model, community and mental health can be co-located with GP services. The HWE ICB will explore with its community and mental health service providers the opportunities to bring forward "Health and Wellbeing Centres" alongside the identified need for new GP surgeries needed to meet the proposed housing growth and resulting increased population within the plan period.

Indicative build costs are set out in the table below. However, please note, these build costs are currently being updated and will increase.

[Please see table in attachment]

East of England Ambulance Service (EEAST)

East of England Ambulance Service NHS Trust (EEAST) provides both emergency and non-emergency services across Hertfordshire, Bedfordshire, Essex, Norfolk, Suffolk and Cambridgeshire.

EEAST currently has 130 sites across the East of England and is establishing the Lord Carter recommendation to provide a Hub and Spoke Network. Eighteen Hubs are strategically placed near each of 17 local hospitals with good access to the surrounding road network. The Spokes (Ambulance Response Posts) need to be based at strategic locations from the Hub in order to meet the expected demand and meet NHS Contract Quality Indicator Response Times to incidents.

EEAST's purpose-built Ambulance Hubs require circa 1 ha of land and parking space for up to 50 ambulances/rapid response vehicles and support/operational staff (approx 200 staff working 24/7), close to the local hospitals and good road networks. The estates infrastructure can include fuel (including Electric Vehicle Charging). Services may include a local workshop (currently 8 across EEAST) to ensure patient facing vehicles are serviced every 6-weeks to ensure they remain road worthy during the 5-year life of the vehicle. Each Workshop also services and repairs essential capital medical equipment required in each ambulance in order to provide mobile emergency health diagnostic and patient care services. Pharmacy and Digital Technology equipment are also provided from each Hub.

Significant parts of EEAST's ambulance estates are no longer in the right place or of the right size/structure to meet modern ambulance service needs. Optimising the use of the current estate is integral to EEAST's Clinical and Sustainable Strategies to reduce unwarranted variation and make the best use of available resources.

EEAST is an essential social infrastructure provider and has an important role to play in contributing to the achievement of sustainable new places (and along with its health and blue light partners). Given the increasing demands on emergency services and the importance and timeliness required for emergency responses, new developments and Infrastructure Delivery Plans must consider the accessibility and adequacy of all emergency services.

Planned housing, population increases, along with deprivation, age and the increasing number of people living for longer with more complex long-term conditions, all impact on the level of ambulance service demand, in respect of both emergency and non-emergency patient transport services.

Age profile is a key factor, as people at both ends of the age spectrum consume a disproportionately large quantity of healthcare services and resource. Those aged over 75 years are most likely to have multiple long-term conditions and complex care needs.

Analysis of EEAST activity from 2019/20 indicates residents aged 65 years and over account for over 1/3 (35%) of Category 1 ambulance activity and 52% of all activity. Those aged 2-18 years account for 15% of Category 1 activity and 8% of all activity.

Planned development in St Albans of around 14,603 new homes will generate in the region of 35,047 additional residents, (assuming 2.4 residents per dwelling) and on the basis of an ambulance for every 10,000 people, an additional circa 4 ambulance vehicles and associated estate infrastructure will be required to support the population growth.

St Albans District area does not contain any of EEASTs proposed purpose-built Hubs which will serve residents in the District. Hubs currently supporting St Albans are located in Hemel Hempstead Luton, Watford and to a lesser extent Stevenage. However, Hemel Hempstead, Luton, Watford are already at capacity and unable to be expanded to deliver modern paramedic science-based services. Ideally new purpose-built Hubs are required for all four locations.

In addition, more ambulance stations, response posts will be required in the District to ensure EEAST can meet the Category 1 (life-threatening) incidents - a response arriving Mandated Mean Target of 7 Minutes. Our target is to get to the incident location ideally within 4 minutes.

Planned housing growth will therefore impact on EEAST's operations within the local area, which are already operating at capacity. Development in St Albans would therefore lead to an increased draw on ambulance service capacity.

EEAST therefore requires CIL/ section 106 contributions to mitigate the impacts arising from proposed strategic sites identified in the Regulation 19 Local Plan.

The range of infrastructure and facilities (ambulance facilities) required to mitigate and manage the impacts arising from planned growth are summarised below:

- Upgrading/ refurbishment of existing premises, or redevelopment/ relocation of existing ambulance stations to a more suitable location to meet the increased local demand arising from housing developments.
- An increase in the number & type of ambulances.

Indicative build costs are set out in the table below. However, please note, these build costs are currently being updated.

Type of Service Development	**£/m2**
Ambulance Hub cost per £/m2	£5,047 (Cost excludes land purchase, fees, VAT)
Ambulance Vehicle cost per vehicle/ fees, VAT)	£140,000 (Cost excludes maintenance, servicing, repairs,

5-year period

Acute Care – West Hertfordshire Teaching Hospitals NHS Trust

Acute care is the branch of secondary health care where a patient receives active but short-term treatment for a severe injury or episode of illness, an urgent medical condition, or during recovery from surgery. It will also provide specialist input for those living with chronic / long term conditions. These services are usually provided in a hospital setting. Whilst within a specific geographical area acute care may be delivered by several different providers, the majority of care for the population of St Albans District is provided by the West Hertfordshire Teaching Hospitals NHS Trust (WHTH).

The Trust operates three hospitals in West Hertfordshire, all of which provide services to residents of St Albans:

- St Albans City Hospital – provides elective surgery, with an urgent care hub, an outpatients department, cancer and diagnostic services.

- Watford General Hospital – provides emergency care, with accident and emergency, inpatient services, an acute admissions unit and women's and children's services, as well as a full range of outpatient and clinical support services.
- Hemel Hempstead Hospital – provides urgent care, endoscopy, diagnostics and outpatient clinics. A small number of intermediate care beds are provided on the site as part of the community service.

The New Hospital Programme seeks to ensure the NHS' hospital estate supports the provision of world-class healthcare services for patients and is committed to a long-term programme for the delivery of 48 new hospitals across the NHS.

The West Hertfordshire Teaching Hospitals NHS Trust is one of the 48 new hospitals identified and prioritised in the New Hospitals Programme.

Population growth will create a significant uplift in the rates of attendance WHTH acute hospital departments over the Local Plan period. Some of this population growth will arise as a direct consequence of additional housing planned for in St Albans District.

WHTH is progressing a business case for redevelopment and investment at Watford Hospital where the greatest volume of patients from across the whole of west Hertfordshire with the most complex and urgent needs are treated. The preferred options for both Hemel Hempstead and St Albans Hospitals propose significant investment to resolve priority issues at each site.

Plans for the proposed new hospital are being progressed as part of the Government's New Hospital Programme. Further floorspace will be required to provide additional acute bed spaces and associated clinical care functions in elective surgery, emergency and maternity departments as a consequence of the additional planned growth in the District. It is therefore fair and reasonable to expect these impacts to be mitigated, in part, through developer contributions and supported via the Local Plan and IDP.

The business case for the new hospital is predicated on funding from a number of sources in addition to Treasury funding, including developer contributions, which national planning policy allows for, where it is possible to demonstrate a clear pathway of cause and effect upon hospital services and providing related Community Infrastructure Levey (CIL) tests are met.

As such, a suitable planning policy is the basis for and is required to enable WHTH to secure the necessary mitigation of impacts on acute healthcare facilities and services arising from future development growth.

The recognition in the IDP that planning for infrastructure is flexible and that changes to available funding streams (along with other factors) may require future updates of the IDP, is welcomed. This is particularly relevant to the funding for new hospitals in light of the previous Government's audit of the New Hospitals Programme and the current Government's review of the Programme's funding.

The IDP as drafted contains limited information on funding for acute and secondary healthcare facilities and services which needs to be addressed.

WHTH as an acute healthcare trust, receives funding via a range of contract arrangements. The Trust is also required to find year-on-year efficiency savings. The Department of Health and Social Care (DHSC) dictates the costs at which it thinks NHS health services should be priced. The National Tariff is broken down, with 65% for staffing costs, 21% for other operational costs, 7% for drugs, 2% for the clinical negligence scheme and 5% for capital maintenance costs. The 5% capital allowance within the Tariff is not sufficient to maintain existing and provide for new infrastructure. Furthermore, the capital costs of healthcare are not limited to buildings, but also include equipment and technology.

There is no routine eligibility for capital allocations from either the DHSC or local commissioners to provide new capital capacity to meet additional healthcare demands. Acute healthcare funding may be raised from a number of different sources, including Section 106 contributions where the related CIL tests are met.

The rationale for the new hospital at Watford and developments at Hemel Hempstead and St Albans is based on the need to modernise facilities and provide additional capacity to help meet current and future needs. Although WHTH receives HIP11[1] funding for the acute services it provides, based on demand from its catchment population and demographic projections, there remains a significant funding gap. The funding gap is directly and proportionally increased by the 'new' residents of planned growth in Southwest Hertfordshire. Therefore, developer contributions are needed to mitigate the additional impacts of planned growth on acute and secondary healthcare services provision.

It should also be noted that the National Audit Office's review of the NHP identified that, although the Government's announcement in October 2020 stated that all 40 named NHP schemes (cohorts 1-4) would be 'fully funded', the £3.7 billion allocated in the 2020 Spending Review was intended mostly for cohorts 1 and 2 – Watford Hospital falls within cohort 3. Paragraph 2.29 of the NAO Report states that:

"*It has been clear since the 2020 Spending Review that the schemes in cohorts 3 and 4 could not commence major capital works until after the start of the next Spending Review period in April 2025. The lack of an agreed programme scope and a clear indication of funding for the programme after 2024-25 limited the schemes' ability to carry out other useful work in 2021 and 2022 because there was no clarity about the scale of new construction that NHP could afford at each site."*

In light of the above, it is requested that the IDP is amended to reflect the position regarding funding for acute and secondary healthcare.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Strategic Policy SP7 - Community Infrastructure

Comment Number: 10

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP7 – Community Infrastructure
Please amend to the following:

In relation to the above, community infrastructure includes the following categories:

i. A range of local healthcare facilities including acute care hospitals, ***emergency ambulance facilities,*** *GPs surgeries,* ***community, mental health,*** *dentists, [deleted text] pharmacy and ophthalmology services;*

ii. [deleted text] Police & fire and rescue facilities;

An essential element of supporting the wider transformation and modernisation of NHS services and the health estate is to ensure that NHS sites are not strategically constrained by restrictive local planning policies. As such it is important that policy SP7 does not restrict but enables flexibility and improvements within the NHS estate, where required by the NHS.

Where it can be demonstrated that health facilities will be changed as part of wider NHS estate reorganisation programmes, it should be accepted that a facility is neither needed nor viable for its current use, with planning policies within the Local Plan supporting the principle of alternative uses for NHS land and property. This will ensure that there is not a delay to vital reinvestment in facilities and services for the community.

The NPPF is clear in stating (para 100), '*to ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted'.*

Where NHS testing and approval processes declare a surplus need, it should be accepted that this provides sufficient evidence that a facility is neither needed nor viable for its current use.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

TRA1 - Transport Considerations for New Development

Comment Number: 11

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

TRA1 – Transport Considerations for New Development
Please add:

a. Proposals must demonstrate:

iv. Transport Infrastructure is designed to support provision of access by emergency services vehicles to reach all areas within mandated response times (emergency ambulance services) or risk assessed response times (fire and police)

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Chapter 14 - Implementation

Comment Number: 14

Type:

* Paragraph

Number:

14.4

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Chapter 14 –Implementation

Planning Obligations and the Community Infrastructure Levy

It is noted that the Council intends to introduce a Community Infrastructure Levy (CIL) Charging Schedule to deliver some of the infrastructure required to meet the needs arising from planned growth (para 14.4). This is welcomed. It is requested that all healthcare facilities and services are included in the Council's list of infrastructure to be funded via CIL receipts.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Strategic Policy SP14 - Delivery of Infrastructure

Comment Number: 12

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP14 Delivery of Infrastructure and IMP1 –Additional Infrastructure Requirements for Strategic Scale Development

The HWE ICB supports draft policies SP14 and IMP1 which seek to ensure infrastructure providers, including the NHS receive a commensurate share of developer contributions to mitigate the healthcare impacts arising from growth.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

IMP1 - Additional Infrastructure Requirements for Strategic Scale Development

Comment Number: 13

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP14 Delivery of Infrastructure and IMP1 –Additional Infrastructure Requirements for Strategic Scale Development

The HWE ICB supports draft policies SP14 and IMP1 which seek to ensure infrastructure providers, including the NHS receive a commensurate share of developer contributions to mitigate the healthcare impacts arising from growth.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Part B - Local Plan Sites

Comment Number: 20

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

For each of the following Local Plan allocations, please add, ***'Contributions to health facilities and services to meet the needs of new residents.'***

B3 – West Redbourn, Redbourn

B5 – Glinwell, Hatfield Road, St Albans

B6 – West of London Colney

B7 – North West Harpenden

B8 – Harper Lane, north of Radlett

L1 – Burstow Nurseries, North Orbital Road, St Albans

L2 – West of Watling Street, Park Street

L3 – East and West of Miriam Lane, Chiswell Green

All Medium and Small Sites except M22, M23 & M25

All Green Green Belt - Previously Developed Land except P3

All Sites within Urban Settlements, except U3 & U4

All Sites within Settlements, except UC4, UC9, UC11, UC14, UC16, UC17, UC18, UC21, UC22, UC23, UC24, UC25, UC26, UC27, UC28, UC29, UC30, UC31, UC32, UC33, UC33, UC35, UC36, UC40, UC41, UC42, UC43, UC44, UC45, UC46, UC47, UC48, UC49, UC50, UC51, UC52, UC53, UC55, UC56, UC57 & UC58

...

Please note, for sites less than 20 dwellings and where there is a negative cumulative impact on health services, the NHS will seek to secure funding via CIL.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 17

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

H1- North Hemel Hempstead

As per the HWE ICB's response to the Regulation 18 Local Plan, heath infrastructure provision, in the form of new on-site medical centre was identified in either North Hemel Hempstead or East Hemel Hempstead, whichever comes forward the sooner. Therefore, please add '***medical centre'*** to the list of infrastructure requirements for North Hemel Hempstead.

...

Impact of specific proposed site allocations and committed sites on Primary Care Infrastructure

- **H1 - North Hemel Hempstead - 1,500 dwellings (1,125 by 2041)**
- **H2 - East Hemel Hempstead (North) – 1,600 dwellings (1,235 by 2041)**
- **H4 - East Hemel Hempstead (South) – 2,400 dwellings (1,940 by 2041)**

This is the St Albans District element of the cross-border Hemel Garden Community development, which is expected to deliver 10,500 units in total. 5,500 of these will be in St Albans District and 5,000 in Dacorum Borough.

Such unprecedented level of growth cannot be absorbed by the existing estate and options for an on-site medical centre in both North Hemel Hempstead and East Hemel Hempstead (North) need to be reserved, with the location of a new facility dependent on which of these strategic sites come forward first.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 21

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Impact of specific proposed site allocations and committed sites on Primary Care Infrastructure

- **H1 - North Hemel Hempstead - 1,500 dwellings (1,125 by 2041)**
- **H2 - East Hemel Hempstead (North) – 1,600 dwellings (1,235 by 2041)**
- **H4 - East Hemel Hempstead (South) – 2,400 dwellings (1,940 by 2041)**

This is the St Albans District element of the cross-border Hemel Garden Community development, which is expected to deliver 10,500 units in total. 5,500 of these will be in St Albans District and 5,000 in Dacorum Borough.

Such unprecedented level of growth cannot be absorbed by the existing estate and options for an on-site medical centre in both North Hemel Hempstead and East Hemel Hempstead (North) need to be reserved, with the location of a new facility dependent on which of these strategic sites come forward first.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 22

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Impact of specific proposed site allocations and committed sites on Primary Care Infrastructure

- **H1 - North Hemel Hempstead - 1,500 dwellings (1,125 by 2041)**
- **H2 - East Hemel Hempstead (North) – 1,600 dwellings (1,235 by 2041)**
- **H4 - East Hemel Hempstead (South) – 2,400 dwellings (1,940 by 2041)**

This is the St Albans District element of the cross-border Hemel Garden Community development, which is expected to deliver 10,500 units in total. 5,500 of these will be in St Albans District and 5,000 in Dacorum Borough.

Such unprecedented level of growth cannot be absorbed by the existing estate and options for an on-site medical centre in both North Hemel Hempstead and East Hemel Hempstead (North) need to be reserved, with the location of a new facility dependent on which of these strategic sites come forward first.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B1 - North St Albans, AL3 6DD

Comment Number: 23

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **B1 – North of St Albans – 1,097 dwellings**
- **B4 – East of St Albans – 472 dwellings**

There will be circa 5,700 additional new homes in St Albans and Chiswell Green by 2041 and additional facilities will be required. These are to include an on-site medical centre at North of St Albans and extension/reconfiguration works to several existing GP surgeries – e.g. Grange Street Surgery, Lodge Surgery and Harvey House Surgery. Section 106 contributions will therefore be sought towards these projects in order to meet the needs of the growing population.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B2 - North East Harpenden, AL5 5EG

Comment Number: 18

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B2 – North East Harpenden

Further assessment has shown that opportunities to create additional capacity exists within the NHS estate and as such there is no requirement for a new on-site medical centre at North East Harpenden. Therefore, please delete '*medical centre*' in the list of development requirements and add '***Contributions to health facilities and services to meet the needs of new residents***.'

...

- **B2 – North East Harpenden – 738 dwellings**
- **B7 – North West Harpenden – 293 dwellings**

There will be circa 2,200 additional new homes in Harpenden and Wheathampstead by 2041 and additional capacity will be needed. There is a potential in the existing GP premises portfolio in Harpenden to create more capacity by extending and reconfiguring or by removing patient records and re-purposing the vacated space for clinical or administrative use. Section 106 contributions will therefore be sought towards these projects in order to meet the needs of the growing population.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B3 - West Redbourn, Redbourn, AL3 7HZ

Comment Number: 26

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **B3 – West of Redbourn – 545 dwellings**

This development will impact on Redbourn Medical Centre and S106 funds will be required in order to increase the capacity by reconfiguring some of the existing space and digitising or storing the patient records off-site. For this reason, developer contributions will be sought from new development proposals in and around Redbourn.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans
L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B4 - East St Albans, AL4 9JJ

Comment Number: 24

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **B1 – North of St Albans – 1,097 dwellings**
- **B4 – East of St Albans – 472 dwellings**

There will be circa 5,700 additional new homes in St Albans and Chiswell Green by 2041 and additional facilities will be required. These are to include an on-site medical centre at North of St Albans and extension/reconfiguration works to several existing GP surgeries – e.g. Grange Street Surgery, Lodge Surgery and Harvey House Surgery. Section 106 contributions will therefore be sought towards these projects in order to meet the needs of the growing population.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B5 - Glinwell, Hatfield Road, St Albans, AL4 0HE

Comment Number: 27

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **B5 – Glinwell, Colney Heath – 484 dwellings**

This development will impact on Northdown Surgery in Hatfield and Potterells Medical Centre. There is currently a proposal pending for the relocation of Northdown Surgery to the regenerated Highview development, subject to NHS governance and business case processes. The ICB has also engaged with Potterells Medical Centre to develop a long-term premises solution within the next 4 years to increase capacity to meet the needs of the growing population. Section S106 funds will therefore be required from any new development in and around Colney Heath towards these projects.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans
L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B6 - West of London Colney, AL2 1LN

Comment Number: 28

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **B6 – West of London Colney – 324 dwellings**

As described above, Summerfield Medical Centre in London Colney was constructed to not only replace two outdated surgeries with a modern purpose-built facility, but to also provide for future housing growth. The HWE ICB will therefore seek developer contributions on any new development in and around London Colney to offset the forward investment from the HWE ICB.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans
L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B7 - North West Harpenden, AL5 3NP

Comment Number: 25

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **B2 – North East Harpenden – 738 dwellings**
- **B7 – North West Harpenden – 293 dwellings**

There will be circa 2,200 additional new homes in Harpenden and Wheathampstead by 2041 and additional capacity will be needed. There is a potential in the existing GP premises portfolio in Harpenden to create more capacity by extending and reconfiguring or by removing patient records and re-purposing the vacated space for clinical or administrative use. Section 106 contributions will therefore be sought towards these projects in order to meet the needs of the growing population.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans
L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

B8 - Harper Lane, North of Radlett, WD7 7HU

Comment Number: 29

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **B8 – Radlett – 274 dwellings**

This development will impact on Red House Surgery, which is one of the most constrained practices in the locality. Early discussions have taken place regarding relocation to a new purpose-built facility. A detailed proposal is yet to be developed. As with any such proposal, it will be subject to NHS governance and business case processes. To mitigate the primary healthcare impact new developments in and around Radlett will have on Red House Surgery, developer contributions will be sought.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans
L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS

Comment Number: 30

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **L2 – Park Street – 104 dwellings**

This development will impact on Red House Surgery branch in Park Street. Relocation of their main surgery will help to alleviate pressures in Park Street and for this reason, the HWE ICB will seek developer's contributions from any new development in and around Park Street towards the relocation of Red House Surgery.

- **L1 – Burston Nurseries – 180 dwellings**
  As per L2 above.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans
L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

L2 - West of Watling Street, Park Street, AL2 2PZ

Comment Number: 31

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **L2 – Park Street – 104 dwellings**

This development will impact on Red House Surgery branch in Park Street. Relocation of their main surgery will help to alleviate pressures in Park Street and for this reason, the HWE ICB will seek developer's contributions from any new development in and around Park Street towards the relocation of Red House Surgery.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans
L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

L3 - East and West of Miriam Lane, Chiswell Green, AL2 3NY

Comment Number: 32

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

- **L3 – Chiswell Green – 101 dwellings**

This development will impact on Midway Surgery. As explained earlier in this document, the former CCG approved a proposal for the extension and refurbishment of the practice, however, due to the lack of capital, this project is currently on hold. The HWE ICB would therefore apply for developer contributions on the above and any other new development in and around Chiswell Green towards creating additional capacity at Midway Surgery.

For each of the following Local Plan allocations, please add, '**Contributions to health facilities and services to meet the needs of new residents**.'
B3 – West Redbourn, Redbourn
B5 – Glinwell, Hatfield Road, St Albans
B6 – West of London Colney
B7 – North West Harpenden
B8 – Harper Lane, north of Radlett
L1 – Burstow Nurseries, North Orbital Road, St Albans

L2 – West of Watling Street, Park Street
L3 – East and West of Miriam Lane, Chiswell Green

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

OS1 - Land to the North of Bricket Wood, bounded by the M25 and A405 North Orbital, AL2 3ET

Comment Number: 19

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Other sites – OS1 – Land to the North of Bricket Wood

There is no identified need for a new onsite medical facility within OS1. However, a contribution will be sought towards health facilities and services to meet the needs of new residents, either towards Midway Surgery extension/refurbishment or Red House relocation. Please amend and also add:

‘***Contributions to health facilities and services to meet the needs of new residents.’***

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

Glossary

Comment Number: 16

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Glossary

Social Infrastructure – the following change is suggested:

‘*A wide variety of services that are essential to the sustainability and wellbeing of a community such as education facilities, places of worship, health provision,* ***ambulance, police and fire and rescue facilities,*** *community, cultural, recreation and sports facilities.’*

As mentioned earlier, please also add a definition of key worker housing.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. NHS HWE ICB_system partner response_[R].pdf

357 - Mrs Julia Warren

Submission Number: 357 Submission Date: 11/11/24 09:00

Respondent: Wheathampstead Parish Council Mrs Julia Warren

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Type:

* Figure

Number:

1.3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Submissions concerning the St Albans Draft Local Plan PART A

Wheathampstead Parish Council has studied the Draft St Albans Local Plan and wish to make the following submissions. We are aware that development across the whole district is an inevitability, but would suggest that local knowledge and concerns should be considered when producing a final plan.

Paragraph 1.38, Figure 1.3 - re Cycleways

In the Wheathampstead Neighbourhood Plan we highlighted the lack of safe cycle routes linking our village to all neighbouring settlements. Key routes to Welwyn Garden City and Harpenden would provide ideal

cycling commuter routes by connecting them to major railway stations. These should be included in the Local Plan as “Cycleways proposed routes” in figure 1.3.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

When the Local Plan is approved and the District is eligible for the Community Infrastructure Levy, Wheathampstead, should be allocated a significant share for cycling infrastructure since a failure to do so is likely to perpetuate the use of private cars. Consideration should be given to using Section 106 funding from major development to create cycling infrastructure by creating Safe Cycleways for Wheathampstead.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Chapter 3 - Sustainable Use of Land and Green Belt

Preventing coalescence is a critical element of the Green Belt policies so it is essential that the Local Plan prevents Wheathampstead coalescing with Harpenden along the Lower Luton Road and Harpenden Rd/Wheathampstead Rd.

Equally important is the protection of distinct communities in discrete areas within the Parish of Wheathampstead, such as The Folly, Lea Valley Estate and Amwell. These must continue to be protected by current Green Belt policies and by their special status as defined in Wheathampstead's Neighbourhood Plan.

We support the Green Network Vision and the creation of Green Corridors that are shown as part of the Hemel Garden Communities initiative. We would, therefore, like to see similar Green Corridors allocated around Wheathampstead to provide safe links to neighbouring settlements. Wheathampstead Parish Council recently formed an "Inclusive Wheathampstead Working Group" with an initial focus on Accessibility. Green Corridors incorporating Safe Cycle Routes would also provide a safe route for Mobility Scooter users to reach nearby settlements which is important for both mental and physical health.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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HOU3 - Specialist Housing

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 4.16, HOU3 - Specialist Housing (specifically for the elderly)

Wheathampstead Parish Council supports the need for specialist housing for the elderly and people living with disabilities. Wheathampstead Working Group's aims are to make our village and parish more accessible.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 5.16, SP5 - Employment and the Local Economy

Wheathampstead Parish Council is proud of the regeneration of our High Street that has taken place over the past twenty years. It wishes to ensure that it remains a viable local retail area while also continuing to encourage the three hundred or more "off the High Street" businesses that make up our local economy. In 2003, the parish council supported the formation of our local businesses group, Wheathampstead Businesses Group, which has gone from strength to strength as it continues to promote, protect and support our local economy. We therefore support the concept of Protected Employment Areas and hope that St Albans District Council will provide or facilitate investment for appropriate employment creating development in this area (PEA 19).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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Chapter 6 - City, Town and Village Centres and Retail

Comment Number: 6

Type:

* Paragraph

Number:

6.12, 6.17, 6.23 and Table 6.1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Paragraph 6.12, Table 6.1 Centre Hierarchy

This hierarchy is not listed alphabetically and so we would query why Wheathampstead is last on the list. This might give the impression that the village is lower in the hierarchy

Paragraph 6.17, TCR4 - Visitor Economy

Wheathampstead has become more of a tourist destination through the development of our Heritage Trail. Building a Community Garden inside the Crinkle Crankle Wall adjacent to our Grade One Parish Church, the promotion of the River Lea, the restoration of the site of the local railway station and an extensive network of countryside footpaths have encouraged a growing number of visitors. Therefore, we expect St Albans District Council to include Wheathampstead in all initiatives to promote the Visitor Economy across the whole of the District and not just the city and town centres.

Paragraph 6.23, TCR6 - St Albans City Centre Public Realm and movement

Regarding points h) & i), as mentioned above, Wheathampstead Parish Council wants St Albans District Council to implement Safe Cycle Routes (also usable as Safe Accessible Routes) to link Wheathampstead to its neighbouring settlements. To this end, we ask for specific routes to be explicitly shown in the Local Plan. This should include collaboration with bordering districts, such as Welwyn & Hatfield, since a Safe Route to the main line train stations at Welwyn Garden City and Hatfield crosses the council border.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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TCR4 - Visitor Economy

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 6.17, TCR4 - Visitor Economy

Wheathampstead has become more of a tourist destination through the development of our Heritage Trail. Building a Community Garden inside the Crinkle Crankle Wall adjacent to our Grade One Parish Church, the promotion of the River Lea, the restoration of the site of the local railway station and an extensive network of countryside footpaths have encouraged a growing number of visitors. Therefore, we expect St Albans District Council to include Wheathampstead in all initiatives to promote the Visitor Economy across the whole of the District and not just the city and town centres.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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TCR6 - St Albans City Centre Public Realm and movement

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 6.23, TCR6 - St Albans City Centre Public Realm and movement

Regarding points h) & i), as mentioned above, Wheathampstead Parish Council wants St Albans District Council to implement Safe Cycle Routes (also usable as Safe Accessible Routes) to link Wheathampstead to its neighbouring settlements. To this end, we ask for specific routes to be explicitly shown in the Local Plan. This should include collaboration with bordering districts, such as Welwyn & Hatfield, since a Safe Route to the main line train stations at Welwyn Garden City and Hatfield crosses the council border.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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Chapter 7 - Community Infrastructure

Comment Number: 9

Type:

* Paragraph

Number:

7.7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

There is no mention of the Police Office in Wheathampstead.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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NEB1 - Woodlands, Trees and Landscape Features

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 10.16, NEB1 - Woodlands, Trees and Landscape Features

Regarding points b) and e), the country lanes around Wheathampstead Parish are lined with a number of trees and hedgerows. The Parish Council is concerned that residential development in Wheathampstead will inevitably lead to more cars and vehicles using our country lanes. To protect the character of the country lanes (many of which are single track) and to preserve the ecology and biodiversity of the area, road widening should be discouraged. An alternative approach would be the use of signposted passing places at regular intervals.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Paragraph 10.25, NEB4 - Significant Publicly Accessible Green Areas

The following Nature Reserves in Wheathampstead Parish should be added to the list;

1. Bower Heath
2. Butterfield Road Nature Reserve
3. Marshalls Heath

Please upload any supporting documents here. Do not include any signatures or other personal data.

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Part B - Local Plan Sites

Comment Number: 23

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Garage usage for housing.

We would consider that many garage sites are suitable for development, because the structures are in a poor state of repair and in many cases are not being used as garages. It is important to note, however, that the garage may provide vital storage facilities which is particularly important for smaller properties. To the extent that some of the garages are actually being used to garage cars, consideration needs to be given to the provision of alternative parking so that the excess does not put pressure on street parking.

It should be noted that the distance between the village of Wheathampstead and central businesses, shopping and train stations of Harpenden and St Albans is not walkable, Cycle lanes are almost non-existent and bus services, at the best of times, are unreliable, impracticable and non-existent in the evening. With the exception of taxis and lifts from friends, family and neighbours, cars for the residents of the village are essential. The reduction of parking space would therefore have a serious effect on the quality of life of the people of Wheathampstead and the economy of the village.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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B2 - North East Harpenden, AL5 5EG

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

B2 – North East Harpenden.

We would accept that some development in this proposal would be viable. At the same time, we are concerned that the scale of the development could be detrimental to Wheathampstead should it result in pressure on the numbers at the Katherine Warrington School. This should be considered in the light of the problem caused to the village by the closure of the secondary school in Butterfield Road.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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M2 - Hill Dyke Road, Wheathampstead, AL4 8TR

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Plan M2 – Hill Dyke Road.

This is viable, provided vehicular access follows the 'no harm to the Devil's Dyke and Slad Scheduled ancient Monument' qualifying requirement**.** Also, any street parking areas should be labelled 'residents only' as in the Lamb Court and Battle View parking areas in Caesars Road. We consider this important so that residents or visitors do not park in this area when visiting the historic Dyke.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M9 – Amwell Top Field.

We do not consider this appropriate development because of the problems surrounding access. The Amwell Lane exit at the Junction of Brewhouse Hill is already congested and this would be exacerbated by any increase in the number of vehicle numbers joining the traffic travelling to and from Wheathampstead. There is also the longer-term danger of coalescence with the Amwell Conservation Area.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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M17 - North of Wheathampstead Road, Harpenden, AL5 1AB

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M17 and M19 Road North of Wheathampstead.

The two combined proposals would be likely to create detrimental congestion either side of that section of Piggotshill Lane. It should be noted that this site is alongside the recommended Safe Cycle Route from Wheathampstead to Harpenden Train Station, so Wheathampstead Parish Council requests that infrastructure funding is allocated to this route from any development on this site.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

---

M19 - Piggottshill Lane, Harpenden, AL5 5UN

Comment Number: 15

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M17 and M19 Road North of Wheathampstead.

The two combined proposals would be likely to create detrimental congestion either side of that section of Piggotshill Lane. It should be noted that this site is alongside the recommended Safe Cycle Route from Wheathampstead to Harpenden Train Station, so Wheathampstead Parish Council requests that infrastructure funding is allocated to this route from any development on this site.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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M20 - Lower Luton Road, Harpenden, AL5 5AF

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M20 Lower Luton Road, Harpenden.

This site could potentially cause access problems due to its tendency to flood. Furthermore, any measures employed to mitigate this flooding might result in further flooding downstream in Wheathampstead.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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M25 - Baulk Close, Harpenden, AL5 4LY

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M25 Baulk Close, Harpenden

This proposal is in the flood plain area. We would repeat the concerns regarding M20, that flood defences at this site could displace the problem to Wheathampstead.

We would, in addition, highlight our concern that the provision of extra housing would lead to increased pressure on the already overburdened sewage treatment facilities and the supply of water. Furthermore, development would result in increased traffic on a rural road system and utilities which are already in need of updating. Any accompanying improvement in this system is likely to be expensive and disruptive.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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UC3 - London Road Car Park, London Road, St Albans, AL1 1NG

Comment Number: 18

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Carparks

Wheathampstead Parish Council has concerns about the potential plans to build on the following Car Parks:

UC3 London Road, St Albans

Wheathampstead Parish is poorly served by Public Transport so inevitably our residents will use private cars to visit St Albans and other retail and leisure centres in the District. The car park on London Rd provides parking for St Albans town centre for retail, restaurants and drinking establishments, plus the hugely popular Odyssey cinema. Loss of car parking is likely to have a disproportionate impact on residents from rural locations in comparison to residents in the City of St Albans who can more easily reach this location on foot or by public transport.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 19

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Carparks

Wheathampstead Parish Council has concerns about the potential plans to build on the following Car Parks:

UC14 - Car Park to rear of Waitrose, Harpenden

We would repeat the comments made regarding UC3. The loss of this car park would have a considerable impact on the residents of Wheathampstead Parish, whose need to drive to the supermarket is greater than those Harpenden residents who can more easily reach it on foot.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 20

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Carparks

Wheathampstead Parish Council has concerns about the potential plans to build on the following Car Parks:

UC15 - Bowers Way East Car Park, Harpenden

The same concern applies to this proposal as to UC3 and UC15. In addition, residents of Wheathampstead would have difficulty accessing the Medical facilities and Dentist practices located close to this car park.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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UC50 - Southview Car Park, Lower Luton Road, Harpenden, AL5 5AW

Comment Number: 21

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Carparks

Wheathampstead Parish Council has concerns about the potential plans to build on the following Car Parks:

UC54 - Harpenden Railway Station Car Park East, Harpenden

Regarding key development point 2, as mentioned above in Paragraph 6.23, Wheathampstead Parish Council would like St Albans District Council to implement Safe Cycle Routes (also usable as Safe Accessible Routes) to link Wheathampstead to its neighbouring settlements. We would ask that consideration be given to allocate funding obtained by any Section 106 agreements towards a Safe Route between the main line train station and Wheathampstead.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 22

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Carparks

Wheathampstead Parish Council has concerns about the potential plans to build on the following Car Parks:

UC50 - Southview Car Park, Lower Luton Rd, Harpenden

We would reiterate our comments concerning the other car parks. In particular there would be a detrimental effort on our residents who use private care to collect takeaway food from the Cherry Tree at The Malta and other takeaway food outlets in the District. This could also be damaging to the local economy associated with the Cherry Trees Indian takeaway, a successful business that used to form part of the district's local economy, and continues to be well supported by our residents.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Wheathampstead PC Strategic Local Plan response approved_[R].pdf

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358 - St Albans School

Submission Number: 358 Submission Date: 08/11/24 09:00

Respondent: MFS Resolution Michael Fearn

On Behalf Of : St Albans School

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.1. **Draft Strategic Policy SP3***"Land and the Green Belt"*- This draft policy contains the self-evident statement that the *"Council seeks overall to protect the Green Belt from inappropriate development"*. It continues that the policy *"involves select Green Belt boundary adjustments in the right areas to provide wider protection of the rest Green Belt".* However, it does not propose any adjustment to the boundary in the vicinity of the School, which currently runs through the middle of a building (see extract below). Proceeding with the current Green Belt boundary in the vicinity of the School's Campus will not be justified, effective, or consistent with National policy.

3.16. **Draft Policies Maps**– The opportunity presented by the emerging Local Plan should be used to undertake a thorough Green Belt boundary review as paragraph 148 of the NPPF advises. Amongst other things this paragraph states that boundaries should be defined *"clearly, using physical features that are readily recognisable and likely to be permanent".*

3.17. **The School's Campus -** We have given the example above of the type of anomaly which the emerging plan provides the opportunity to rectify. The Green Belt boundary in and around the School's Campus includes land which performs no Green Belt function, and includes a number of the School's most significant structures, such as the Swimming Pool / Sports Hall and the new Maths Faculty. Even more bizarrely the Green Belt boundary is still shown running through the middle of the former Aquis Court building (No.31 Fishpool Street), despite this building having been completed about 30 years ago. The continued flawed Green Belt notation is only likely to lead to the frustration of the School's further projects or at the very least retaining the need for involvement of the Secretary of State regarding development applications. There needs to be a much more thorough review of the boundaries to ensure that they are robust, but also allow for the development needs of the District across the plan period.

3.18. ARUP undertook a Green Belt Review on behalf of the St Albans City & District Council, and in its Report of June 2023, the District's Green Belt was divided into 'sub-areas' (SAs), where further analysis was carried out into the land's contribution to Green Belt objectives. 'SA-58' included some of the School's campus, although not all of it. The ARUP report found that this 'sub-area' could be removed from the Green Belt without altering *"the performance of the wider Green Belt"*(ARUP Annex Report, page 266). This 'sub-area' was one of the 54 that the report *"Recommended for further consideration as RA-33"*(ARUP, Final Report, page 69 & Annex Report, page 267).

3.19. In the *"Commentary on boundary features and impact on Green Belt boundary strength"*, page 267 of ARUP's Annex report states:

"the inner boundary is predominantly readily recognisable and likely to be permanent. The outer boundaries to the north and east are readily recognisable and likely to be permanent. The outer boundary to the south is readily recognisable but not necessarily permanent. If the sub-area was released, the new inner Green Belt boundaries would not meet the NPPF definition. The new boundaries would require strengthening".

3.20. ARUP makes no mention of the boundary anomaly in relation to the former 'Aquis Court'. However, ARUP's comments upon the need for boundary strengthening were 'RA-33' to be removed from the Green Belt are curious when considered against the context that the most obvious and natural boundary for the Green Belt in the vicinity of the School's Campus and Fishpool Street as a whole, would be the course of the river Ver to the immediate south. Currently, the boundary line is along the gardens of Fishpool Street and follows no recognisable, or defensible line. This alteration could be made, without any harm to wider Green Belt objectives. As the Green Belt boundary is currently shown it is not positively prepared; justified; effective; or consistent with National policy and requires amendment.

3.21. Going forward, the School would like to work with the Council in order to define the boundary more rationally, so that the integrity of the Green Belt is maintained in a manner which does not compromise the efficient operation of the School.

3.22. **Land to the rear of No. 57 Fishpool Street** - Whilst on the matter of considering the matter of Green Belt boundaries and site allocations in the vicinity of the School, we note that Site Ref C-140, which had originally been put forward by the previous owners into the SHLAA as a potential housing site is not being progressed. The land in question is only part of a much larger area of garden land behind No. 57 Fishpool Street, the entirety of which is now in the ownership of the School. As with the rear of Aquis Court, Site Ref C-140, as well as the rest of the former garden of No.57 Fishpool Street, all fall within the Arup report parcel of land 'RA-33', which was recommended for consideration for release from the Green Belt. The reason for not proceeding with a housing allocation on the site appears to be the size of site once its various constraints are taken into account. The constraints noted include the land being at high risk of flooding; contamination; and because of its *"Agricultural Land Classification"*. As a point of information, Site Ref C-140, as originally put forward for consideration as an allocation, is not itself subject to enhanced flood risk and neither is it agricultural land. Furthermore, the School is not aware of any particular contamination issue with this land. To be justified; effective; and consistent with National policy this area should also be removed from the Green Belt.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend the policies map

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG5 - Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy LG5*"Green Belt"*– as noted above the Government is of the view that there is no need for any 'local policy' on this matter. Promoting a 'local policy' is only likely to be the cause of confusion with that of the NPPF (and/or the National Development Management Policy, when this emerges). As a further example of the potential clash between the NPPF and the emerging Local Plan is that many forms of appropriate development in Green Belt will still be routinely expected to demonstrate 'very special circumstances', even though there may be cases where this would not be necessary according to paragraphs 154 & 155 of the NPPF. This would include developments such as *"outdoor sport, outdoor recreation"*and *"local transport infrastructure"*.

The draft policy still differentiates its support for certain projects, such as *"new state schools"*. However, the NPPF recognises the contribution made by education to meeting the 'social' and 'environmental' roles of sustainable development and draws no distinction in its strong support between state provision, or any other form. In fact, the independent sector educates a large number of local children thereby reducing some of the pressure upon the state schools.

Furthermore, as explained above, the benefits of the independent sector often extend beyond the provision of education in terms of the contribution made to local economies and the maintenance of the natural, historic and built environment. Many schools in the independent sector are in the Green Belt and they are often custodians of important heritage assets, or make a contribution to managing valued landscapes. As significant enterprises that also employ considerable numbers of people and invest in the local economy, these schools must be able to adapt, modernise and improve their facilities in order for them to thrive and continue to invest in their premises (see NPPF, paragraph 99). The policy is not justified; effective; or consistent with National policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG9 - Extension or Replacement of Buildings in the Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.5. **Draft Policy LG9**–*"Extension or Replacement of Buildings in the Green Belt"*– this draft policy is not in accord with the NPPF. Extensions to an existing building in the Green Belt are one of the specified exceptions to the usual presumption against inappropriate development. There is nothing in the NPPF concerning this exception relating only to proposals which do not affect a building's 'character'.

3.6. The floorspace and volume limits that the emerging Local Plan seeks to introduce are completely arbitrary and in many cases the policy would be seeking to impose controls over development which might be permitted by the GPDO anyway.

3.7. Finally, because of the considerable amount of subjectivity introduced, the policy provides no certainty. For instance, there is no definition as to what might be considered to be a *"valuable gap"*(what makes a gap valuable) or an alteration that *"detrimentally alter[s] the character of a building".* Differing quantities of floorspace might then be allowed depending upon the outcome of a further assessment of the performance ('poorly'; 'moderately/well'; & 'very well') of the proposal against such very subjective criteria. No reasoning is put forward to justify criterion f of the draft policy *"the replacement of a temporary dwelling, or short-life dwelling, with a permanent dwelling will be refused"*. There may be many occasions where there is benefit to the replacement of 'short-life' buildings with better constructed permanent structures; for instance, in the grounds of a listed building. As ever, each proposal needs to be considered upon its merits. The policy is not positively prepared; justified; effective; or consistent with National policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP7 - Community Infrastructure

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Strategic Policy SP7*"Community Infrastructure"*- the protection afforded to certain activities which the emerging Local Plan considers to be 'Community Infrastructure' has in some cases been overtaken by the UCO changes in September 2020. Furthermore, the draft policy seeks to prevent *"the loss of Community Infrastructure, or land or buildings previously used for such purposes, unless replacement of equivalent or better provision in terms of quality and quantity in a suitable location is provided".* However, the assessment of equivalent replacement is potentially very subjective. In some cases, for instance, a School might need to dispose of an existing community infrastructure facility, in order to fund the improvement of other facilities elsewhere,

but there will still be an overall net loss of community buildings. Overall, this matter is already covered by the Government policy within such paragraphs as 97 of the NPPF. The policy is not positively prepared; justified by evidence; or consistent with National policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

COM1 - Education

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.9. **Draft Policy COM1***"Education"*– according to the draft policy in order to be able to expand, existing schools in Green Belt locations *"must provide evidence of education need"*. This is not a requirement of National policy and goes beyond the terms of the NPPF's policy regarding exceptions (see paragraphs such as 154). As stated above, the NPPF attaches *"great weight"*to any improvements to educational provision.

3.10. It is also noted that the draft policy will generally 'expect' *"that provision of the new facilities for wider community uses will be secured through community use agreements"*. Not every proposal for new facilities will be suited to granting wider public access. It is also not always feasible to have *"joint use"* facilities as part of new educational development. This could be due to the location of the development site within the subject school and whether safe and separate access can be provided without conflict with a school's responsibilities to safeguard children.

3.11. Many of the other provisions of this draft policy do not add anything to the policy already available in the NPPF such as *"proposals for detached school playing fields in Green Belt locations must preserve the openness of the Green Belt and must not conflict with the Green Belt purposes"*; *"Design, external appearance and new landscaping must be to a high standard";* or *"Effects on the amenity of the surrounding area in terms of visual impact, lighting, noise, disturbance, road access and traffic generation must be acceptable".* The policy is not positively prepared; justified; effective; or consistent with National policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

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* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

COM3 - Community, Leisure and Sports Facilities

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy COM3*"Community, Leisure and Sports Facilities"*– the support for *"new, retained and improved community, leisure and sports buildings and facilities in appropriate and sustainable locations"*within the draft policy is noted (albeit with the reservation expressed above concerning safeguarding and wider community access). This process could be further assisted through making accommodation for this to happen through changes to Green Belt boundaries for existing institutional occupiers (see section below regarding the Policies Map).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

This process could be further assisted through making accommodation for this to happen through changes to Green Belt boundaries for existing institutional occupiers (see section below regarding the Policies Map).

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

TRA4 - Parking

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy TRA4*"Parking"*– states that new housing proposals in Zone 3 ('Areas of Overnight Parking Stress') will be refused unless financial obligations are paid. The areas in question are still not shown on the Policies Map (they were not shown on the Policies Maps which accompanied the Regulation 18 consultation either). The text to the latest consultation draft says that the Zone Maps are available on the Council's website and having now located a document showing the Zones, it is clear that the areas of Zone 3 correspond with large parts of the District's existing built up areas. The provision therefore runs entirely counter to any attempt to direct new housing to the most sustainable locations and prioritise the use of previously developed land. The requirement at criterion h) to meet Building Regulations in respect of Electric Vehicle charging is totally otiose. The policy is not positively prepared; justified; effective; or consistent with National policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB2 - Local Green Spaces

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB2*"Local Green Spaces"*– There is guidance within the NPPF & PPG upon the terms of this designation. Because this designation equates to Green Belt in its impact, it must be used with caution and only where absolutely necessary. The designation as LGS*"should not be used in a way that undermines this aim of plan making* [and]....*designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name".* It is unclear as to how the 'demonstrably special' nature of these sites has been established. In some cases, the proposed LGS is already within the Green Belt and the PPG is clear in stating "*consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space".* There is no evidence that this exercise has been undertaken. Affected landowners should be contacted *"at an early stage about proposals to designate any part of their land as Local Green Space* [giving them]....*opportunities to make representations in respect of proposals in a draft plan"*(NPPF, paragraphs 105-107 & PPG Reference IDs: 37-007, 010, 015 & 019-20140306 Revision date: 06 03 2014).

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

NEB3 - Non-Designated Local Green Space

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Draft Policy NEB3*"Non-designated Local Green Space"*– there is no need for such a policy. Bearing in mind the status of most of the District is already subject to Green Belt restrictions, the imposition of yet further controls over many of the few possible remaining urban area development sites is likely to compromise even further the delivery of the necessary development. Sports fields do not need any additional protection to that already given by paragraph 103 of the NPPF. Furthermore, the statutory consultee 'Sport England', also provide more detailed policy safeguards upon development proposals which affect playing fields in their 2018 policy document referenced earlier in these submissions. The policy is not positively prepared; justified; effective; or consistent with National policy.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the policy

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 2024-11-08 St Albans School City Campus Reg 19 Representations_[R].pdf

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

359 - Betsy Brown

Submission Number: 359 Submission Date: 08/11/24 09:00

Respondent: Natural England Betsy Brown

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 13

Type:

* Paragraph

Number:

1.17

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Habitats Regulation Assessment

Natural England Regulation 18 Comments: *Having reviewed the Habitats Regulations Assessment (HRA) submitted as well as the details within Appendix 1 of the Local Plan we are in agreement with the screening in of sites within the Chilterns Beechwoods SAC 12.6km zone of influence (ZOI). Should those sites come forward for allocation, Natural England must be consulted and provided with a project-level HRA. These sites will need to secure appropriate mitigation through contributions to Strategic Access Management and Monitoring Measures (SAMM) and provision of Suitable Alternative Natural Greenspace (SANG).*

Additional sites that fall within the Chilterns Beechwoods SAC 12.6km ZOI have been identified and we are satisfied that these have been included in updated allocation policies and the Habitats Regulations Assessment (HRA). Natural England is satisfied that, subject to the Chilterns Beechwoods SAC SANG and SAMM mitigation measures being secured as part of planning consent, the HRA conclusion is correct.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - Natural England is satisfied that, subject to the Chilterns Beechwoods SAC SANG and SAMM mitigation measures being secured as part of planning consent, the HRA conclusion is correct.

We can confirm that we have no concerns regarding the ... Habitats Regulations Assessment.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 14

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary of Natural England's advice

Whilst Natural England has recommended some further modifications to a number of core and site allocation policies, we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Regulation 19 consultation version of the St Albans Local Plan (SALP) and accompanying appendices, together with the Sustainability Appraisal (SA). Our detailed comments on the polices and site allocations are provided in Appendix 1 of this letter. In our Regulation 18 response, we commented in detail on the Evidence base reports made available for this consultation, including a Habitats Regulation Assessment (HRA) provided at the Regulation

18 stage. In this letter, we have commented on new or revised Evidence Base reports that have been published since the Regulation 18 consultation. These comments can also be found in Appendix 1.

Please note that we have not provided comments on all policies, but only those which have the most influence on matters within our natural environment remit. Natural England has no comment to make on the policies not covered in this response. We can confirm that we have no concerns regarding the Sustainability Appraisal or Habitats Regulations Assessment.

The SALP has many positive aspects, and it is good to see that comments made at Regulation 18 stage have been taken on board and expanded in the updated Local Plan. This includes detailed polices on green and blue infrastructure (GI), a climate change policy, integrating of the Local Nature Recovery Strategy (LNRS) into development plans, and a commitment to achieving minimum 10% biodiversity net gain with an aim to exceed this where practicable.

The Plan also acknowledges the Chilterns Beechwoods Special Area of Conservation (SAC) strategic solution and mitigation strategy in light of increased recreational pressures from new development. This has it's own dedicated policy and is referenced for relevant allocations which we are pleased to see.

We have some comments in relation to air quality and the need to consider air pollution issues on the natural environment, both in the Core Policy for Air Quality, and in relation to policies TRA3 (Development Generating New Lorry Movements) and Strategic policy SP8 (Transport Strategy). It is important that in addition to human health, environmental considerations including air quality impacts on air quality sensitive protected sites are included in policy wording.

We have suggested some amendments to policies and allocations in the SALP, specifically around strengthening wording in regards to National Landscape policies, cross-referencing policies, and clarifying certain aspects of the plan. In our view, all our comments in Appendix 1 could all be taken forward as minor modifications, but if they were all acted upon, would leave the SALP much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It would be beneficial to create a clear distinction between SANG and Biodiversity Net Gain (BNG) as a mechanism for achieving habitat creation and required SANG criteria.

Despite this, we encourage and are pleased to see innovative approaches to climate mitigation and are happy to review such schemes in the future.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 11

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP2 –Responding to the Climate emergency

Natural England welcomes the strong focus on climate change throughout the local plan as well as inclusion of a specific policy incorporating green infrastructure, mitigating flood risk through SuDS and promoting onsite renewables. It is good to see inclusion of Suitable Alternative Natural Green space (SANGs) within this policy. However, it would be beneficial to create a clear distinction between SANG and Biodiversity Net Gain (BNG) as a mechanism for achieving habitat creation and required SANG criteria. BNG can only be stacked/included in calculations within a SANG site(s) once the minimum SANG criteria have been met. Despite this, we encourage and are pleased to see innovative approaches to climate mitigation and are happy to review such schemes in the future.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It would be beneficial to create a clear distinction between SANG and Biodiversity Net Gain (BNG) as a mechanism for achieving habitat creation and required SANG criteria.

Despite this, we encourage and are pleased to see innovative approaches to climate mitigation and are happy to review such schemes in the future.

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LG1 - Broad Locations

Comment Number: 9

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG1 - broad locations

Natural England Reg 18 comments: *whilst there are no nationally designated landscapes intersecting the District, the north / northwest part of the District is associated with the dip slope of the nearby Chilterns AONB with a pattern of valleys / dry valleys and raised plateaus, giving rise to long distance views and characteristic land uses, such as areas of woodland and common land, as well as characteristic settlement pattern...it will be important to have a robust landscape evidence baseline to justify decision making around proposed site allocations within the Local Plan.*

Development should also be sited to avoid impacts on local sites, such as County Wildlife Sites, and priority habitats and species in line with paragraphs 175 and179 of the NPPF.

We suggest the following wording change to point 'c' c) Landscape and Visual Impact Assessments (LVIAs) will be required for all major development. located outside of the settlement area.

It is good to see updated wording with the submitted Regulation 19 taking account of our previous advice and including the following wording:

Positively relate and integrate the development to the surrounding buildings and landscape, and **be informed by a comprehensive Landscape and Visual Impact Assessment which addresses the recommendations of the Council's Landscape and Visual Appraisal 2024;**

Natural England is happy that this addresses our comments about requirements for an LVIA and assessing development in light of the National Landscape. That being said, we feel that stronger wording regarding the LURA duty is required in light of the expectation to further the goals of, rather than just avoid impacts on the National Landscape. The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose.

The proposed measures to further the statutory purposes of a protected landscape, should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the

area and effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management plan.

In regard to Hemel Garden Communities, we would expect consultation with NE and the Chilterns Conservation Board to help guide the delivery of required measures.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Natural England is happy that this addresses our comments about requirements for an LVIA and assessing development in light of the National Landscape. That being said, we feel that stronger wording regarding the LURA duty is required in light of the expectation to further the goals of, rather than just avoid impacts on the National Landscape

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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LG2 - Support for Transformation of Hemel Hempstead

Comment Number: 8

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

In regard to Hemel Garden Communities, we would expect consultation with NE and the Chilterns Conservation Board to help guide the delivery of required measures.

Policy LG2 –Support for Transformation of Hemel Hempstead

Natural England is pleased to see new wording regarding the policy around Hemel Hempstead and the Hemel Garden Communities programme area. It is particularly good to see intention to follow a coordinated approach between developers and promoters of the growth areas in accordance with the Local Plan Infrastructure Delivery Plans, the spatial vision, supporting SPDs and Design Codes.

Again, however, Natural England would like to see inclusion of the requirement of an LVIA assessment as part of HGC development with this specific policy.

...

Sustainability Appraisal

Having reviewed the Sustainability Appraisal that supports the Regulation 19 consultaion of the St Albans new Local Plan, Natural England is satisfied that there are no reasonable alternatives to the one growth scenario proposed in the SA regarding Hemel Garden Communities (HGC), as the alternatives discussed in the SA would not meet local and district objectives. The concept masterplan has been amended since the Regulation 18 consultation with specific reference to SANG allocation and green space requirements. It is acknowledged in the Sustainability Appraisal that the impact on the Chilterns National Landscape is a key sensitivity/ issue in regard to this development, however allocation of HGC to the east and northeast of Hemel Hempstead potentially serves to reduce pressure on the part of HGC to the north, which is likely the most sensitive in National Landscape terms. As stated in NE's Regulation 18 response, we would expect such conclusions to be supported by a robust Landscape Visual Impact Assessment. It is acknowledged and welcomed that amendments have been made to wording within the Broad Location allocation of HGC communities to reflect this:

...be informed by a comprehensitive landscape and Visyual Impact Assessment which addresses the recommendations of the Councils Landscape and Visual Appraisal 2024.

Natural England is content that the current growth scenario, subject to detailed design of the new SANG in consultation with NE, the aforementioned detailed LVIA and continued consultation with the Chilterns Conservation Board (CCB), will go towards mitigating effects on the National Landscape.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In regard to Hemel Garden Communities, we would expect consultation with NE and the Chilterns Conservation Board to help guide the delivery of required measures.

...

Again, however, Natural England would like to see inclusion of the requirement of an LVIA assessment as part of HGC development with this specific policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

LG3 - Hemel Garden Communities Growth Areas Place Principles

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy LG3 –Hemel Garden Communities Growth Areas Place Principles

Natural England notes the inclusion of various expanded green and blue infrastructure policies, including reference to use of Sustainable Urban Drainage Systems (SuDS), greenways and ecological corridors. We also note the commitment to achieving and exceeding at least 10% Biodiversity Net Gain (BNG); a goal that is repeated throughout various sections of the Local Plan. These are all excellent additions, and we are pleased to see commitment to going beyond the mandatory 10% for HGC as well as other developments.

We have noted however that within Pillar 1 – Green networks, Suitable Alternative Natural Green Space (SANG) is mentioned without the addition of Strategic Access Monitoring Measures (SAMM) in relation to the mitigation strategy for the Chilterns Beechwood Special Area of Conservation (CBSAC).

As part of the mitigation strategy within the 12.6km zone of influence around CBSAC, both SANG and SAMM are required to mitigate recreational impacts and increased visitor pressure as a result of new development. We therefore recommend the following wording for bullet point B;

Provide Suitable Alternative Natural Green Space (SANG) and Strategic Access Monitoring Measure (SAMM) contributions as part of an appropriate mitigation strategy for Chilterns Beechwoods Special Area of Conservation (CBSAC), as agreed with Natural England.

We would also like to see specific reference to the new LURA duty as part of the Hemel Garden Communities Growth principles Policy. Paragraph 182 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. In addition,Section 245(Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities to seek to further the statutory purposes of the area in carrying out their functions in relation to, or so as to affect, land in an AONB.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As part of the mitigation strategy within the 12.6km zone of influence around CBSAC, both SANG and SAMM are required to mitigate recreational impacts and increased visitor pressure as a result of new development. We therefore recommend the following wording for bullet point B;

Provide Suitable Alternative Natural Green Space (SANG) and Strategic Access Monitoring Measure (SAMM) contributions as part of an appropriate mitigation strategy for Chilterns Beechwoods Special Area of Conservation (CBSAC), as agreed with Natural England.

We would also like to see specific reference to the new LURA duty as part of the Hemel Garden Communities Growth principles Policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU6 –Gypsies, Travellers and Travelling Show People

It should be noted that Gypsy and Traveller pitches/accommodation are viewed as an equivalent of 1 dwelling, and as such need to contribute to the CBSAC strategic solution where proposals fall within the 12.6km Zone of Influence. This should be reflected in policy HOU6.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It should be noted that Gypsy and Traveller pitches/accommodation are viewed as an equivalent of 1 dwelling, and as such need to contribute to the CBSAC strategic solution where proposals fall within the 12.6km Zone of Influence. This should be reflected in policy HOU6.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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Strategic Policy SP8 - Transport Strategy

Comment Number: 10

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We have some comments in relation to air quality and the need to consider air pollution issues on the natural environment, both in the Core Policy for Air Quality, and in relation to policies TRA3 (Development Generating New Lorry Movements) and Strategic policy SP8 (Transport Strategy). It is important that in addition to human health, environmental considerations including air quality impacts on air quality sensitive protected sites are included in policy wording.

...

Strategic Policy SP8 –transport strategy

We would like to see, in addition to consideration of impacts on human health, inclusion of environmental risks around air quality impacts on air quality sensitive designated sites. Further information on this is provided in comments relating to policy HW1 which we would recommend cross referencing in policy SP8.

Policy HW1 –Air and Noise Pollution

The Policy on air quality should be expanded to include reference to air pollution impacts on the natural environment and relevant protected sites. Employment and residential allocations have the potential to increase Annual Average Daily Traffic (AADT) on roads within 200m of protected

sites. Air quality impacts should be assessed at the Local Plan stage, rather than individual planning applications, as the outcome of assessment may result in a change to site allocations within the draft St Albans Local Plan.

Natural England's report on the assessment of road traffic emissions (NE001) should be followed when assessing road traffic emissions. Roads within 200m of protected sites should be modelled and assessed in relation to site allocations, prior to inclusion of site allocations in the submission version of the St Albans Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would like to see, in addition to consideration of impacts on human health, inclusion of environmental risks around air quality impacts on air quality sensitive designated sites. Further information on this is provided in comments relating to policy HW1 which we would recommend cross referencing in policy SP8...

The Policy on air quality should be expanded to include reference to air pollution impacts on the natural environment and relevant protected sites.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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TRA3 - Development Generating New Lorry Movements

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We have some comments in relation to air quality and the need to consider air pollution issues on the natural environment, both in the Core Policy for Air Quality, and in relation to policies TRA3 (Development Generating New Lorry Movements) and Strategic policy SP8 (Transport Strategy). It is important that in addition to human health, environmental considerations including air quality impacts on air quality sensitive protected sites are included in policy wording.

...

Policy TRA3 –Development Generating New Lorry Movements

As referenced in our responses to Policy HW1 and Strategic Policy SP8 we would like to see explicit reference to considerations of air quality impacts on the environment as a result of development and traffic changes. Cross referencing between policies is recommended to provide stronger support for the need for air quality modelling and assessment.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

As referenced in our responses to Policy HW1 and Strategic Policy SP8 we would like to see explicit reference to considerations of air quality impacts on the environment as a result of development and traffic changes. Cross referencing between policies is recommended to provide stronger support for the need for air quality modelling and assessment.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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NEB9 - Agricultural Land

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

M4 –North of Oakwood Road, Bricket Wood, AL2 3PT

Allocation M4 falls within the Impact Risk Zone for Bricket Wood Common SSSI. The allocation policy should include a requirement for development to assess the effects of recreational pressure, and to incorporate any avoidance or other required mitigation measures to address adverse impacts on the SSSI. Natural England will be pleased to engage with the developer through our Discretionary Advice Service (DAS) to ensure that appropriate avoidance/mitigation measures are agreed prior to submission of the planning application .

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Allocation M4 falls within the Impact Risk Zone for Bricket Wood Common SSSI. The allocation policy should include a requirement for development to assess the effects of recreational pressure, and to incorporate any avoidance or other required mitigation measures to address adverse impacts on the SSSI. Natural England will be pleased to engage with the developer through our Discretionary Advice Service (DAS) to ensure that appropriate avoidance/mitigation measures are agreed prior to submission of the planning application .

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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NEB11 - Chilterns National Landscape

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB11 –Chilterns National Landscape

Natural England Reg 18 comments: *we would like to see a specific policy regarding the Chilterns Area of Outstanding Natural Beauty (AONB). Whilst no allocations fall within the AONB, some broad locations lie close to the designated landscape and so have the potential to impact upon the AONBs setting....Within the policy it would be beneficial to include a requirement to consult the relevant AONB Partnership or Conservation Board.*

Natural England is pleased to see that our comments at Regulation 18 were taken onboard and there has been an addition of policy NEB11 which focuses on the Chilterns National Landscape. We would however like to reiterate that there needs to be stronger wording in terms of furthering the purposed of the National Landscape and reference to the new LURA duty.

...

That being said, we feel that stronger wording regarding the LURA duty is required in light of the expectation to further the goals of, rather than just avoid impacts on the National Landscape. The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose.

The proposed measures to further the statutory purposes of a protected landscape, should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management plan.

...

We would also like to see specific reference to the new LURA duty

...

Paragraph 182 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. In addition,Section 245(Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities to seek to further the statutory purposes of the area in carrying out their functions in relation to, or so as to affect, land in an AONB.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would however like to reiterate that there needs to be stronger wording in terms of furthering the purposed of the National Landscape and reference to the new LURA duty.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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DES2 - Public Space

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy DES2 –Public Space

Natural England is pleased to see inclusion of a new policy dedicated to public space, specifically incorporation of soft landscaping that protects existing planting and landscape features and integrates naturalised SuDS, as well as supporting biodiversity creation and enhancement. Taking a joint approach to development including landscape features/the natural environment in conjunction with people is a welcome approach to urban design and we are in support of this.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - Support for DES2

Please upload any supporting documents here. Do not include any signatures or other personal data.

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HW1 - Air and Noise Pollution

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We have some comments in relation to air quality and the need to consider air pollution issues on the natural environment, both in the Core Policy for Air Quality, and in relation to policies TRA3 (Development Generating New Lorry Movements) and Strategic policy SP8 (Transport Strategy). It is important that in addition to human health, environmental considerations including air quality impacts on air quality sensitive protected sites are included in policy wording.

...

Policy HW1 –Air and Noise Pollution

The Policy on air quality should be expanded to include reference to air pollution impacts on the natural environment and relevant protected sites. Employment and residential allocations have the potential to increase Annual Average Daily Traffic (AADT) on roads within 200m of protected sites. Air quality impacts should be assessed at the Local Plan stage, rather than individual planning applications, as the outcome of assessment may result in a change to site allocations within the draft St Albans Local Plan.

Natural England's report on the assessment of road traffic emissions (NE001) should be followed when assessing road traffic emissions. Roads within 200m of protected sites should be modelled and assessed in relation to site allocations, prior to inclusion of site allocations in the submission version of the St Albans Local Plan.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Policy on air quality should be expanded to include reference to air pollution impacts on the natural environment and relevant protected sites.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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Part B - Local Plan Sites

Comment Number: 15

Type:

* Site

Number:

H1, H2, H3, H4, M6, M7, M16, P3, UC33

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Site allocations

We have the following comments to make on site allocations, in addition to those we made in our Regulation 18 submission, which have not been repeated in this letter.

Site allocations requiring SANG

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H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 17

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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H2 - East Hemel Hempstead (North), HP2 7HT

Comment Number: 18

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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H3 - East Hemel Hempstead (Central), HP2 7LF

Comment Number: 19

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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H4 - East Hemel Hempstead (South), HP2 4PA

Comment Number: 20

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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M4 - North of Oakwood Road, Bricket Wood, AL2 3PT

Comment Number: 16

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy NEB9 –Agricultural Land

Natural England Reg 18 comments: *An agricultural land classification (ALC) survey has been produced and reviewed by Natural England for H3 (East of Hemel Hempstead) and we would expect to be consulted in a similar fashion or an ALC produced by the LPA for the remaining allocations over 20ha, or those that in combination will result in the accumulated loss of BMV. Further proposed allocations that have the potential to result in a loss of greater than **20ha** of BMV include:*

- *B1 - North St Albans, AL3 6DD*
- *B2 - Northeast Harpenden*
- *B4 - East St Albans, AL4 9JJ*

It is good to see inclusion of the following wording:

Other than where development is allocated in this Plan, where development on more than **20 Hectares** of agricultural land is proposed, a detailed survey (approved by the Department for Environment, Food and Rural Affairs (DEFRA) or an independent expert), which includes an assessment of grading, should be submitted.

However, we would like to see the policy include reference to in-combination/cumulative effects of smaller developments resulting in the loss of 20ha of BMV.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

However, we would like to see the policy include reference to in-combination/cumulative effects of smaller developments resulting in the loss of 20ha of BMV.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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M6 - South of Harpenden Lane, Redbourn, AL3 7RQ

Comment Number: 22

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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M7 - Townsend Lane, Harpenden, AL5 2RH

Comment Number: 23

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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M16 - Falconers Field, Harpenden, AL5 3ES

Comment Number: 21

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

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* Yes

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P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB

Comment Number: 24

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

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* Yes

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UC33 - Land Rear of 53 Snatchup, Redbourn, AL3 7HF

Comment Number: 25

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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Sustainability Appraisal Note

Comment Number: 12

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* Yes

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

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Sustainability Appraisal (SA)

Natural England Reg 18 comment: *St Alban's Interim Sustainability Appraisal (July 2023) acknowledges at 6.2.67 that 'landscape is a key constraint to growth locally' and that whilst there are no nationally designated landscapes intersecting the District, the north / northwest part of the District is associated with the dip slope of the nearby Chilterns AONB with a pattern of valleys / dry valleys and raised plateaus, giving rise to long distance views and characteristic land uses, such as areas of woodland and common land, as well as characteristic settlement pattern.*

Given these sensitivities and the complimentary nature of the landscape pattern adjacent to the Chilterns AONB in providing the setting to the AONB, it will be important to have a robust landscape evidence baseline to justify decision making around proposed site allocations within the Local Plan. Whilst the Sustainability Appraisal (SA) makes reference to the sensitivity of the landscape, it is unclear whether a Landscape Sensitivity Study has been carried out to inform the HEELA and Sustainability Appraisal. If a Landscape Sensitivity Study has not been carried out to inform selection of sites, then we strongly recommend that this is carried out to provide a sound and robust evidence base to inform the subsequent iterations of these interim documents, which will eventually form the basis for decision making around where to locate new development within the local plan.

Having reviewed the Sustainability Appraisal that supports the Regulation 19 consultaion of the St Albans new Local Plan, Natural England is satisfied that there are no reasonable alternatives to the one growth scenario proposed in the SA regarding Hemel Garden Communities (HGC), as the alternatives discussed in the SA would not meet local and district objectives. The concept masterplan has been amended since the Regulation 18 consultation with specific reference to SANG allocation and green space requirements. It is acknowledged in the Sustainability Appraisal that the impact on the Chilterns National Landscape is a key sensitivity/ issue in regard to this development, however allocation of HGC to the east and northeast of Hemel Hempstead potentially serves to reduce pressure on the part of HGC to the north, which is likely the most sensitive in National Landscape terms. As stated in NE's Regulation 18 response, we would expect such conclusions to be supported by a robust Landscape Visual Impact Assessment. It is acknowledged and welcomed that amendments have been made to wording within the Broad Location allocation of HGC communities to reflect this:

...be informed by a comprehensitive landscape and Visyual Impact Assessment which addresses the recommendations of the Councils Landscape and Visual Appraisal 2024.

Natural England is content that the current growth scenario, subject to detailed design of the new SANG in consultation with NE, the aforementioned detailed LVIA and continued consultation with the Chilterns Conservation Board (CCB), will go towards mitigating effects on the National Landscape. It is also acknowledged that four allocations have been removed from the Local Plan due to their likelihood of falling into the revised National Landscape. Again, this is welcomed.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

n/a - We can confirm that we have no concerns regarding the Sustainability Appraisal

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 489319 NE RESPONSE St Albans Local Plan Reg 19 consultation_[R].pdf

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360 - Cathy Sweeney

Submission Number: 360 Submission Date: 10/11/24 09:00

Respondent: Cathy Sweeney

B2 - North East Harpenden, AL5 5EG

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

St Albans Draft Local Plan 2041

We understand that the proposed draft Local Plan includes a huge housing development with limited access. We write to object to the area to the North East of Harpenden AL5 5EG being developed.

Flood Risk

The site is in a floodplain close to the river. The land and roads around this site have suffered severe flooding making some roads impassible in recent months and years. This includes the Lower Luton Road from which this site is accessed. Further development will only worsen the situation.

Transport and access

The Lower Luton Road, Bower Heath Lane and Common Lane which bound the site are already seriously overcrowded. Even without further development traffic is going to increase considerably as further pupils are enrolled at KWS. Increase traffic is already having an effect on air quality in the area. This site is on the east side of the River Lea, with only one local crossing point at Station Road. This junction is within close proximity to the site is already heavily congested and will become more so, as all the main amenities of Harpenden are on the west side of the river. The upheaval caused by construction traffic during the development which is planned over a number of years, is unthinkable and may have serious accident and safety consequences.

Train Station

Harpenden is a commuter town and it is highly likely that residents of the proposed new development area will seek travel by train. Access to the station by car cycle walking or bus, will involve negotiating the one river crossing over the River Lea at Station Road. This road is narrow and increased traffic cycling and pedestrian activity will not lead to further congestion but again the possibility of accidents and fear and intimidation particularly for pedestrians and cyclists.

Bio diversity

The plan development will cause a massive habitat change for bats, badgers, great crested newts, foxes, deer and birds currently on site and in the surrounding areas.

Woodland and hedges

This development would undoubtedly destroy ancient trees and hedges which will have close association with the ancient and protected Woodland at Sauncey Wood adjoining the site.

Archaeology

The area is of archaeological interest. There is a Saxon burial ground in close proximity. Adjoining the site used to be a prisoner of War camp during the Second World War and there may be unusual and interesting Artifacts buried there.

Light pollution

The proposed development area would give rise to a significant increase in light pollution from the huge number of dwellings and other buildings along with associated outside lighting. This area of countryside is already suffering from the increase lighting from recent inclusion of floodlighting at KWS which originally was restricted against as a condition of the planning granted. Local residents do not want to see street lighting or any other form of light pollution.

Scale

This is a huge number of proposed dwellings, and despite the proposed inclusion of education and health care, the local area simply cannot provide enough services for the huge increase in population and associated traffic.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We trust that this objection to the draft Local Plan will be taken very seriously, and that better brown field sites are chosen for development, such as existing industrial, office and retail premises closer to Harpenden Town Centre.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sweeney_C_[R].pdf

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361 - Mohammad Ahmed

Submission Number: 361 Submission Date: 08/11/24 09:00

Respondent: The Environment Agency Mohammad Ahmed

Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy SP2: Responding to the climate emergency

We are pleased to see the inclusion of considerations for flood risk mitigation, biodiversity net gain and SuDs in this policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

CE1 - Promoting Sustainable Design, Construction and Building Efficiency

Comment Number: 2

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy CE1: Promoting Sustainable Design, Construction and Building Efficiency We welcome the inclusion of water efficiency in clause (c) related to retrofitting of existing buildings.

However, we note that sub-clauses i-ii (around BREEAM standards etc.) have been omitted since the Regulation 18 draft. We would recommend re-introducing them to make the policy more effective.

As recommended in our comments to the Regulation 18 draft, please provide clarity on the text ‘degree proportionate to the proposal’ of the above policy. We recommend that all developments within the St Albans Local Planning Authority’s (LPA) area should be subject to this policy.

We are pleased to see the inclusion of clause (f) related to Sustainable Drainage Systems (SuDS).

As communicated in our Regulation 18 response, we would also recommend editing the CE1 policy to include the requirement for significant housing developments (i.e., those which require an Environmental Impact Assessment) to conduct a site-specific water cycle study. This more detailed analysis can take account of new evidence and consider the phasing of a development to support any necessary infrastructure upgrades. This could then be incorporated into the relevant Infrastructure Delivery Plan.

Water cycle studies

Given the scale of the water resources challenges, we also strongly recommend St. Albans District Council to conduct a water cycle study as part of your new local plan. This would be an update to the Hertfordshire Water Study 2017, which identified immediate (2021), medium term (2031), and long term (2051) considerations. Our understanding of the challenges around water supply, climate change scenarios and environmental need have improved. Additionally, the specific requirements on water companies to meet their environmental obligations have changed, therefore, the above study requires an update and is not considered adequate. This should encompass a thorough assessment of drinking water supply, ideally considering specific network arrangements and where water is being obtained from to meet demand. Wastewater infrastructure and treatment constraints should also be included, as well as options to address emerging issues. Strong engagement with the relevant water companies will ensure this is comprehensive.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

LG1 - Broad Locations

Comment Number: 3

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the inclusion of site-specific policies for the purpose of ensuring sustainable development. However, as communicated in our Regulation 18 response, we note that **policies LG1 and LG 4** could be strengthened by including requirements for flood risk assessments, biodiversity net-gain, protection of adjacent watercourses and groundwater protection.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

LG4 - Large, Medium and Small Sites

Comment Number: 4

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

We welcome the inclusion of site-specific policies for the purpose of ensuring sustainable development. However, as communicated in our Regulation 18 response, we note that **policies LG1 and LG 4** could be strengthened by including requirements for flood risk assessments, biodiversity net-gain, protection of adjacent watercourses and groundwater protection.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 7

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policies SP6 and TCR6

As communicated in our Regulation 18 response, we believe that there is a missed opportunity in terms of provisions for environmental considerations. The regeneration and uplifting of town centres provide a great opportunity for environmental protection and enhancement.

We therefore recommend the inclusion of clause(s) related to safeguarding and protecting the environment. This could include the safeguarding of associated watercourses and priority habitat. Furthermore, we recommend the inclusion of a clause to explore environmental improvements such as creation of new habitats that will provide multiple benefits for example as part of green infrastructure, SuDS, flood alleviation, working with natural processes and natural flood management, increasing recreational opportunities, improving the economic and social value of the environment. St Albans town centre is in close proximity to the River Ver so consideration of development impact to the river should be included.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

TCR6 - St Albans City Centre Public Realm and movement

Comment Number: 5

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policies SP6 and TCR6

As communicated in our Regulation 18 response, we believe that there is a missed opportunity in terms of provisions for environmental considerations. The regeneration and uplifting of town centres provide a great opportunity for environmental protection and enhancement.

We therefore recommend the inclusion of clause(s) related to safeguarding and protecting the environment. This could include the safeguarding of associated watercourses and priority habitat. Furthermore, we recommend the inclusion of a clause to explore environmental improvements such as creation of new habitats that will provide multiple benefits for example as part of green infrastructure, SuDS, flood alleviation, working with natural processes and natural flood management, increasing recreational opportunities, improving the economic and social value of the environment. St Albans town centre is in close proximity to the River Ver so consideration of development impact to the river should be included.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

Strategic Policy SP7 - Community Infrastructure

Comment Number: 6

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP7 – Community Infrastructure

We are pleased to see the inclusion of flood defences as relevant community infrastructure.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

COM2 - Cemeteries and Burial Grounds

Comment Number: 8

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

COM2 - Cemeteries and Burial Grounds

We welcome the inclusion of clause (d) around groundwater risk assessments.

However, we note that the policy can be strengthened by including further text on the lines of:

Developers/applicants should comply with the most up to date guidance provided by the Environment Agency (EA) to safeguard groundwater against pollution and seek the advice of the EA.

We note that this text can also be incorporated in the supporting text for this policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 9

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Strategic Policy SP10 – Natural Environment, Biodiversity and Green and Blue Infrastructure

We welcome the inclusion of the council's commitment to the aims and objectives of the Local Nature Recovery Strategy.

We note that while the policy title has been updated, no additional text round blue infrastructure etc. has been included.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

NEB5 - Blue Infrastructure

Comment Number: 10

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

NEB 5: Blue Infrastructure

We are pleased to see that most of comments from the Regulation 18 response have

been taken on-board, in relation to:

- The technical feasibility of river restoration.
- Inclusion of further text on wider issues associated to watercourses.
- Inclusion of the requirements for a WFD impact assessment for development within 8-metres of a main river.
- Inclusion of text around overshadowing etc.

However, as communicated in our Regulation 18 response and the Duty to Cooperate meeting, we have significant concerns that the requested 8-metre buffer zone provisions have not been incorporated into this policy. Please see details below:

We recommend adding a clause related to the establishment of a minimum 8-metre buffer between all new development and the top of riverbank / flood defence / culvert. Leaving appropriate undeveloped buffer between river and development can reduce the risk of flooding and the need for a flood risk activity permit (FRAP). Additionally, these buffer zones also provide broader benefits towards biodiversity and assist in WFD compliance. Furthermore, as the Environment Agency is responsible for the management of main rivers, new development should not restrict access to main rivers and flood defence assets.

Please refer to Local Plans for neighbouring districts/boroughs for examples of this policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 11

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

NEB 6: Biodiversity and Biodiversity Net Gain

As communicated in our Regulation 18 response, we recommend the inclusion of a clause which covers invasive non-native species and their management, including biosecurity measures.

Invasive species are a growing issue and must be addressed to stop the spread. Development sites should be checked for invasive species and measures should be put in place to follow biosecurity and eradicate the invasive species on site.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

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

Comment Number: 12

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

NEB 7: Biodiversity Provision in the Design of New Buildings and Open Spaces We previously recommended the inclusion of a policy related to new buildings not overshading the river channel. We are pleased that this has been included in Policy NEB5.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

NEB8 - Managing Flood Risk

Comment Number: 13

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

NEB 8: Managing Flood Risk

We welcome the new text for this policy that includes information on the sequential and exception test, sequential approach, climate change considerations and FRA requirements.

We note that in our Regulation 18 response, we raised soundness concerns around this policy and can confirm that those concerns have now been addressed with the improvements made.

Please note that the text around buffer-zones, recommended above (NEB5: Blue Infrastructure) will also be relevant to this policy considering the impact on flood risk.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

HW3 - Contaminated Land

Comment Number: 14

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

HW3: Contaminated Land

We welcome the inclusion of this new policy on contaminated land. We note that it may be helpful to indicate the direction of the groundwater pollution emanating from St Leonard's Court as has been included for Buncefield. This is approximately eastwards.

We also recommend the inclusion of 'with infiltration drainage or losing **or damaging** monitoring infrastructure' in the text related to Sandridge, St Leonard's Court.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

HW4 - Groundwater Pollution

Comment Number: 15

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

HW3: Groundwater Pollution

We welcome the inclusion of this new policy on groundwater pollution and quality. We note that there appears to be a typing error in the text of the second paragraph: 'Development must take account of the relevant Source advice with regards to the Protection Zone that it lies within', we believe this should be:

Development must take account of the relevant Source advice with regards to the **Source** Protection Zone that it lies within.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

H1 - North Hemel Hempstead, AL3 7AU

Comment Number: 16

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

H1 - North Hemel Hempstead

We note that there is an increase in the area allocated for this site which has meant that this is now in close proximity to Tullochside Historic Landfill.

We note that development within close proximity / on-top of historic landfill may need to follow relevant waste and permitting legislation.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

P3 - Friends Meeting House, Blackwater Lane, Hemel Hempstead, HP3 8LB

Constraints

- Source Protection Zone (SPZ) 3.
- Bedrock Aquifer.

Comments

Considering the sensitivity of groundwater (SPZ 3), any proposals should include appropriate risk assessments and should not negatively impact groundwater quality as required by the NPPF and PPG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

UC53 - Motor Repair Garage, Paynes Yard, Park Street Lane, AL2 2NE

Comment Number: 18

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC53 - Motor Repair Garage, Paynes Yard, Park Street Lane, AL2 2NE

Constraints

- Source Protection Zone (SPZ) 2.
- Bedrock Aquifer.
- Possible contamination (garage).

Comments

Considering the sensitivity of groundwater (SPZ 2), any proposals should include appropriate risk assessments and should not negatively impact groundwater quality as required by the NPPF and PPG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 19

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Constraints

- Source Protection Zone (SPZ) 1.
- Bedrock Aquifer.

Comments

Considering the sensitivity of groundwater (SPZ 1), any proposals should include appropriate risk assessments and should not negatively impact groundwater quality as required by the NPPF and PPG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

UC55 - 44-52 Lattimore Road, St Albans, AL1 3XW

Comment Number: 20

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC55 - 44-52 Lattimore Road, St Albans, AL1 3XW

Constraints

- Source Protection Zone (SPZ) 2.
- Bedrock Aquifer.

Comments

Considering the sensitivity of groundwater (SPZ 2), any proposals should include appropriate risk assessments and should not negatively impact groundwater quality as required by the NPPF and PPG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

UC56 - Garages to the rear of Portman House, Therfield Road, St Albans, AL3 6BN

Comment Number: 21

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC56 - Garages to the rear of Portman House, Therfield Road, St Albans, AL3 6BN

Constraints

- Source Protection Zone (SPZ) 2.
- Bedrock Aquifer.

Comments

Considering the sensitivity of groundwater (SPZ 2), any proposals should include appropriate risk assessments and should not negatively impact groundwater quality as required by the NPPF and PPG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

UC57 - Telford Court, Alma Road, St Albans, AL1 3BP

Comment Number: 22

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC57 – Telford Court, Alma Road, St Albans, AL1 3BP

Constraints

- Source Protection Zone (SPZ) 2.
- Bedrock Aquifer.

Comments

Considering the sensitivity of groundwater (SPZ 2), any proposals should include appropriate risk assessments and should not negatively impact groundwater quality as required by the NPPF and PPG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

UC58 - Cotlandswick Garages B, London Colney, AL2 1EG

Comment Number: 23

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

UC58 - Cotlandswick Garages B, London Colney, AL2 1EG

Constraints

- Source Protection Zone (SPZ) 2.
- Bedrock Aquifer.

Comments

Considering the sensitivity of groundwater (SPZ 2), any proposals should include appropriate risk assessments and should not negatively impact groundwater quality as required by the NPPF and PPG.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EA Response - St Albans Local Plan (Reg 19)_[R].pdf

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362 - EDIT Land Ltd

Submission Number: 362 Submission Date: 08/11/24 09:00

Respondent: EDIT Land Ltd

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land at Roundhouse Farm, Colney Heath” have been discounted incorrectly

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future.

However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough’s historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated

for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing targets.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

- SP1: A Spatial Strategy for St Albans District
- SP3 – Land and the Green Belt
- HOU 1 – Housing Mix
- HOU 2 – Affordable Housing
- SP2 – Responding to the Climate Emergency
- NEB 6 – Biodiversity and Biodiversity Net Gain – Comment
- LG5 – Green Belt – Object

In summary, EDIT Land considers the plan fails on Paragraph 35 of the NPPF, and is

fundamentally unsound. Reasons why the plan is not positively prepared and deliverable is discussed in this representation, yet is summarised as below (yet not limited to):

- The baseline housing need figures cited in Table 3.2 and Policy SP1 and SP3 do not appear to be correct and directly contradict the housing need figures published in the AMR 2022, equating to a **shortfall of between 2,271 dwellings**.
- **Level of housing proposed (Standard Method) does not allow for contingency** and is therefore not robust or positively prepared;
- **Lack of recent delivery, 5YHLS,** and lack of contingency warrant a higher housing requirement;
- **Level of windfall sites anticipated is unachievable and speculative**, most sites need to be formally allocated to be sure the level of housing proposed is achievable**.**

- **Green Belt Assessment is flawed due to it not being fine-grain,** with no consideration to the need for natural growth of the washed over settlements within the green belt, which has been deemed to be unsound in the case of the Uttlesford BC Local Plan examination;
- Further sites should therefore be **allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.**
- Reasonable alternative sites, such as Land at Roundhouse Farm, to the north of Roestock Lane have been **discounted and assessed incorrectly;**

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

EDIT Land suggest that these significant changes are made to the emerging Local

Plan, most notably:

- Greater number of sites allocated, including allocation of a broader range of medium and large size green belt sites within the borough to provide contingency within the early stages of the Local Plan process.
- Green Belt Review to review smaller parcels of land such as Land to the north of Roestock Lane
- Less reliance on speculative windfall sites replaced with a mixture of housing allocations; and
- Need for further Green Belt release to accommodate for the objectively assessed need (including Land at Roundhouse Farm / to the north of Roestock Lane) to ensure

the plan is positively prepared and ultimately sound in accordance with NPPF paragraph 35;

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

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Strategic Policy SP2 - Responding to the Climate Emergency

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land at Roundhouse Farm, Colney Heath” have been discounted incorrectly

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future.

However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough’s historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing targets.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the ‘washed over villages’ within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

- SP1: A Spatial Strategy for St Albans District
- SP3 – Land and the Green Belt
- HOU 1 – Housing Mix
- HOU 2 – Affordable Housing
- SP2 – Responding to the Climate Emergency
- NEB 6 – Biodiversity and Biodiversity Net Gain – Comment
- LG5 – Green Belt – Object

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

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Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land at Roundhouse Farm, Colney Heath” have been discounted incorrectly

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future.

However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough's historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing targets.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

- SP1: A Spatial Strategy for St Albans District
- SP3 – Land and the Green Belt
- HOU 1 – Housing Mix
- HOU 2 – Affordable Housing
- SP2 – Responding to the Climate Emergency

 NEB 6 – Biodiversity and Biodiversity Net Gain – Comment

 LG5 – Green Belt – Object

In summary, EDIT Land considers the plan fails on Paragraph 35 of the NPPF, and is fundamentally unsound. Reasons why the plan is not positively prepared and deliverable is discussed in this representation, yet is summarised as below (yet not limited to):
 The baseline housing need figures cited in Table 3.2 and Policy SP1 and SP3 do not appear to be correct and directly contradict the housing need figures
published in the AMR 2022, equating to a shortfall of between 2,271 dwellings.
 Level of housing proposed (Standard Method) does not allow for contingency and is therefore not robust or positively prepared;
 Lack of recent delivery, 5YHLS, and lack of contingency warrant a higher housing requirement;
 Level of windfall sites anticipated is unachievable and speculative, most sites need to be formally allocated to be sure the level of housing proposed is achievable.
 Green Belt Assessment is flawed due to it not being fine-grain, with no consideration to the need for natural growth of the washed over settlements within the green belt, which has been deemed to be unsound in the case of the Uttlesford BC Local Plan examination;
 Further sites should therefore be allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.
 Reasonable alternative sites, such as Land at Roundhouse Farm, to the north of Roestock Lane have been discounted and assessed incorrectly;

In summary, EDIT Land has strong concerns with draft Policy SP3. The crux of the objections are as follows:
 Level of housing proposed (Standard Method) does not allow for contingency and is therefore not robust or positively prepared;
 Lack of recent delivery, 5YHLS, and lack of contingency warrant a higher housing requirement;
 Level of windfall sites anticipated is unachievable and speculative, most sites need to be formally allocated to be sure the level of housing proposed is achievable.
 Green Belt Assessment is flawed due to it not being fine-grain, and no exceptional circumstances report published;
 Further sites should therefore be allocated to account for excessive windfall provision and over reliance on a small number of strategic development sites.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

EDIT Land suggest that these significant changes are made to the emerging Local Plan, most notably:
 Greater number of sites allocated, including allocation of a broader range of medium and large size green belt sites within the borough to provide contingency within the early stages of the Local Plan process.
 Green Belt Review to review smaller parcels of land such as Land to the north of Roestock Lane
 Less reliance on speculative windfall sites replaced with a mixture of housing allocations; and

 Need for further Green Belt release to accommodate for the objectively assessed need (including Land at Roundhouse Farm / to the north of Roestock Lane) to ensure the plan is positively prepared and ultimately sound in accordance with NPPF paragraph 35;

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1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

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LG5 - Green Belt

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at “Land at Roundhouse Farm, Colney Heath” have been discounted incorrectly

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future.

However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough’s historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing targets.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

- SP1: A Spatial Strategy for St Albans District
- SP3 – Land and the Green Belt
- HOU 1 – Housing Mix
- HOU 2 – Affordable Housing
- SP2 – Responding to the Climate Emergency
- NEB 6 – Biodiversity and Biodiversity Net Gain – Comment
- LG5 – Green Belt – Object

Draft Policy LG5 – Green Belt – Object
EDIT Land understand the need and willingness for SADC to have a specific policy on Green Belt, given the large area of Green Belt within the authority boundary. Yet, currently the policy does not accurately reflect national policy, and wording can be amended as such.
Suggested wording is below – which reflects NPPF Chapter 13. An additional paragraph is suggested to reflect Very Special Circumstances:
"The Green Belt boundary is defined shown on the Policies Map. In order to uphold the fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open the five purposes as defined in NPPF Paragraph 138.

Inappropriate development will / should not be approved unless except in very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".
"Very Special Circumstances are essentially the benefits that arise from the proposals that can, collectively, be balanced against the identified harm to the Green Belt and other harm.
There is no definition of what might or might not constitute VSC, and each proposal should be judged on their own merits and is a matter of judgement".
EDIT Land also would suggest wording is amended in the supporting justification to also better reflect national policy, particularly Paragraph 2 of the NPPF whereby planning policies should be read as a whole:
"Proposals within the Green Belt will also be expected to comply with all other Local Plan policies when taken as a whole, particularly those that cover design, amenity, landscape, biodiversity and flooding".
EDIT Land consider that the proposed modifications will deliver a policy which is positively framed which is implementable and sound. As outlined earlier in the representations, our client has concerns that the spatial strategy which is being implemented in the Local Plan will fail to deliver sufficient housing to meet the needs of the borough. Through the imposition of a moratorium on the release of green belt land outside of the Local Plan process this will exacerbate, not alleviate the housing crisis present in St Albans DC.
We would request that the council undertake an additional granular level green belt review prior to the progression of the Local Plan to examination stage. As outlined in the
representations the team consider that there is scope for inclusion of a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

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HOU1 - Housing Mix

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

As set out in the Reg.18 representations it is our clients opinion that the authority should be seeking to include a broader range of allocated sites within the Local Plan to provide contingency and provide early delivery of housing to meet the established needs of the borough.

The plan is not justified as reasonable alternative sites such as their interests at "Land at Roundhouse Farm, Colney Heath" have been discounted incorrectly

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

The Reg. 18 Draft Local Plan includes planning policies relating to various topics, which would become the principal consideration for the decision maker when determining planning applications.

EDIT Lands has not provided comment on a number of policies and advise which they are commenting on in the list below, but reserves the right to comment on others in the future.

However, SADC should consider whether all the policies as drafted are useful and necessary for decision making, and do not just repeat that which is already stated in the National Planning Policy Framework (NPPF), Planning Practice Guidance or legislation. Policies should also be unambiguous, clear and concise, without being overly onerous or stifle innovation or ambition.

EDIT Lands main concern with the Local Plan, as a whole, is the weak approach to the provision of much needed housing. Firstly, the level of housing planned for does not seek to address housing need adequately or provide any contingency, nor does it seek to address unmet need or positively plan for previous years of significant under-delivery.

Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough's historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing targets.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

- SP1: A Spatial Strategy for St Albans District
- SP3 – Land and the Green Belt
- HOU 1 – Housing Mix
- HOU 2 – Affordable Housing
- SP2 – Responding to the Climate Emergency
- NEB 6 – Biodiversity and Biodiversity Net Gain – Comment
- LG5 – Green Belt – Object

Draft Policy H0U1: Housing Mix – comment
EDIT Land largely support the intent of this policy, yet they consider that the framing of the policy is overly prescriptive and will hinder the ability to deliver an appropriate range of housing typologies to satisfy local demand.
It is considered that the percentages applied in Table 4.1 (Housing Mix by Size and Tenure) should be applied as indicative housing targets only, as this will provide a steer on the likely housing mix which could be supported. It should apply a range for each typology and dwelling size and the wording of the draft policy should make explicit reference to updated local evidence or market demand which will be published in the form of annual monitoring reports and updates to the Strategic Housing Market Assessment.
The wording of the policy should be drafted in a manner which allows for flexibility to encourage rather than unnecessarily hinder delivery of housing within the borough to meet identified need.
The framing of the draft policy is imprecise and requires modification to enable the policy to be deliverable.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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H0U2 - Affordable Housing

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

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Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough's historic poor delivery and acute housing need.

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The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

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- SP2 – Responding to the Climate Emergency
- NEB 6 – Biodiversity and Biodiversity Net Gain – Comment
- LG5 – Green Belt – Object

Draft Policy HOU2: Affordable Housing – comment
EDIT Land largely support this policy, yet offer some additional wording to add clarity. This is to meet NPPF Paragraph 16 (d), being that policies are clearly written and unambiguous.
The Draft Policy requires that residential development deliver a minimum of 40% affordable housing on site with a tenure mix of 30% social rented, 30% affordable rented and 40% home ownership, which includes 25% of all affordable housing as First Homes. The policy needs to clarify which element of the affordable housing tenure First Homes will be taken from to align with provisions set forth in the NPPF. This modification will provide greater clarity for applicants.
Importantly, the draft policy should clarify how affordable housing provision will be measured, be it in unit, or habitable room basis.
We note that Part G, of Policy HOU2 requires a late stage review to be imposed on developments which do not provide a policy compliant affordable housing offering.
“Ensuring that any planning obligations for affordable housing provision or contributions that are agreed as an exception to full policy compliance (on the basis of viability at the time the permission is granted) must include a financial review mechanism that is based on actual sales values at the time that the development, or development phase, is 80% occupied.
The review must allow for further provision, or financial contributions in lieu, when the outturn value of the development exceeds the initial viability assumptions or other circumstances enable increased viability of the scheme”;
We have concerns about the framing of the late stage review mechanism which as currently drafted is imprecise and does not provide sufficient comfort. It is considered that the following modifications should be made to the wording as drafted:
o Should refer to a review taking place at 80% of homes sold (or at an appropriate point agreed with the LPA).
o Needs to refer to the values achieved and costs incurred, and any additional contributions arising from the development.
o The outcome should result in a financial contribution and not onsite affordable housing. This should be made clear.
o Any surplus profit should be split between developer and the borough (50:50).
Further to the above, the wording of the policy does not refer to the recent issue of buying credits to achieve biodiversity net gain where onsite provision is not sufficient and off-site mitigation is not deliverable. It is noted that the requirement to purchase biodiversity credits is routinely impacting on scheme viability which in turn effects the deliverability of affordable housing. It is requested that appropriate provisions are considered in the framing of any late stage review mechanisms.

Please upload any supporting documents here. Do not include any signatures or other personal data.

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HOU4 - Accessible and Adaptable Housing

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough’s historic poor delivery and acute housing need.

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the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing targets.

The housing trajectory places significant reliance on these strategic sites without due consideration to implications of these strategic sites not being delivered or brought online in line with the housing trajectory.

The emerging Local Plan is also not prepared positively as it fails to make any consideration to the need for natural growth (and deliverable) within the 'washed over villages' within the green belt, with no consideration paid in detail to areas for release from the green belt in these locations. As outlined in Section 3 of this document our client challenges the methodology which has been applied in the green belt review in light of a failure to apply a macro level analysis to the green belt parcels.

Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

EDIT Lands has also commented, where applicable, on the development management policies and proposed allocations as below:

- SP1: A Spatial Strategy for St Albans District
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- SP2 – Responding to the Climate Emergency
- NEB 6 – Biodiversity and Biodiversity Net Gain – Comment
- LG5 – Green Belt – Object

Draft Policy HOU4: Accessible and Adaptable Housing – Comment.
2.216 EDIT Land welcomes the provisions under Policy HOU4 of the Draft Local Plan covering the delivery of a range of housing typologies that are adaptable and accessible to a range of users However, we would question the inclusion of the following section within the draft policy, as summarised below:
For all residential development (Use Class C3) achieve compliance with the required Building Regulations (Part M4(2)) except where this is not possible for viability or other reasons such as built form, topography and flooding; For residential development proposals
for 10 homes or more (Use Class C3) 5% of market dwellings comply with Part M4(3)(a) of the Building Regulations and 10% of affordable (rent and home ownership) dwellings comply with Part M4(3)(b) (wheelchair user dwellings) of the Building Regulations; and d)
For M4(2) and M4(3) housing are located, where possible, with good access to public transport and local facilities
With regards to the requirement of M4(3) provision within the open market element, it is not clear from the supporting evidence base whether SADC is able to justify this requirement.
In the event the emerging Policy is pursued, it is suggested that a clause should be included making reference to provisions for the marketing of the open market wheelchair units and potential for reversion to conventional open market housing typologies, if there is a lack of demand for wheelchair user dwellings within this typology. This will remove onerous restrictions on the disposal of open market units, in the absence of identified need.

SADC and Affordable Registered providers will hold evidence relating to the need and demand for Part M4(3)(2)(a) for those on the housing register and so for the affordable housing element of this policy is supported by EDIT Land.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

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NEB6 - Biodiversity and Biodiversity Net Gain

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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The plan is not justified as reasonable alternative sites such as their interests at “Land at Roundhouse Farm, Colney Heath” have been discounted incorrectly

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Furthermore, the level of housing which is proposed as windfall, is unsound. 20% of the total housing supply to come forward on sites which do not have allocations, nor are formally identified is not positively prepared and is a huge outlier compared to neighbouring authorities. We consider the proportion of windfall to be wholly inappropriate given the borough’s historic poor delivery and acute housing need.

It is also perverse for SADC to suggest that all brownfield sites have been exhausted to necessitate Green Belt release, whilst anticipating that such a high number will come forward via the windfall process. In addition, the Local Plan is heavily reliant on the delivery of a small number of broad growth areas and strategic extensions, namely the Hemel Garden Community which is allocated for net. 5,500 dwellings and 4,281 across the other strategic development sites which are subject to challenging land assembly and infrastructure delivery requirements which will constrain delivery of housing units within the early periods of the Local Plan. St Albans have acknowledged this situation in the reg.19 draft Local Plan where they are now asserting that only 4,300 dwellings will be delivered on the HGC sites within the LP period, a reduction of 450 dwellings from the LP trajectory and 1200 from the wider site allocation. Across all allocated sites within the borough, the council has lost net. 971 dwellings between Reg.18 and Reg.19 stage. There is no explanation, or justification on how the shortfall in housing delivery is accounted for within the revised housing trajectory, or local plan housing targets.

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Furthermore the draft Local Plan fails to make provision for custom build and self-building housing typologies despite a clear need being identified in the National Planning Policy Framework no recognition is made to the contribution this typology makes to meeting established demand. We understand that there is a need locally for such housing and failure to plan for such housing, is not positive.

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- LG5 – Green Belt – Object

Policy NEB 6 – Biodiversity and Biodiversity Net Gain – Comment
EDIT Land are supportive of the overarching objective for delivery of tangible enhancements to biodiversity and ecology as part of new developments. However, we have comments on the framing of the part of the policy which refers to mandatory net gain as outlined below:
"i. Meet a minimum 10% net gain in biodiversity that is calculated using the latest Biodiversity Metric from Government guidance and is approved via a Biodiversity Gain Plan. Off-site habitat creation and / or enhancement contributions will be allowed only where on-site is not possible or desirable and these should be within the District wherever possible. Payments in lieu to the national statutory biodiversity credit scheme will only be allowed in exceptional circumstances; and" It is accepted that under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% gain. Mandatory Net Gain took effect in the

UK from February 2024. A clause needs to be included within the supporting text to the draft policy outlining the exemptions from mandatory biodiversity net gain in line with the provisions of the planning practice guidance as summarised below:
“While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.
Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain.
Biodiversity net gain does not apply to:
 retrospective planning permissions made under section 73A; and section 73 permissions where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024
 The approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission)”.
The inclusion of this clause will provide sufficient comfort for developers that committed developments or other applications which predate mandatory net gain coming into effect, will not be retrospectively caught by the provisions of Policy NEB6.
Whilst EDIT Landy had submitted an application on their landholdings at Roestock Lane in November 2022, in advance of mandatory net gain taking effect, the scheme had been designed to achieve a voluntary biodiversity net gain in excess of the 10% requirement, which had been based on Metric 3.1.
As the transitional provisions are applicable to the landholdings at Roestock Lane the consideration of the outline application and subsequent applications for reserved matters approval shall be determined on the basis of the voluntary and not mandatory net gain and the statutory metric shall not be applied.
Additionally, we would query the reference to onsite reprovision of all habitat types as outlined in the draft policy, “Off-site habitat creation and / or enhancement contributions will be allowed only where on-site is not possible or desirable and these should be within the District wherever possible”.
In the decision to allocate housing sites, or consideration of applications for new housing the authority have to balance the inevitable loss of grassland habitats against the need to deliver new housing to meet the needs of the local community.
The draft policy should acknowledge that losses to certain habitat typologies are necessary to delivery housing and development should be supported where it can be demonstrated that proposals will result in delivery of tangible gains to ecology.
It is not uncommon for developers to struggle to deliver a 10% on greenfield sites as they have a particularly high baseline. The BNG section of the above policy states that off-site contributions in the District will be allowed only where on-site is not possible or desirable.
.
In the first instance, it should be clarified what the Council deem to be ‘not possible or desirable’, for example an unavoidable loss of a high priority habitat or making a scheme financially unviable. Secondly, there is no statutory requirement for off-site contributions to be delivered within the District and as such this requirement should be removed from the policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

NEB12 - Green Space Standards and New Green Space Provision

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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The plan is not justified as reasonable alternative sites such as their interests at “Land at Roundhouse Farm, Colney Heath” have been discounted incorrectly

Representations

Section 2 of the attached document sets out EDIT Lands comments and objections to relevant policies. Where EDIT Land has concerns or object to the policies as drafted, alternative wording is suggested where appropriate to ensure the Local Plan is sound.

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- LG5 – Green Belt – Object

Draft Policy NEB12: Green Space Standards and New Green Space Provision
EDIT Land supports the framing of Policy NEB12 and the requirement for new residential development to provide onsite amenity green space and child play space to service the needs of the occupants of the development. We welcome the provisions in Table 10.2 that outline that residential development of less than 250 dwellings are only required to provide amenity space and child play facilities and financial contributions can be sourced to provide enhancements to sports and recreation facilities, in lieu of onsite provision.
On their landholdings at Roestock Lane, at outline stage the scheme had been designed to make provision for 1.259ha of public open space and 0.024 ha of child play provision as part of the wider open space offering, which aligns with the standards contained within the Draft Local Plan.
Final details of the public open space and child play strategy will be secured at reserved matters stage.

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1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

DES5 - Residential Amenity Standards

Comment Number: 9

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* No

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- LG5 – Green Belt – Object

Draft Policy DES5 – Residential Amenity Standards – Comment
EDIT Land supports the framing of Policy DES5 (a), which states that new development should achieve a minimum separation distance between facing windows servicing habitable spaces of net. 22m.
On their landholdings at Roestock Lane the outline application submitted had been designed to achieve compliance with the adopted 1994 Local Plan Policy 70 part (vi) which requires new development to achieve separation distances of 27 metres between facing windows alongside delivery of permanent rear boundary screen 1.8 metres high. The Illustrative masterplan provides a visualisation of how the scheme will be delivered at detailed design stage
In the instance that outline permission is granted, the detailed scheme at reserved matters stage will be designed to achieve conformity with the requirements of Policy DES5.
Final details of the public open space and child play strategy will be secured at reserved matters stage.

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1. EDIT Land at Roundhouse Farm Colney Heth - Regulation 19_Representations_[R].pdf

Part B - Local Plan Sites

Comment Number: 8

Type:

* Site

Number:

New Site

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* No

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- LG5 – Green Belt – Object

EDIT Land considers that strong exceptional circumstances exist to justify the release of Land at Roundhouse Farm, to the north of Roestock Lane. This is summarised as below:

- The heavily constrained nature of the Borough (SPA, SSSI and flooding);
- Housing need – need for open market housing and affordable housing to address significant historic shortfall in delivery which is cataclysmic;
- The unavailability of suitable brownfield sites and underutilised land within settlement boundaries (on the basis of SADC's own evidence), necessitating release
- Moderate performing Green Belt when assessed in isolation, with limited contribution to the Green Belt when consider on the basis of the emerging proposals and controls by policy. The emerging proposals or the site have positive consequential effects on character and perceived openness;
- Provision of employment benefits;
- Opportunity for Sustainable Development well served by public transport;
- Surrounded by development on 3 sides, site is in a truly sustainable location.

363 - D'Arblay Investments

Submission Number: 363 Submission Date: 08/11/24 09:00

Respondent: Ceres Property Rory Baker

On Behalf Of : D'Arblay Investments

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to Section 2 of the enclosed representation.

2 POLICY SP1 – SPATIAL STRATEGY

Plan Period

2.1 To be considered sound, the new Local Plan must align with national policy, which requires a minimum 15-year planning horizon from adoption, per the National Planning Policy Framework (NPPF). The Draft Local Plan (DLP) targets 2041, meaning it must be adopted by March 2026 to meet this requirement.

2.2 The Council's Local Development Scheme also anticipates a March 2026 adoption. However, any delays pose a risk, as the Council won't control the timeline after submission, and main modifications, likely required during examination, could delay adoption.

2.3 We recommend extending the plan period to at least 2042. Alternatively, a policy for an immediate review upon adoption, as used in Brentwood's Local Plan, could be included. Given Green Belt constraints, deadlines for submission in this scenario would be essential.

2.4 Since the DLP is not yet submitted, extending the plan period now could remove the need for an immediate review policy.

Settlement hierarchy and spatial distribution of growth

2.5 The Settlement Hierarchy Study primarily uses a quantitative approach based on population size, accessibility, available services and facilities, and employment allocations. This method overlooks critical contextual factors that contribute to the role and sustainability of settlements, particularly Green Belt villages like Sandridge. Specifically, it does not adequately account for Sandridge's strategic proximity to St Albans, a larger urban area that provides essential services,

employment, and transport connectivity that enhance Sandridge's sustainability. As such, the current methodology fails to provide a justified or accurate representation of Sandridge's functional role within the hierarchy.

2.6 While the Study considers public transport availability in its accessibility assessment, it fails to fully integrate the significance of Sandridge's bus links, specifically route 357, which provides regular and direct access to St Albans, Wheathampstead, and Harpenden. These connections provide access to higher-order services and amenities not present in Sandridge, reducing reliance on car travel. By underweighting this connectivity, the Study's approach is inconsistent with the NPPF's objective of

promoting sustainable development and fails to recognize the potential of well-connected settlements for accommodating modest growth.

2.7 The Study does not factor in the role that larger nearby settlements play in providing key services to smaller Green Belt settlements. For example, Sandridge has a close functional relationship with St Albans, making it more appropriate for a higher classification than settlements with fewer such connections. The omission of this consideration is contrary to the NPPF's requirement for policies that recognize the interdependency of settlements in delivering sustainable development. A more nuanced methodology, considering Sandridge's functional relationship with St Albans, would likely position it at a higher tier and better support modest, sustainable growth.

2.8 By failing to capture Sandridge's potential for modest housing growth—given its proximity and connectivity to St Albans—the Study's methodology restricts sustainable development opportunities, contrary to the NPPF's emphasis on positively planning for the future. A re-evaluation of Sandridge's designation could support proportionate growth that respects Green Belt constraints while enhancing local sustainability.

2.9 In summary, the Settlement Hierarchy Study's methodology is unsound as it lacks justification, does not align with the NPPF's sustainable development objectives, and fails to consider Sandridge's unique context and potential for modest growth. We recommend a review of the methodology to incorporate contextual factors, inter-settlement relationships, and the role of sustainable transport. Reclassifying Sandridge to a higher tier would more accurately reflect its sustainability and suitability for modest development, consistent with NPPF policy.

Local housing needs

2.10 We support the use of the Standard Method as outlined in the Planning Practice Guidance (PPG). The NPPF is clear that this method should be applied to determine the minimum number of new homes that strategic policies should plan for (NPPF paragraph 61) and that meeting housing needs as a minimum is essential for a Local Plan to be considered sound (paragraph 35).

2.11 The PPG specifies that the Standard Method generates only a minimum housing figure, not a definitive housing requirement for plan-making. Therefore, we support the reference in Policy SP1 to this figure as a minimum, which we consider essential.

2.12 We suggest that the new Local Plan should also include a policy setting out the housing requirement. The PPG acknowledges that in some cases, it may be appropriate to plan for a higher housing target than the Standard Method suggests.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to Section 2 of the enclosed representation.

2 POLICY SP1 – SPATIAL STRATEGY

Plan Period

2.1 To be considered sound, the new Local Plan must align with national policy, which requires a minimum 15-year planning horizon from adoption, per the National Planning Policy Framework (NPPF). The Draft Local Plan (DLP) targets 2041, meaning it must be adopted by March 2026 to meet this requirement.

2.2 The Council's Local Development Scheme also anticipates a March 2026 adoption. However, any delays pose a risk, as the Council won't control the timeline after submission, and main modifications, likely required during examination, could delay adoption.

2.3 We recommend extending the plan period to at least 2042. Alternatively, a policy for an immediate review upon adoption, as used in Brentwood's Local Plan, could be included. Given Green Belt constraints, deadlines for submission in this scenario would be essential.

2.4 Since the DLP is not yet submitted, extending the plan period now could remove the need for an immediate review policy.

Settlement hierarchy and spatial distribution of growth

2.5 The Settlement Hierarchy Study primarily uses a quantitative approach based on population size, accessibility, available services and facilities, and employment allocations. This method overlooks critical contextual factors that contribute to the role and sustainability of settlements, particularly Green Belt villages like Sandridge. Specifically, it does not adequately account for Sandridge's strategic proximity to St Albans, a larger urban area that provides essential services, employment, and transport connectivity that enhance Sandridge's sustainability. As such, the current methodology fails to provide a justified or accurate representation of Sandridge's functional role within the hierarchy.

2.6 While the Study considers public transport availability in its accessibility assessment, it fails to fully integrate the significance of Sandridge's bus links, specifically route 357, which provides regular and direct access to St Albans, Wheathampstead, and Harpenden. These connections provide access to higher-order services and amenities not present in Sandridge, reducing reliance on car travel. By underweighting this connectivity, the Study's approach is inconsistent with the NPPF's objective of

promoting sustainable development and fails to recognize the potential of well-connected settlements for accommodating modest growth.

2.7 The Study does not factor in the role that larger nearby settlements play in providing key services to smaller Green Belt settlements. For example, Sandridge has a close functional relationship with St Albans, making it more appropriate for a higher classification than settlements with fewer such connections. The omission of this consideration is contrary to the NPPF's requirement for policies that recognize the interdependency of settlements in delivering sustainable development. A more nuanced methodology, considering Sandridge's functional relationship with St Albans, would likely position it at a higher tier and better support modest, sustainable growth.

2.8 By failing to capture Sandridge's potential for modest housing growth—given its proximity and connectivity to St Albans—the Study's methodology restricts sustainable development opportunities, contrary to the NPPF's emphasis on positively planning for the future. A re-evaluation of Sandridge's designation could support proportionate growth that respects Green Belt constraints while enhancing local sustainability.

2.9 In summary, the Settlement Hierarchy Study's methodology is unsound as it lacks justification, does not align with the NPPF's sustainable development objectives, and fails to consider Sandridge's unique context and potential for modest growth. We recommend a review of the

methodology to incorporate contextual factors, inter-settlement relationships, and the role of sustainable transport. Reclassifying Sandridge to a higher tier would more accurately reflect its sustainability and suitability for modest development, consistent with NPPF policy.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land east of Woodcock Hill - SP1 Reg 19 Representation_Form_[R].pdf
2. Land east of Woodcock Hill - St Albans Draft Reg 19_[R] .pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 1

Type:

* Table

Number:

3.1; 3.2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Please refer to Section 4 of the enclosed representation.

4 STRATEGIC POLICY SP3 AND THE HOUSING TRAJECTORY

4.1 The PPG advises that stepping the housing requirement may be appropriate when there is a significant shift between current and future policies, but it must be included in strategic policy and supported by evidence, emphasizing that plans should not “unnecessarily delay meeting identified development needs.”

4.2 The DLP proposes a stepped trajectory to allow time for increased housing delivery, yet this is not set out in a strategic policy, nor is there evidence justifying a delay in meeting housing needs. Stepping should occur only if deliverable sites are insufficient in the early plan years, and even then, only after all sustainable, deliverable sites have been allocated and needs are still unmet.

4.3 While a stepped trajectory might be acceptable, it should be used only after exhausting all options for early housing delivery. The Council is encouraged to reassess rejected sites for early deliverability. Although prioritizing urban development aligns with sustainability, questions remain about the deliverability of certain sites, suggesting a need for flexibility in the housing strategy to account for potential shortfalls in site delivery.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Land east of Woodcock Hill - St Albans Draft Reg 19_[R] .pdf
2. Land east of Woodcock - Table 3_1 Settlement Hierarchy Reg 19 Representation_Form_[R].pdf
3. Land east of Woodcock Hill - Table 3_2 Housing Trajectory Reg 19 Representation_Form_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to Section 3 of the enclosed representation.

3 STRATEGIC POLICY SP3 – LAND AND THE GREEN BELT

Housing Need / Requirement

3.1 Policy SP3 sets a housing need target of 14,603 homes by 2041, starting from October 2024, based on an annual need of 885 dwellings using the Standard Method.

3.2 The NPPF's requirement to use the Standard Method for a minimum housing target is supported. However, to allow for any delay in the Plan's adoption, we suggest extending the plan period to 2042, raising the minimum need by 885 homes.

3.3 Importantly, while the Standard Method provides a minimum target, it does not set the final housing requirement. The cap applied to the method limits the need figure to 885 dpa, but without this cap, the true need is 1,169 dpa. Additionally, the PPG suggests considering higher targets to meet affordable housing needs, which is relevant given the District's high need for affordable housing (443 dpa, or 50% of the requirement).

3.4 Relying solely on the capped minimum target risks under-delivering on affordable housing, particularly as windfall sites often contribute little to affordable housing. Increasing the total housing target could reduce the shortfall and better meet local needs.

3.5 Previous Regulation 18 representations for D'Arblay also highlighted other factors for setting a higher target, such as market signals and regional shortages, which seem overlooked in the current DLP housing requirement.

Green Belt

3.6 We support adjustments to the Green Belt to meet development needs. The NPPF allows Green Belt changes in Local Plans where exceptional circumstances exist (NPPF paragraphs 145-146).

3.7 Based on the judgments in Calverton and Compton, exceptional circumstances include significant housing need, limited non-Green Belt land, and constraints on sustainable development. St Albans'

severe housing shortage and affordable housing needs clearly justify Green Belt adjustments.

3.8 Previous assessments confirm that meaningful housing delivery in the District requires Green Belt release. The Council's latest studies indicate limited capacity within existing settlements and highlight areas within the Green Belt that could be released with minimal impact.

3.9 The Green Belt Review (2023) identifies sub-areas that make a lesser contribution to Green Belt purposes and could be adjusted without wider harm, supporting strategic but limited Green Belt modifications.

3.10 Exceptional circumstances are evident in St Albans, meeting Calverton's criteria. Moreover, Compton allows for Green Belt release that exceeds the minimum housing need if it aids affordable housing delivery, which is pertinent here given the current shortfall.

3.11 Exceptional support should be afforded to the release of previously developed land (PDL) within the Green Belt, especially under the proposed reforms to the National Planning Policy Framework (NPPF), which signal a shift toward the introduction of a 'Grey Belt' policy. The 'Grey Belt' is envisioned to encompass land that, while within the Green Belt, has already undergone development and thus makes only a limited contribution to Green Belt purposes. Such areas are prioritized for sustainable redevelopment to support housing and economic needs while preserving the integrity of genuinely open Green Belt spaces.

3.12 A significant portion of the Site meets these conditions, being occupied by a long-established brownfield car garage business. As PDL, this land aligns closely with the emerging Grey Belt criteria, as it not only has a reduced role in serving the five purposes of the Green Belt but also holds greater potential for productive redevelopment. Furthermore, this part of the Site falls within the established village boundary as outlined in the made Sandridge Neighbourhood Plan, underscoring its integration within the local settlement pattern. By its location and existing use, the Site thus demonstrates strong compatibility with the Grey Belt designation, offering a practical and minimal-impact solution for housing or commercial needs while preserving adjacent, more sensitive Green Belt areas.

3.13 The Site's inclusion in the village boundary, combined with its brownfield status, positions it as an ideal candidate for release under the emerging Grey Belt policy, aligning with the NPPF's vision for carefully managed, sustainable development in areas where urbanization already exists.

This approach reinforces the intent to balance growth with preservation by focusing development in areas where the Green Belt's purposes are least impacted, thus enabling local authorities to address housing and economic pressures within an orderly framework.

5 ASSESSMENT OF THE SITE

6.1 There are a number of elements of the DLP's evidence base relevant to consideration of the Site, as discussed in turn below.

HELAA

6.2 The Site was considered by the Council as a potential residential allocation as site reference SAN-0221 and SAN-02-16 through the Housing and Economic Land Availability Assessment (2021) ('the HELAA').

6.3 In respect of the Site's suitability for residential development, the HELAA concluded:

"At this initial stage, the site is considered to be potentially suitable subject to absolute and noabsolute constraints being reasonably mitigated. Evidence base work, including a Green Belt Review, is underway and may change the site suitability in the future"

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Green Belt Review

6.5 Alongside the draft Local Plan the Council have published a Stage 2 Green Belt Assessment (2023), with an Annex Report comprising a Washed Over Villages Study.

6.6 Sandridge is identified as a 'washed over village' within the Study, falling outside of any identified subarea within the main Green Belt Assessment (the closest being sub-areas SA-70a and SA-74). Each washed over village has been assessed with a recommendation to either be retained as washed over or be inset from the Green Belt. The Study assesses the Village's 'open character' and determines whether this is low, moderate and strong, as well as determining the importance of the village to the openness of the Green Belt, again as either low, moderate or strong. The village is assessed to have a moderate open character and moderate contribution to the openness of the Green Belt, and thus is recommended to be retained as a washed over village.

6.7 The current categorization of Sandridge as a "washed over village" within the Green Belt, as outlined in the Council's evidence base, could be reconsidered to better support the Local Plan's objectives. Reclassifying Sandridge as a higher-tier settlement, with a recognition of its low contributions to the Green Belt's primary purposes, would align with both the need to meet housing demand and the principles of sustainable development. Acknowledging the distinct characteristics of Sandridge,

including its containment by natural and defensible boundaries, would support a re-evaluation of its designation within the Green Belt.

6.8 Firstly, the designation of Sandridge as a "washed over village" overlooks its minimal contribution to several Green Belt purposes as set out in the National Planning Policy Framework (NPPF). The Site is bounded by mature trees, Woodcock Hill, and existing development, creating natural limits that effectively prevent sprawl and contain urban expansion. With this natural containment, the Site does not contribute significantly to the prevention of urban sprawl or to safeguarding open countryside from encroachment. Re-evaluating Sandridge as a higher-tier settlement with limited impact on the Green Belt would better reflect these characteristics and would allow more effective planning within the Local Plan's framework.

6.9 Furthermore, Sandridge's position relative to other towns supports its suitability for targeted development without risking coalescence. The Site does not contribute to a critical gap between neighboring settlements, and any development would act as infill within the village, reducing any

potential for merging with adjacent towns like St Albans or Hatfield. Recognizing Sandridge's limited role in this regard could alleviate pressure on less suitable sites, while maintaining the strategic gaps that the Green Belt seeks to protect.

6.10 Elevating Sandridge to a higher-tier settlement would strongly align with the National Planning Policy Framework's (NPPF) goals of prioritizing the use of previously developed land (PDL) within sustainable development initiatives. The Site, including the Orchard Garage, exemplifies an optimal brownfield location within the village boundary that, if redeveloped, would promote efficient land use and support local housing demand while preserving the broader Green Belt. Reclassifying Sandridge in this way would not only advance the NPPF's strategic objectives but also resonate with the proposed reforms introducing a 'Grey Belt' designation.

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6.13 In summary, adjusting the evidence base to categorize Sandridge as a higher-tier settlement within the Green Belt would provide a more balanced approach to housing delivery in line with Green Belt purposes. By recognizing the Site's minimal impact on Green Belt objectives and its capacity to support sustainable development, this approach would contribute to a more effective Local Plan that better meets current housing and growth requirements.

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6.13 In summary, adjusting the evidence base to categorize Sandridge as a higher-tier settlement within the Green Belt would provide a more balanced approach to housing delivery in line with Green Belt purposes. By recognizing the Site's minimal impact on Green Belt objectives and its capacity to support sustainable development, this approach would contribute to a more effective Local Plan that better meets current housing and growth requirements.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land east of Woodcock Hill - SP3 Reg 19 Representation_Form_[R].pdf
2. Land east of Woodcock Hill - St Albans Draft Reg 19_[R] .pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Part B - Local Plan Sites

Comment Number: 5

Type:

* Site

Number:

New Site - Land east of Woodcock Hill

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

5 ASSESSMENT OF THE SITE

[Land east of Woodcock Hill (the 'Site')]
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6.4 Given the lack of constraints to development of the Site, as noted in Section 5 of this representation, the key issue appears to have been the Green Belt Review.

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* Yes, I wish to participate in hearing session(s)

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Sustainability Appraisal Note

Comment Number: 4

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

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Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Sustainability Appraisal

6.14 The Sustainability Appraisal's conclusions regarding the sensitivity and development suitability of sites SAN-02-21 and SAN-02-16 in Sandridge appear overly cautious and may not fully consider the unique characteristics and inherent development potential of these sites. A more nuanced view suggests that their contribution to Green Belt purposes may, in fact, be limited, and that with the right approach, these sites could accommodate sustainable development without compromising the integrity of the Green Belt or local environmental objectives.

6.15 Sandridge's location and existing infrastructure position it well for thoughtful, sustainable growth that aligns with both housing needs and sustainable development objectives. While the SA characterizes Sandridge as a "washed over" village, it may overlook the fact that some of its peripheral areas, like SAN-02-21 and SAN-02-16, are already influenced by surrounding development and urban characteristics. These sites, when assessed independently, exhibit lower sensitivity in terms of openness and separation from nearby urban areas, suggesting that they could serve as logical, modest extensions to the village's built form.

6.16 SAN-02-21's proximity to existing developments and natural boundaries, such as mature hedgerows and treelines, provide strong, defensible edges that naturally limit further urban sprawl. While the SA emphasizes this site's role in preserving openness, these established features arguably contain any potential development effectively, ensuring minimal impact on the wider Green Belt. The site's character could be enhanced with landscape-led design principles, creating a buffer that harmonizes with the surrounding rural landscape while delivering much-needed housing. Additionally, SAN-02-

21's location within reasonable distance of local services and infrastructure supports its potential for sustainable development.

6.17 SAN-02-16 is similarly buffered by natural features that define and contain its perimeter, reducing its visibility and impact on the surrounding countryside. The SA's conclusion that this site contributes to the Green Belt's purpose in safeguarding the countryside may not fully reflect its limited visibility and containment. With sensitive design that emphasizes green infrastructure and low-impact housing, SAN-02-16 could support sustainable growth while respecting the Green Belt's objectives. This approach would balance development needs with the preservation of the area's rural character, fostering a harmonious integration of new housing.

6.18 The SA suggests that both sites significantly contribute to Green Belt purposes, yet neither is situated in a strategic gap between towns nor forms a critical buffer that is central to preventing urban sprawl. Rather, both sites are set within a context of established boundaries, with existing developments providing a natural buffer against further encroachment. Furthermore, by employing sustainable site design, both sites could support a limited, carefully planned expansion of Sandridge, delivering housing that aligns with the Local Plan's aims of promoting sustainable development in well-connected locations.

6.19 In light of SADC's pressing need to address housing shortages, particularly in sustainable, well-connected areas, sites SAN-02-21 and SAN-02-16 present opportunities for carefully managed growth without compromising Green Belt principles. Given Sandridge's proximity to St Albans, modest, landscape-sensitive development on these sites would support the village's role in meeting housing needs while reinforcing its connection to the broader district. This approach would not only serve local housing goals but also bolster Sandridge's viability and vitality.

6.20 In conclusion, a re-evaluation of SAN-02-21 and SAN-02-16, with an emphasis on sustainable, low-impact development strategies, suggests that these sites could make a meaningful contribution to housing supply while respecting Green Belt aims. A development approach that integrates green

infrastructure, enhances natural boundaries, and carefully manages density could mitigate perceived impacts on the Green Belt, making these sites viable candidates to address pressing housing needs in Sandridge and beyond.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Land east of Woodcock Hill - SA Reg 19 Representation_Form_[R].pdf
2. Land east of Woodcock Hill - St Albans Draft Reg 19_[R] .pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

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364 - Pigeon Capital Management 4 Ltd & D'Arblay Investments Limited

Submission Number: 364 Submission Date: 08/11/24 09:00

Respondent: Ceres Property Rory Baker

On Behalf Of : Pigeon Capital Management 4 Ltd & D'Arblay Investments Limited

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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Please refer to Section 2 of the enclosed representation.

2 STRATEGIC POLICIES

2.1 The following commentary relates to policies and elements of the Council's recently published Regulation 19 PDLP 2041.

Strategic Policy SP1 – Spatial Strategy

2.2 Policy SP1 in the Publication PDLP (PDLP) establishes the proposed spatial strategy for the District through to 2041. Our comments on this policy address three main areas: the plan period, the settlement hierarchy and distribution of growth, and the approach to calculating minimum housing needs.

Plan Period

2.3 For the Local Plan to be sound, it must adhere to national policy requirements. The National Planning Policy Framework (NPPF) mandates that strategic policies should address a minimum period of 15 years from the Local Plan's adoption.

2.4 The PDLP proposes a plan period running until 2041, which would require adoption by March 2026 to meet the 15-year requirement. The Council's Local Development Scheme currently anticipates adoption by this deadline, allowing little room for potential delays. This tight timeline presents a risk, particularly as the Council will not control the schedule once the plan is submitted for examination. Additionally, recent experiences with other Local Plans suggest that main modifications are often required during examination, which could delay adoption due to Council approval processes, appraisals, and consultations. If one refers to Elmbridge Borough Council and Barking Dagenham, the entire process from submission to adoption typically takes 12-24 months for a Green Belt authority, though complex plans or issues can extend this timeline. For example, Spelthorne Borough Council agreed to pause their Local Plan examination in July 2023 to consider implications of revised national planning policy on Green Belt allocations. Overall,

while 12-24 months is typical, Green Belt authorities should be prepared for the process to potentially take longer due to the complexities and sensitivities around Green Belt release. Applying a 24 month period from submission of the PDLP to adoption, this means adoption may not take place before December 2026.

2.5 To address this, we suggest that the Council considers extending the plan period to at least 2042 to
allow for more flexibility and ensure that the spatial strategy covers an adequate timeframe.
Settlement Hierarchy and Distribution of Growth

2.6 Policy SP1 highlights the importance of directing growth to the most sustainable locations, prioritizing urban areas before considering the Green Belt. Policy SP1 emphasises that larger settlements provide a comprehensive range of services, employment, retail, and other facilities, as well as better accessibility and connectivity by walking, cycling, and public transport. It designates the City of St Albans as the primary focus in the District for housing, employment, services, retail, the evening economy, education, and healthcare—a recognition welcomed by stakeholders such as Pigeon.

2.7 The PDLP's approach of using a settlement hierarchy as the basis for growth distribution, while not rigidly applying it to growth scales in each settlement, is sound. The hierarchy was developed through the Council's Settlement Hierarchy Study (June 2023), which used a quantitative scoring system to classify settlements within the District. Although quantifying settlement characteristics can be challenging, this method is proportionate, especially since growth allocation avoids oversimplification by incorporating a balanced view of each settlement's attributes.

2.8 St Albans, as a Tier 1 settlement, is the District's most sustainable location for growth and other Tier 1 settlements along with the Hemel Garden Community, should therefore be apportioned the highest levels of development. As the primary urban centre, St Albans offers a wide range of essential services, facilities, employment opportunities, and excellent transport links, making it well suited to support substantial levels of new housing and employment space. By directing a larger share of growth here, the Local Plan would more effectively support sustainable development objectives while protecting the distinct character of smaller settlements within the District.

2.9 SP1 also applies the Settlement Hierarchy in Table 3.1 as the foundation for growth allocation, seeking to locate growth within and adjacent to the larger, more sustainable urban centres in Tier 1 (St Albans and Hemel Hempstead), Tier 2 (Harpenden), and Tier 3 (London Colney). Pigeon endorses this approach, recognizing St Albans' infrastructure and accessibility to housing, employment, retail, and public transport. However, the Council should consider the distribution proportions, as some higher-tier settlements may receive less growth than they are capable of supporting (i.e. St Albans City), while some lower-tier settlements many receive higher growth allocations relative to their hierarchy position.

2.10 For greater clarity in Policy SP1, we recommend refining the text to clarify that growth allocations will reflect the settlement hierarchy with a focus on sustainability and community vitality. Detailed reasoning on how the hierarchy informed the spatial strategy could be placed in the supporting text, rather than the policy itself.

2.11 Policy SP1 further elaborates on the scale and location of growth allocations across the District, which comprise broad locations for large urban extensions of 250+ homes, as well as Large Sites (100-249 homes), Medium Sites (10-99 homes), and Small Sites (5-9 homes). While broad locations primarily target Hemel Garden Communities, they also include, among others, North and East St Albans, areas identified as suitable for higher housing levels. Pigeon supports the identification of St Albans, particularly East St Albans, as a principal area for increased housing.

2.12 This approach avoids over-reliance on very large sites, addressing a previous plan's soundness issue by diversifying housing supply.

Housing Needs

2.13 We support the application of the Standard Method, as outlined in the Planning Practice Guidance (PPG), for calculating housing needs. In accordance with the National Planning Policy Framework (NPPF), this method establishes the minimum number of homes required for strategic

planning purposes (NPPF para. 61) and is fundamental to a sound Local Plan (para. 35). Since the Standard Method offers a baseline figure, we fully support Policy SP1 of the PDLP referencing housing numbers as a foundational measure.

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2.19 Furthermore, incorporating a supply buffer into the minimum housing requirement would help bolster housing delivery across the district throughout the plan period. This approach aligns with national policy, as the NPPF calls for Local Plans to not only meet their objectively assessed development needs but also to adopt strategies with sufficient flexibility to adapt to rapid changes.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sandpit Lane - SP1 Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Sandpit Lane - Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 1

Type:

* Table

Number:

3.1; 3.2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

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Please refer to Section 4 of the enclosed representation.

4 HOUSING DISTRIBUTION, SUPPLY & TRAJECTORY
Housing Distribution and Supply
4.1 The spatial strategy positively organizes site allocations according to the Settlement Hierarchy,
detailed in Table 3.1. The Green Belt allocation is carefully divided between Hemel Garden Communities, Broad Locations, and Other Green Belt Site Allocations (large, medium, and small sites), reflecting a balanced approach to growth. Table 3.2 in the PDLP presents the Housing Trajectory, and sets out allocations for each Green Belt category:
· Hemel Garden Communities: 4,750 homes (44.8% of total Green Belt allocation supply, excluding Previously Developed Land)
· Broad Locations: 4,281 homes (40.3% of total Green Belt allocation supply, excluding Previously Developed Land)
· Other Green Belt Site Allocations: 1,581 homes (14.9% of total Green Belt allocation supply, excluding Previously Developed Land)
· Total Green Belt Allocation Supply (excluding Previously Developed Land): 10,612 homes

4.2 The spatial strategy effectively aligns housing allocations with the District's Settlement Hierarchy,
focusing growth in highly sustainable areas. St Albans and Hemel Hempstead, as primary Tier 1 settlements, are prioritized, with significant allocations supporting their role as key urban centres. Given the anticipated rise in St Albans' housing need, this approach could be enhanced further by exploring additional allocation potential around St Albans City, which benefits from well-developed infrastructure, transport links, and community facilities. This would enable the City to play an even stronger role in meeting future housing requirements sustainably.

4.3 The PDLP distributes 12 Broad Locations across five settlements plus Hemel Garden Communities,
as follows:

- St Albans (Tier 1): 2,124 homes
- Harpenden (Tier 2): 1,055 homes
- London Colney (Tier 3): 405 homes
- Redbourn (Tier 4): 593 homes
- Radlett (not classified): 274 homes

4.4 This allocation pattern thoughtfully distributes growth across the hierarchy. To further reinforce the
sustainability principles, a stronger emphasis on Tier 1 and 2 settlements, particularly St Albans, would align with the City's role as the District's most sustainable location. This approach would also respond proactively to the expected increase in housing demand and offer more choice and accessibility for residents.

4.5 The use of the Settlement Hierarchy to guide growth distribution is well-supported by evidence,
including the Council's Settlement Hierarchy Study and Green Belt Review. The strategy's allocations to higher-tier settlements align with the principles of sustainable development. However, some adjustments may strengthen the approach—for instance, directing more growth to St Albans City could allow the City to make the most of its infrastructure and transit connectivity, while achieving a balanced, proportionate distribution of homes across other areas.

4.6 St Albans, the principal Tier 1 settlement, receives approximately half of the Broad Location allocation
relative to Hemel Hempstead. Since St Albans benefits from well-established infrastructure, there is an opportunity to allocate additional growth around its urban edge, where sustainable extensions can be well-integrated with existing infrastructure. This would further reinforce the sustainable growth objectives and ensure that the City can help meet the District's evolving housing needs. In addition, it will help ensure that St Albans further benefits from housing growth in terms of economic impacts associated with new housing development (e.g. as a result of increased expenditure in the local area) as well as the positive social impacts of ensuring sufficient, modern housing to meet community's needs.

4.7 An effective Local Plan is one that is deliverable and flexible over its lifespan. The Draft Plan allocates
two Large Sites (100-249 homes), with one on brownfield land at Burston Nurseries, North Orbital Road, St Albans (180 homes) and another south of the North Orbital Road in Park Street (104 homes). St Albans, as a key Tier 1 location, could effectively support additional large sites. Expanding the range of sites within St Albans will help maintain flexibility, allowing for a more varied housing supply that meets future demand and accommodates diverse housing types.

4.8 Hemel Hempstead's Hemel Garden Communities allocation is robust, with a focus on transformative
growth. In comparison, St Albans has been allocated 2,484 homes across Broad Locations, Large Sites, and medium/small sites, which might underutilize its existing infrastructure capacity. Directing additional growth to St Albans could enhance the effectiveness of the Plan, helping the City to play a larger role in supporting sustainable, well-serviced development.

4.9 The NPPF requires housing need to be treated as a minimum and encourages Plans to include
flexibility in anticipation of changing demand. With the housing target set at 14,603 homes, the Draft Plan could offer further flexibility by considering an additional buffer, particularly in St Albans where the infrastructure can support additional growth. This would provide greater resilience to meet future demands, in line with the NPPF's goals for sustainable, adaptable planning.
4.10 The Plan's support for transformational growth in Hemel Hempstead is well-placed, but opportunities to redirect some of the growth from Tier 2, 3, and 4 settlements toward St Albans would capitalize on the City's high sustainability and resource availability. Increasing St Albans City's allocation of Large and Medium Sites would further diversify the housing supply and improve housing options for the community within a well-connected, service-rich area.
4.11 At present, St Albans' housing growth is largely based on a small selection of large urban extensions (250+ homes) and a few smaller sites, with seven Green Belt allocations overall. In contrast, Harpenden, a smaller Tier 2 settlement, is supported by 12 allocations. Expanding the variety of St Albans City's housing allocations would benefit both new and existing residents by offering housing choices within well-established neighborhoods, close to employment, education, and community facilities.
4.12 To fully align with the NPPF, the Council might consider additional site allocations around St Albans City, taking a careful approach to Green Belt release. For instance, Land at Sandpit Lane is in a well-connected, accessible location within walking and cycling distance of essential services and employment opportunities. This Site wsupport sustainable growth while encouraging active travel options that align with both local and national sustainability goals. Developing this site with quality landscaping and active travel options would serve existing and future residents, supporting St Albans City's role as a primary settlement.
Housing Trajectory
4.13 The PDLP's housing trajectory for 2026–2028 anticipates that existing planning permissions and windfall sites will deliver 749 homes, falling short of the 888-home annual target by 513 units. While future site allocations and windfall allowances are expected to cover this shortfall from 2028 onwards, the approach could be strengthened by enhancing delivery reliability and ensuring early-period targets are met. This assessment addresses the trajectory's alignment with the NPPF soundness tests:

4.14 The current approach could be more positively prepared by introducing additional Large Sites, which would secure steady early housing delivery and help meet the annual target. Allocating sites capable of swift planning and early-phase delivery would reduce dependence on windfall sites and strengthen the supply of affordable housing.
4.15 The reliance on existing permissions and windfall sites in the early years is reasonable but could be made more robust by incorporating more strategically allocated Large Sites, like Land at Sandpit Lane. There is a risk of double counting if sites have planning permission already. This Site's early delivery potential (c.200 homes) would provide greater certainty, complementing the evidence for a balanced supply throughout the plan period.
4.16 Adding readily deliverable Large Sites would improve effectiveness, providing flexibility if the 8% lapse rate is exceeded. The inclusion of such sites would help achieve a consistent delivery pipeline, ensuring the Local Plan meets housing needs from adoption.
4.17 The NPPF promotes flexibility and resilience in housing delivery. Allocating more Large Sites, like Land at Sandpit Lane, would align with these principles, allowing the plan to respond effectively to early demand fluctuations and maintaining progress toward meeting housing targets.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to Section 4 of the enclosed representation.

4 HOUSING DISTRIBUTION, SUPPLY & TRAJECTORY

Housing Distribution and Supply

4.1 The spatial strategy positively organizes site allocations according to the Settlement Hierarchy,
detailed in Table 3.1. The Green Belt allocation is carefully divided between Hemel Garden Communities, Broad Locations, and Other Green Belt Site Allocations (large, medium, and small sites), reflecting a balanced approach to growth. Table 3.2 in the PDLP presents the Housing Trajectory, and sets out allocations for each Green Belt category:

· Hemel Garden Communities: 4,750 homes (44.8% of total Green Belt allocation supply, excluding Previously Developed Land)
· Broad Locations: 4,281 homes (40.3% of total Green Belt allocation supply, excluding Previously Developed Land)
· Other Green Belt Site Allocations: 1,581 homes (14.9% of total Green Belt allocation supply, excluding Previously Developed Land)
· Total Green Belt Allocation Supply (excluding Previously Developed Land): 10,612 homes

4.2 The spatial strategy effectively aligns housing allocations with the District's Settlement Hierarchy,
focusing growth in highly sustainable areas. St Albans and Hemel Hempstead, as primary Tier 1 settlements, are prioritized, with significant allocations supporting their role as key urban centres. Given the anticipated rise in St Albans' housing need, this approach could be enhanced further by exploring additional allocation potential around St Albans City, which benefits from well-developed infrastructure, transport links, and community facilities. This would enable the City to play an even stronger role in meeting future housing requirements sustainably.

4.3 The PDLP distributes 12 Broad Locations across five settlements plus Hemel Garden Communities,
as follows:

· St Albans (Tier 1): 2,124 homes
· Harpenden (Tier 2): 1,055 homes
· London Colney (Tier 3): 405 homes
· Redbourn (Tier 4): 593 homes
· Radlett (not classified): 274 homes

4.4 This allocation pattern thoughtfully distributes growth across the hierarchy. To further reinforce the
sustainability principles, a stronger emphasis on Tier 1 and 2 settlements, particularly St Albans, would align with the City's role as the District's most sustainable location. This approach would also respond proactively to the expected increase in housing demand and offer more choice and accessibility for residents.

4.5 The use of the Settlement Hierarchy to guide growth distribution is well-supported by evidence,
including the Council's Settlement Hierarchy Study and Green Belt Review. The strategy's allocations to higher-tier settlements align with the principles of sustainable development. However, some adjustments may strengthen the approach—for instance, directing more growth to St Albans City could allow the City to make the most of its infrastructure and transit connectivity, while achieving a balanced, proportionate distribution of homes across other areas.

4.6 St Albans, the principal Tier 1 settlement, receives approximately half of the Broad Location allocation

relative to Hemel Hempstead. Since St Albans benefits from well-established infrastructure, there is an opportunity to allocate additional growth around its urban edge, where sustainable extensions can be well-integrated with existing infrastructure. This would further reinforce the sustainable growth objectives and ensure that the City can help meet the District's evolving housing needs. In addition, it will help ensure that St Albans further benefits from housing growth in terms of economic impacts associated with new housing development (e.g. as a result of increased expenditure in the local area) as well as the positive social impacts of ensuring sufficient, modern housing to meet community's needs.

4.7 An effective Local Plan is one that is deliverable and flexible over its lifespan. The Draft Plan allocates
two Large Sites (100-249 homes), with one on brownfield land at Burston Nurseries, North Orbital Road, St Albans (180 homes) and another south of the North Orbital Road in Park Street (104 homes). St Albans, as a key Tier 1 location, could effectively support additional large sites. Expanding the range of sites within St Albans will help maintain flexibility, allowing for a more varied housing supply that meets future demand and accommodates diverse housing types.

4.8 Hemel Hempstead's Hemel Garden Communities allocation is robust, with a focus on transformative
growth. In comparison, St Albans has been allocated 2,484 homes across Broad Locations, Large Sites, and medium/small sites, which might underutilize its existing infrastructure capacity. Directing additional growth to St Albans could enhance the effectiveness of the Plan, helping the City to play a larger role in supporting sustainable, well-serviced development.

4.9 The NPPF requires housing need to be treated as a minimum and encourages Plans to include
flexibility in anticipation of changing demand. With the housing target set at 14,603 homes, the Draft Plan could offer further flexibility by considering an additional buffer, particularly in St Albans where the infrastructure can support additional growth. This would provide greater resilience to meet future demands, in line with the NPPF's goals for sustainable, adaptable planning.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sandpit Lane - Table 3_1 Settlement Hierarchy Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Sandpit Lane - Pigeon_[R].pdf
3. Sandpit Lane - Table 3_2 Hosuign Trajectory Reg 19 Representation_Form_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to Section 2 of the enclosed representation.

Strategic Policy SP3 – Land and the Green Belt

2.24 Strategic Policy SP3 establishes a framework to meet St Albans District's critical housing and employment needs over a 16.5-year period, from October 2024 to March 2041. The policy emphasizes aligning this growth with essential infrastructure while safeguarding the Green Belt. However, SP3 recognizes that limited Green Belt adjustments may be necessary to meet this housing need.

2.25 Our response to Policy SP3 centres on two primary areas: the District's housing need and the principles guiding potential Green Belt adjustments, particularly around St Albans.

Housing Need

2.26 Policy SP3 currently anticipates a need for 14,603 homes in the District by 2041, based on an annual requirement of 885 dwellings calculated using the Standard Method. This baseline, however, must be considered as a minimum requirement.

The NPPF requires use of the Standard Method to determine minimum housing needs, which we support. Yet, we stress that this should be seen as a starting point rather than an absolute cap on development, as discussed in our response to Policy SP1.

To align fully with national planning policy, the Local Plan should extend the plan period to ensure it covers the 15-year minimum requirement from adoption. Extending this timeline would necessitate an additional 885 homes, further strengthening the Local Plan's commitment to fulfilling housing demands.

Green Belt

2.27 The acknowledgment of necessary Green Belt adjustments, particularly in and around St Albans, is both pragmatic and essential. The approach to assessing potential Green Belt releases has relied upon the Arup Green Belt Review, with specific insights provided in the Stage 2 Final Report (June 2023). However, we note that, as part of the Local Plan, a finer-grain assessment of individual sites within certain sub-areas was not undertaken. In light of proposed NPPF reforms and the potential for higher housing needs based on a revised Standard Method, we recommend that a finer grain assessment of parcels in and around St Albans could help to identify sites within sub-parcels in and around St Albans that make a lesser contribution to the purposes of the Green Belt than their parent sub-areas.

2.28 According to paragraph 145 of the NPPF, revising Green Belt boundaries through a Local Plan can be justified if exceptional circumstances exist. This includes establishing that all other potential means of meeting development needs have been exhausted prior to considering Green Belt land (per NPPF paragraphs 145 and 146).

2.29 While "exceptional circumstances" are not explicitly defined in the NPPF, case law, including Calverton and Compton, clarifies factors that may constitute exceptional circumstances, such as:

- The scale of identified development needs,
- Constraints on sustainable land supply,
- Limitations on achieving sustainable development without Green Belt adjustments,
- The scale of potential Green Belt harm, and
- Opportunities to mitigate this harm.

2.30 In St Albans City & District, the demand for housing is acute. This is evidenced by high Standard Method-derived needs, even with a cap in place to support early deliverability. If this cap were removed, the annual requirement would rise to 1,169 dwellings, underscoring the true level of demand within the District.

2.31 Beyond overall housing need, there is a pronounced shortfall in affordable housing.

2.32 The Local Plan's evidence base includes the South West Hertfordshire Local Housing Needs Assessment (2020), which highlights the need for 443 affordable dwellings annually in St Albans. This represents 50% of the Standard Method's minimum annual figure, underscoring the importance of enabling housing growth near St Albans to meet these pressing demands.
2.33 With limited development opportunities within the District's urban areas, the HELAA (2021) and Urban Capacity Study (2022) reveal significant constraints on available land.
2.34 The UCS estimates that existing settlement boundaries could yield just 2,174 dwellings, even with density increases. This necessitates new allocations beyond existing urban areas, and, given the proximity of Green Belt land to St Albans, it is evident that some boundary adjustments will be unavoidable.
2.35 The exact impact on the Green Belt varies by site. The Stage 2 Green Belt Review assessed 182 sub-areas, rating each based on its role within the broader Green Belt framework. The review found 54 areas that contribute less significantly to the purposes of the Green Belt, recommending them for further review. This suggests that limited, carefully planned adjustments could accommodate growth without compromising the essential functions of the Green Belt.
Site-Specific Considerations
2.36 Sub-Area SA-75, which includes Land at Sandpit Lane, has been assessed based on NPPF Green Belt purposes. Although SA-75 as a whole scored as making a "strong" Green Belt contribution, this assessment lacks the fine-grain analysis necessary to evaluate the potential of smaller parcels within the sub-area. Given the Government's proposed reforms to the NPPF and a potential shift to a higher housing requirement under the new Standard Method, we strongly suggest that the Council consider this finer-grained analysis specific to St Albans to identify specific, sustainable opportunities for growth in this location.
2.37 While the sub-area as a whole was not recommended for further consideration, smaller parcels such as Land at Sandpit Lane are not considered to perform as strongly across all purposes as the wider area in which they sit. In such cases, a detailed assessment could reveal that these parcels, which possess natural containment through vegetation and existing development, may contribute to sustainable growth while having minimal impact on the strategic Green Belt.
2.38 It is also worth noting that certain allocations, such as Broad Location 1 (B1) north of St Albans, have been proposed despite strong Green Belt contributions from sub-areas SA-63-A, SA-66, and SA-69. Similarly, Bedmond Lane (M3) is proposed to be released from the Green Belt despite a strong Green Belt rating. Such decisions indicate a precedent for releasing small parcels within larger sub-areas where natural containment exists and broader NPPF purposes are minimally affected.
2.39 In light of these observations, we recommend a finer-grain assessment of sites within SA-75, including Land at Sandpit Lane. This targeted review would enable the Council to identify opportunities for sustainable growth that align with proposed NPPF reforms, considering both the District's anticipated housing needs and the Government's potential higher requirement. Detailed site-level analysis would ensure the Local Plan is robust, responsive, and adaptable to both current and emerging needs, balancing growth with Green Belt preservation
2.40 In summary, Strategic Policy SP3 is largely consistent with the NPPF's soundness tests, addressing housing needs and infrastructure planning while taking a measured approach to Green Belt adjustments. To further strengthen the Local Plan's compliance with NPPF soundness criteria, we recommend:
· Extending the plan period to at least 2042 to cover a full 15-year period post-adoption.
· Conducting finer-grained assessments within identified sub-areas, such as SA-75, to pinpoint smaller parcels for sustainable growth.
· Incorporating flexibility within SP3's housing and Green Belt strategies—through reserve sites, phased releases, or housing supply buffers—to support deliverability and adaptability over the plan period.
2.41 By refining these elements, SP3 will better align with national policy requirements and ensure the Local Plan remains robust, adaptable, and responsive to both current and projected housing needs.

[Please see attached appendix]

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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[Please see attached appendix]

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sandpit Lane - SP3 Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Sandpit Lane - Pigeon_[R].pdf
3. Appendix A - Vision Statement_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

TRA2 - Major Transport Schemes

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to Section 3 of the enclosed representation.

3 LOCAL POLICIES
Policy TRA2 – Major Transport Schemes

3.1 The Major Transport Schemes policy (TRA2) reflects a positive intent to support critical infrastructure upgrades and promote sustainable travel options across the district. However, to be fully consistent with the National Planning Policy Framework (NPPF)—specifically paragraph 108, which advocates for early integration of sustainable transport options in plan-making—the policy would benefit from a more proactive approach in supporting development proposals that enhance and connect with planned transport infrastructure.

3.2 An example of this opportunity is Land at Sandpit Lane, where a planned pedestrian and cycle upgrade along the south-eastern frontage on Coopers Green Lane could be leveraged to create a significant and cohesive transport connection. New development proposals at this site could facilitate an essential linkage from Coopers Green Lane, through the site, and toward the eastern fringe of St Albans. This would enhance accessibility for both current and future residents, providing a direct, safe route for active travel modes and reducing car dependency.

3.3 By incorporating supportive language within TRA2 for developments that actively contribute to the district's sustainable travel objectives, such as those presented by Land at Sandpit Lane, the policy could enable more integrated, holistic development. This adjustment would ensure that new sites are not only compatible with but actively bolster the district's long-term transport vision, creating a network of interlinked routes that align with and enhance planned upgrades. As a result, TRA2 would better fulfill NPPF requirements for soundness, maximizing the benefits of cohesive infrastructure planning and creating a truly sustainable transport network that delivers long-term value to the community.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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3 LOCAL POLICIES

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TRA2 would better fulfill NPPF requirements for soundness, maximizing the benefits of cohesive infrastructure planning and creating a truly sustainable transport network that delivers long-term value to the community.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sandpit Lane - TRA2 Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Sandpit Lane - Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Part B - Local Plan Sites

Comment Number: 6

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

1 INTRODUCTION

1.1 This submission is made by Ceres Property ("CP") on behalf of Pigeon Capital Management 4 Ltd ("Pigeon") and the Landowners (D'Arblay Investments Limited) to the Regulation 19 Publication Draft Local Plan ("PDLP") published for consultation by St Albans District Council ("the Council") until 8th November 2024.

1.2 This representation relates to Land at Sandpit Lane, St Albans ("the Site").

1.3 The Site was submitted as part of the Call for Sites exercise held by the Council between 25 January and 8 March 2021 to inform the list of deliverable sites to form part of the new Local Plan. The Site was registered as part of the Call for Sites under Ref: 774 and assessed as part of the Council's Housing and Economic Land Availability Assessment (HELAA) 2021/22 Report under Ref: SAN-03-21. The HELAA does not exclude the Site from the site selection process as one of the total 112 omission sites, and thus was taken forward as one of the 556 sites to further site selection.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix A - Vision Statement_[R].pdf
2. St Albans Reg 19 Rep - Sandpit Lane - Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Sustainability Appraisal Note

Comment Number: 5

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

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5.3 Higher growth could support a more resilient local economy, enhance social equity through increased affordable housing provision, and contribute to the council's climate goals by supporting compact, transit-oriented developments that reduce emissions and urban sprawl pressures.

Strategic Omission Sites and Expanded Growth Scenarios

5.4 Current appraised scenarios examine strategic omission sites like Southeast (SE) and North St Albans, but even under high-growth projections, the SA stops short of advocating for full development at both sites. Instead, it presents East St Albans as the primary area for expansion.

5.5 St Albans City, however, is well-placed to support a more integrated growth approach across multiple sites. SE St Albans, with its advantageous location and infrastructure compatibility, can accommodate further growth without disproportionately affecting the Green Belt or local landscape quality. This adjustment would better meet housing needs while spreading development pressures, ensuring sustainable expansion across several areas rather than concentrating growth solely in East St Albans.

Environmental and Landscape Constraints in the Context of Expanded Growth

5.6 While the SA emphasizes Green Belt preservation and landscape sensitivity, St Albans City's ability to integrate green infrastructure and landscape buffers means it can support a higher growth rate with minimal environmental disruption. A refined approach to higher-density developments in designated areas could accommodate increased housing needs while safeguarding sensitive landscapes.

5.7 Instead of limiting development to East St Albans, expanding to SE and potentially North St Albans, with landscape-sensitive planning and Green Belt boundary adjustments, could accommodate housing while still maintaining critical landscape and Green Belt functions. This higher-growth approach should therefore be reappraised as a viable and beneficial preferred option.

Infrastructure and Accessibility Capacity to Support Expanded Growth

5.8 Scenario 3, which emphasizes East St Albans, is infrastructure-compatible, but St Albans' broader transport network can facilitate growth across additional areas. Public transport links, established educational facilities, and healthcare services in St Albans support the case for higher growth, particularly given the district's well-developed transit and community infrastructure.

5.9 By strategically expanding growth into SE and North St Albans, alongside East St Albans, the district can leverage existing infrastructure while fostering self-sufficient, walkable neighborhoods that align with sustainable development goals. Appraising a higher-growth option would allow St Albans City to meet future housing demands comprehensively, reflecting its strategic urban role within the region.

Emissions Reduction and Climate Goals Aligned with Compact Growth

5.10 The SA's preferred scenario aims to limit car dependency and promote active travel. An expanded growth option, however, could better serve these goals by enabling higher-density, transit-oriented developments in well-connected areas of St Albans. The Abbey Line, public transit corridors, and proximity to employment centers mean that expanded growth could reduce per capita emissions while meeting housing needs.
5.11

5.12 Concentrating growth solely in East St Albans overlooks the broader transit and emissions reduction potential across SE and North St Albans. A higher-growth option that integrates these areas would better support climate and accessibility goals, reinforcing St Albans as a compact, low-carbon community.
5.13 While the SA's preferred Scenario 3 offers a modest growth approach, St Albans is well-positioned to support a significantly higher level of housing growth. Appraising an alternative preferred option with increased allocations in SE, North, and East St Albans would align with local infrastructure strengths, address acute housing shortages, and support St Albans' role as a sustainable urban center.
5.14 Expanded growth would also allow for a more equitable distribution of housing and affordable options, supporting community diversity and economic resilience. This higher-growth approach, guided by landscape-sensitive planning, green infrastructure, and transit alignment, should therefore be appraised as a primary alternative to ensure that St Albans meets its full potential as a balanced, thriving district.

Green Belt Constraints and Spatial Strategy
Green Belt considerations anchor the spatial strategy of the SA, aiming to prevent urban sprawl and safeguard St Albans City's character. The SA's low ranking for SAN-03-21 stems from concerns that the site's development might erode the Green Belt. Yet, SAN-03-21 is uniquely positioned to form a discreet, well-contained extension of St Albans. Its natural boundary features and adjacent infrastructure serve as robust buffers, limiting visual impact and preserving the Green Belt's continuity. Pigeon advocates for SAN-03-21's release from the Green Belt, positing that it performs weakly against core Green Belt functions and, if designed thoughtfully, could enhance Green Belt integrity rather than detract from it.

Housing Needs and Affordable Housing Challenges
5.15 St Albans faces a significant housing shortage, exacerbated by high demand for affordable homes. The SA emphasises that sites should meet housing needs while supporting infrastructure and resilience goals. SAN-03-21 meets these objectives directly by proposing up to 200 homes, 40% of which will be affordable. This provision supports local housing requirements and promotes a socially inclusive community, which can contribute to the local economy by providing housing for essential workers. The development also includes custom and self-build homes, which foster a diverse housing market aligned with community needs. This robust housing offering addresses the SA's concerns around sustainability and equity in housing, while enhancing community vitality.

Climate Change, Flooding, and Environmental Resilience
5.16 Environmental resilience is a top SA priority, particularly regarding flood risks, emissions reduction, and ecological impact. Whilst SAN-03-21's is located within Flood Risk Zone 1 (low risk) and incorporates Sustainable Drainage Systems (SuDS), including swales and attenuation basins to manage surface water on-site. These measures, combined with the green infrastructure strategy that prioritizes biodiversity net gain (exceeding 10%), counteract the SA's concerns by presenting a development approach that enhances both environmental resilience and sustainability.

Preservation of Cultural and Historic Assets
5.17 St Albans' historical and cultural richness is integral to its identity, with the SA closely assessing sites for potential impacts on heritage assets. SAN-03-21 has been considered as less compatible with the preservation goals of the district owing to nearby heritage assets. Pigeon strongly considers that the Site is physically and visually separated from nearby heritage assets, ensuring no adverse

impact on the historic environment. By proposing a landscape-sensitive approach, the development at Sandpit Lane can preserve the historic character of St Albans, aligning with the National Planning Policy Framework (NPPF) requirement to “conserve and enhance the historic environment” while accommodating necessary growth.

Accessibility, Transport, and Community Infrastructure
5.18 A site’s accessibility to services, schools, healthcare, and transport networks is central to the SA’s sustainability framework. Sites supporting active travel and reduced car dependency are prioritised. Pigeon challenge the SA’s low accessibility ranking for SAN-03-21 given the Site has excellent connectivity offered at Sandpit Lane: it lies within walking or cycling distance of essential services and is supported by regular public transport options. The proposal includes new pedestrian and cycle routes along Sandpit Lane and Coopers Green Lane, connecting the site to existing transit and infrastructure networks. This connectivity supports active travel, enhances accessibility to local amenities, and aligns with St Albans’ ambition to create “15-minute neighbourhoods” that prioritise sustainable living.

Deliverability and Viability
5.19 Pigeon emphasises SAN-03-21’s immediate availability for development, positioning it as a viable contributor to the district’s urgent housing needs within the early Local Plan period. This commitment to timely delivery aligns with the SA’s emphasis on practical, achievable developments that meet housing supply targets.

[Please see attached appendix]

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Sandpit Lane - SA Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Sandpit Lane - Pigeon_[R].pdf
3. Appendix A - Vision Statement_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

365 - Pigeon Capital Management 4 Limited and the Gorhambury Estate

Submission Number: 365 Submission Date: 08/11/24 09:00

Respondent: Ceres Property Rory Baker

On Behalf Of : Pigeon Capital Management 4 Limited and the Gorhambury Estate

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to Section 2 of the enclosed representation.

2 STRATEGIC POLICIES

2.1 The following commentary relates to policies and elements of the Council's recently published Regulation 19 PDLP 2041.

Strategic Policy SP1 – Spatial Strategy

2.2 Policy SP1 in the Publication PDLP (PDLP) establishes the proposed spatial strategy for the District through to 2041. Our comments on this policy address three main areas: the plan period, the settlement hierarchy and distribution of growth, and the approach to calculating minimum housing needs.

Plan Period

2.3 For the Local Plan to be sound, it must adhere to national policy requirements. The National Planning Policy Framework (NPPF) mandates that strategic policies should address a minimum period of 15 years from the Local Plan's adoption.

2.4 The PDLP proposes a plan period running until 2041, which would require adoption by March 2026 to meet the 15-year requirement. The Council's Local Development Scheme currently anticipates adoption by this deadline, allowing little room for potential delays. This tight timeline presents a risk, particularly as the Council will not control the schedule once the plan is submitted for examination. Additionally, recent experiences with other Local Plans suggest that main modifications are often required during examination, which could delay adoption due to Council approval processes, appraisals, and consultations. If one refers to Elmbridge Borough Council and Barking Dagenham, the entire process from submission to adoption typically takes 12-24 months for a Green Belt authority, though complex plans or issues can extend this timeline. For example, Spelthorne Borough Council agreed to pause their Local Plan examination in July 2023

to consider implications of revised national planning policy on Green Belt allocations. Overall, while 12-24 months is typical, Green Belt authorities should be prepared for the process to potentially take longer due to the complexities and sensitivities around Green Belt release. Applying a 24 month period from submission of the PDLP to adoption, this means adoption may not take place before December 2026.

2.5 To address this, we suggest that the Council considers extending the plan period to at least 2042 to allow for more flexibility and ensure that the spatial strategy covers an adequate timeframe.

Settlement Hierarchy and Distribution of Growth

2.6 Policy SP1 highlights the importance of directing growth to the most sustainable locations, prioritizing urban areas before considering the Green Belt. Policy SP1 emphasises that larger settlements provide a comprehensive range of services, employment, retail, and other facilities, as well as better accessibility and connectivity by walking, cycling, and public transport. It designates the City of St Albans as the primary focus in the District for housing, employment, services, retail, the evening economy, education, and healthcare—a recognition welcomed by stakeholders such as Pigeon.

2.7 The PDLP's approach of using a settlement hierarchy as the basis for growth distribution, while not rigidly applying it to growth scales in each settlement, is sound. The hierarchy was developed through the Council's Settlement Hierarchy Study (June 2023), which used a quantitative scoring system to classify settlements within the District. Although quantifying settlement characteristics can be challenging, this method is proportionate, especially since growth allocation avoids oversimplification by incorporating a balanced view of each settlement's attributes.

2.8 St Albans, as a Tier 1 settlement, is the District's most sustainable location for growth and other Tier 1 settlements along with the Hemel Garden Community, should therefore be apportioned the highest levels of development. As the primary urban centre, St Albans offers a wide range of essential services, facilities, employment opportunities, and excellent transport links, making it well suited to support substantial levels of new housing and employment space. By directing a larger share of growth here, the Local Plan would more effectively support sustainable development objectives while protecting the distinct character of smaller settlements within the District.

2.9 SP1 also applies the Settlement Hierarchy in Table 3.1 as the foundation for growth allocation, seeking to locate growth within and adjacent to the larger, more sustainable urban centres in Tier 1 (St Albans and Hemel Hempstead), Tier 2 (Harpenden), and Tier 3 (London Colney). Pigeon endorses this approach, recognizing St Albans' infrastructure and accessibility to housing, employment, retail, and public transport. However, the Council should consider the distribution proportions, as some higher-tier settlements may receive less growth than they are capable of supporting (i.e. St Albans City), while some lower-tier settlements many receive higher growth allocations relative to their hierarchy position.

2.10 For greater clarity in Policy SP1, we recommend refining the text to clarify that growth allocations will reflect the settlement hierarchy with a focus on sustainability and community vitality. Detailed reasoning on how the hierarchy informed the spatial strategy could be placed in the supporting text, rather than the policy itself.

2.11 Policy SP1 further elaborates on the scale and location of growth allocations across the District, which comprise broad locations for large urban extensions of 250+ homes, as well as Large Sites (100-249 homes), Medium Sites (10-99 homes), and Small Sites (5-9 homes). While broad locations primarily target Hemel Garden Communities, they also include, among others, North and East St Albans, areas identified as suitable for higher housing levels. Pigeon supports the identification of St Albans, particularly west St Albans, as a principal area for increased housing.

2.12 This approach avoids over-reliance on very large sites, addressing a previous plan's soundness issue by diversifying housing supply.

Housing Needs

2.13 We support the application of the Standard Method, as outlined in the Planning Practice Guidance (PPG), for calculating housing needs. In accordance with the National Planning Policy Framework (NPPF), this method establishes the minimum number of homes required for strategic planning purposes (NPPF para. 61) and is fundamental to a sound Local Plan (para. 35). Since the Standard Method offers a baseline figure, we fully support Policy SP1 of the PDLP referencing housing numbers as a foundational measure.

2.14 While we are fully supportive of using the Standard Method's minimum housing requirement, it is essential that this draft plan remains adaptable to future increases in housing needs, especially considering the proposed NPPF reforms and the implications of a revised standard method for St. Albans' minimum housing requirements.

2.15 The forthcoming standard method, anticipated under the revised NPPF (published for consultation in July 2024), would set St. Albans' housing requirement at a figure of 1,544, compared to the current Standard Method figure of 885 homes per annum, which translates to 14,603 net additional homes across the plan period. This represents an increase of 659 homes per annum (10,874 in total), which is currently unaddressed in the PDLP. Given that the council aims to submit the PDLP for examination by December 2024—likely preceding the adoption of the new NPPF and proposed Standard Method—the PDLP could initially benefit from the transitional arrangements. However, it would necessitate an immediate review of the Local Plan following adoption to address any updated housing requirements.

2.16 The Council now has an opportunity to refine the PDLP before its submission by including additional sites in sustainable locations which would help to ensure that St Albans' anticipated housing requirements are met without delay, acknowledging the scale of increase between the correct and anticipated local housing requirement. While timely progress on plan-making is encouraged, proactively accounting for anticipated increased housing needs within this draft would enhance certainty around meeting district-wide housing requirements throughout the plan period.

2.17 This goal could be achieved by allocating additional land for housing around the district's most sustainable settlements, particularly within St. Albans City as a Tier 1 settlement. This location, as the highest tier in the settlement hierarchy, has the capacity to support substantial, sustainable development, enabling the district to meet higher housing targets effectively.

2.18 Should the Council decide to proceed with submitting the PDLP for examination ahead of the new NPPF and Standard Method, we suggest that St. Albans adopt an immediate review policy within the Local Plan to address any additional housing needs arising from the proposed standard method. A policy akin to the Bedford Borough Council Local Plan 2030 policy which commits to an immediate review no later than one year after the adoption of the plan and that an updated or replacement plan will be submitted for examination no later than three years after the date of adoption of the Local Plan 2030.

2.19 Furthermore, incorporating a supply buffer into the minimum housing requirement would help bolster housing delivery across the district throughout the plan period. This approach aligns with national policy, as the NPPF calls for Local Plans to not only meet their objectively assessed development needs but also to adopt strategies with sufficient flexibility to adapt to rapid changes.

2.20 To ensure flexibility, the Local Plan must accommodate the inevitable fluctuations in housing need and supply that occur over the plan period due to factors such as changing population projections, affordability ratios, and potential site delivery challenges. Incorporating sufficient headroom will enable the Plan to respond effectively to these variations.

2.21 A supply buffer is, therefore, instrumental in addressing fluctuations in housing need and supply, making it essential for an effective, nationally consistent, and positively prepared Local Plan.

2.22 Lastly, the new Local Plan should include a policy that sets a clear housing requirement with the flexibility to consider circumstances where it might be appropriate to exceed the minimum standard. This would further align the Plan with national policy, promoting resilience and adaptability in housing provision across the district

2.23 While Policy SP1 provides a strategic framework in line with the NPPF's soundness tests, adjustments—such as extending the plan period, incorporating a supply buffer, and enabling early review options—would enhance the plan's effectiveness and flexibility. Ensuring that SP1 adapts to potential future housing requirements will help the Local Plan meet both current and evolving demands, securing soundness across all four NPPF criteria.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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2.23 While Policy SP1 provides a strategic framework in line with the NPPF's soundness tests, adjustments—such as extending the plan period, incorporating a supply buffer, and enabling early review options—would enhance the plan's effectiveness and flexibility. Ensuring that SP1 adapts to potential future housing requirements will help the Local Plan meet both current and evolving demands, securing soundness across all four NPPF criteria.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Batchwod Drive - SP1 Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Batchwood Drive - Pigeon_[R].pdf

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Type:

* Table

Number:

3.1; 3.2

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

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Please refer to Section 4 of the enclosed representation.

4 HOUSING DISTRIBUTION, SUPPLY & TRAJECTORY

Housing Distribution and Supply

4.1 The spatial strategy positively organizes site allocations according to the Settlement Hierarchy,

detailed in Table 3.1. The Green Belt allocation is carefully divided between Hemel Garden Communities, Broad Locations, and Other Green Belt Site Allocations (large, medium, and small sites), reflecting a balanced approach to growth. Table 3.2 in the PDLP presents the Housing Trajectory, and sets out allocations for each Green Belt category:

- **Hemel Garden Communities**: 4,750 homes (44.8% of total Green Belt allocation supply, excluding Previously Developed Land)
- **Broad Locations**: 4,281 homes (40.3% of total Green Belt allocation supply, excluding Previously Developed Land)
- **Other Green Belt Site Allocations**: 1,581 homes (14.9% of total Green Belt allocation supply, excluding Previously Developed Land)
- **Total Green Belt Allocation Supply (excluding Previously Developed Land)**: 10,612 homes

4.2 The spatial strategy effectively aligns housing allocations with the District's Settlement Hierarchy,

focusing growth in highly sustainable areas. St Albans and Hemel Hempstead, as primary Tier 1 settlements, are prioritized, with significant allocations supporting their role as key urban centres. Given the anticipated rise in St Albans' housing need, this approach could be enhanced further by exploring additional allocation potential around St Albans City, which benefits from well-developed infrastructure, transport links, and community facilities. This would enable the City to play an even stronger role in meeting future housing requirements sustainably.

4.3 The PDLP distributes 12 Broad Locations across five settlements plus Hemel Garden Communities,

as follows:

- St Albans (Tier 1): 2,124 homes
- Harpenden (Tier 2): 1,055 homes
- London Colney (Tier 3): 405 homes
- Redbourn (Tier 4): 593 homes
- Radlett (not classified): 274 homes

4.4 This allocation pattern thoughtfully distributes growth across the hierarchy. To further reinforce the

sustainability principles, a stronger emphasis on Tier 1 and 2 settlements, particularly St Albans, would align with the City's role as the District's most sustainable location. This approach would also respond proactively to the expected increase in housing demand and offer more choice and accessibility for residents.

4.5 The use of the Settlement Hierarchy to guide growth distribution is well-supported by evidence,

including the Council's Settlement Hierarchy Study and Green Belt Review. The strategy's allocations to higher-tier settlements align with the principles of sustainable development. However, some adjustments may strengthen the approach—for instance, directing more growth to St Albans City could allow the City to make the most of its infrastructure and transit connectivity, while achieving a balanced, proportionate distribution of homes across other areas.

4.6 St Albans, the principal Tier 1 settlement, receives approximately half of the Broad Location allocation

relative to Hemel Hempstead. Since St Albans benefits from well-established infrastructure, there is an opportunity to allocate additional growth around its urban edge, where sustainable extensions can be well-integrated with existing infrastructure. This would further reinforce the sustainable growth objectives and ensure that the City can help meet the District's evolving housing needs. In addition, it will help ensure that St Albans further benefits from housing growth in terms of economic impacts associated with new housing development (e.g. as a result of increased expenditure in the local area) as well as the positive social impacts of ensuring sufficient, modern housing to meet community's needs.

4.7 An effective Local Plan is one that is deliverable and flexible over its lifespan. The Draft Plan allocates

two Large Sites (100-249 homes), with one on brownfield land at Burston Nurseries, North Orbital Road, St Albans (180 homes) and another south of the North Orbital Road in Park Street (104 homes). St Albans, as a key Tier 1 location, could effectively support additional large sites. Expanding the range of sites within St Albans will help maintain flexibility, allowing for a more varied housing supply that meets future demand and accommodates diverse housing types.

4.8 Hemel Hempstead's Hemel Garden Communities allocation is robust, with a focus on transformative

growth. In comparison, St Albans has been allocated 2,484 homes across Broad Locations, Large Sites, and medium/small sites, which might underutilize its existing infrastructure capacity. Directing additional growth to St Albans could enhance the effectiveness of the Plan, helping the City to play a larger role in supporting sustainable, well-serviced development.

4.9 The NPPF requires housing need to be treated as a minimum and encourages Plans to include

flexibility in anticipation of changing demand. With the housing target set at 14,603 homes, the Draft Plan could offer further flexibility by considering an additional buffer, particularly in St Albans City where the infrastructure can support additional growth. This would provide greater resilience to meet future demands, in line with the NPPF's goals for sustainable, adaptable planning.

4.10 The Plan's support for transformational growth in Hemel Hempstead is well-placed, but opportunities to redirect some of the growth from Tier 2, 3, and 4 settlements toward St Albans City would capitalize on the City's high sustainability and resource availability. Increasing St Albans City's allocation of Large and Medium Sites would further diversify the housing supply and improve housing options for the community within a well-connected, service-rich area.

4.11 At present, St Albans' housing growth is largely based on a small selection of large urban extensions (250+ homes) and a few smaller sites, with seven Green Belt allocations overall. In contrast, Harpenden, a smaller Tier 2 settlement, is supported by 12 allocations. Expanding the variety of St Albans City's housing allocations would benefit both new and existing residents by offering housing choices within well-established neighbourhoods, close to employment, education, and community facilities.

4.12 To fully align with the NPPF, the Council might consider additional site allocations around St Albans City, taking a careful approach to Green Belt release. For instance, Land north west of Batchwood Drive is in a well-connected, accessible location within walking and cycling distance

of essential services and employment opportunities. This Site supports sustainable growth while encouraging active travel options that align with both local and national sustainability goals. Developing this site with quality landscaping and active travel options would serve existing and future residents, supporting St Albans City's role as a primary settlement.

Housing Trajectory

4.13 The PDLP's housing trajectory for 2026–2028 anticipates that existing planning permissions and windfall sites will deliver 749 homes, falling short of the 888-home annual target by 513 units. While future site allocations and windfall allowances are expected to cover this shortfall from 2028 onwards, the approach could be strengthened by enhancing delivery reliability and ensuring early-period targets are met. This assessment addresses the trajectory's alignment with the NPPF soundness tests:

4.14 The current approach could be more positively prepared by introducing additional Large Sites, which would secure steady early housing delivery and help meet the annual target. Allocating sites capable of swift planning and early-phase delivery would reduce dependence on windfall sites and strengthen the supply of affordable housing.

4.15 The reliance on existing permissions and windfall sites in the early years is reasonable but could be made more robust by incorporating more strategically allocated Large Sites, like Land north west of Batchwood Drive. There is a risk of double counting if sites have planning permission already. This Site's early delivery potential (c.200 homes) would provide greater certainty, complementing the evidence for a balanced supply throughout the plan period.

4.16 Adding readily deliverable Large Sites would improve effectiveness, providing flexibility if the 8% lapse rate is exceeded. The inclusion of such sites would help achieve a consistent delivery pipeline, ensuring the Local Plan meets housing needs from adoption.

4.17 The NPPF promotes flexibility and resilience in housing delivery. Allocating more Large Sites, like Land at north west of Batchwood Drive, would align with these principles, allowing the plan to respond effectively to early demand fluctuations and maintaining progress toward meeting housing targets.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to Section 4 of the enclosed representation.

4 HOUSING DISTRIBUTION, SUPPLY & TRAJECTORY

Housing Distribution and Supply

4.1 The spatial strategy positively organizes site allocations according to the Settlement Hierarchy, detailed in Table 3.1. The Green Belt allocation is carefully divided between Hemel Garden Communities, Broad Locations, and Other Green Belt Site Allocations (large, medium, and small sites), reflecting a balanced approach to growth. Table 3.2 in the PDLP presents the Housing Trajectory, and sets out allocations for each Green Belt category:

- **Hemel Garden Communities**: 4,750 homes (44.8% of total Green Belt allocation supply, excluding Previously Developed Land)

- **Broad Locations**: 4,281 homes (40.3% of total Green Belt allocation supply, excluding Previously Developed Land)
- **Other Green Belt Site Allocations**: 1,581 homes (14.9% of total Green Belt allocation supply, excluding Previously Developed Land)
- **Total Green Belt Allocation Supply (excluding Previously Developed Land)**: 10,612 homes

4.2 The spatial strategy effectively aligns housing allocations with the District's Settlement Hierarchy,

focusing growth in highly sustainable areas. St Albans and Hemel Hempstead, as primary Tier 1 settlements, are prioritized, with significant allocations supporting their role as key urban centres. Given the anticipated rise in St Albans' housing need, this approach could be enhanced further by exploring additional allocation potential around St Albans City, which benefits from well-developed infrastructure, transport links, and community facilities. This would enable the City to play an even stronger role in meeting future housing requirements sustainably.

4.3 The PDLP distributes 12 Broad Locations across five settlements plus Hemel Garden Communities,

as follows:

- St Albans (Tier 1): 2,124 homes
- Harpenden (Tier 2): 1,055 homes
- London Colney (Tier 3): 405 homes
- Redbourn (Tier 4): 593 homes
- Radlett (not classified): 274 homes

4.4 This allocation pattern thoughtfully distributes growth across the hierarchy. To further reinforce the

sustainability principles, a stronger emphasis on Tier 1 and 2 settlements, particularly St Albans, would align with the City's role as the District's most sustainable location. This approach would also respond proactively to the expected increase in housing demand and offer more choice and accessibility for residents.

4.5 The use of the Settlement Hierarchy to guide growth distribution is well-supported by evidence,

including the Council's Settlement Hierarchy Study and Green Belt Review. The strategy's allocations to higher-tier settlements align with the principles of sustainable development. However, some adjustments may strengthen the approach—for instance, directing more growth to St Albans City could allow the City to make the most of its infrastructure and transit connectivity, while achieving a balanced, proportionate distribution of homes across other areas.

4.6 St Albans, the principal Tier 1 settlement, receives approximately half of the Broad Location allocation

relative to Hemel Hempstead. Since St Albans benefits from well-established infrastructure, there is an opportunity to allocate additional growth around its urban edge, where sustainable extensions can be well-integrated with existing infrastructure. This would further reinforce the sustainable growth objectives and ensure that the City can help meet the District's evolving housing needs. In addition, it will help ensure that St Albans further benefits from housing growth in terms of economic impacts associated with new housing development (e.g. as a result of increased expenditure in the local area) as well as the positive social impacts of ensuring sufficient, modern housing to meet community's needs.

4.7 An effective Local Plan is one that is deliverable and flexible over its lifespan. The Draft Plan allocates

two Large Sites (100-249 homes), with one on brownfield land at Burston Nurseries, North Orbital Road, St Albans (180 homes) and another south of the North Orbital Road in Park Street (104 homes). St Albans, as a key Tier 1 location, could effectively support additional large sites. Expanding the range of sites within St Albans will help maintain flexibility, allowing for a more varied housing supply that meets future demand and accommodates diverse housing types.

4.8 Hemel Hempstead's Hemel Garden Communities allocation is robust, with a focus on transformative

growth. In comparison, St Albans has been allocated 2,484 homes across Broad Locations, Large Sites, and medium/small sites, which might underutilize its existing infrastructure capacity. Directing additional growth to St Albans could enhance the effectiveness of the Plan, helping the City to play a larger role in supporting sustainable, well-serviced development.

4.9 The NPPF requires housing need to be treated as a minimum and encourages Plans to include

flexibility in anticipation of changing demand. With the housing target set at 14,603 homes, the Draft Plan could offer further flexibility by considering an additional buffer, particularly in St Albans City where the infrastructure can support additional growth. This would provide greater resilience to meet future demands, in line with the NPPF's goals for sustainable, adaptable planning.

4.10 The Plan's support for transformational growth in Hemel Hempstead is well-placed, but opportunities to redirect some of the growth from Tier 2, 3, and 4 settlements toward St Albans City would capitalize on the City's high sustainability and resource availability. Increasing St Albans City's allocation of Large and Medium Sites would further diversify the housing supply and improve housing options for the community within a well-connected, service-rich area.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Batchwod Drive - Table 3_1 Settlement Hierarchy Reg 19 Representation_Form_[R].pdf
2. Batchwod Drive - Table 3_2 Housing Trajectory Reg 19 Representation_Form_[R].pdf
3. St Albans Reg 19 Rep - Batchwood Drive - Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to Section 2 of the enclosed representation.

2 STRATEGIC POLICIES

Strategic Policy SP3 – Land and the Green Belt

2.24 Strategic Policy SP3 establishes a framework to meet St Albans District's critical housing and employment needs over a 16.5-year period, from October 2024 to March 2041. The policy emphasizes aligning this growth with essential infrastructure while safeguarding the Green Belt. However, SP3 recognizes that limited Green Belt adjustments may be necessary to meet this housing need.

2.25 Our response to Policy SP3 centres on two primary areas: the District's housing need and the principles guiding potential Green Belt adjustments, particularly around St Albans.

Housing Need

2.26 Policy SP3 currently anticipates a need for 14,603 homes in the District by 2041, based on an annual requirement of 885 dwellings calculated using the Standard Method. This baseline, however, must be considered as a minimum requirement.

The NPPF requires use of the Standard Method to determine minimum housing needs, which we support. Yet, we stress that this should be seen as a starting point rather than an absolute cap on development, as discussed in our response to Policy SP1.

To align fully with national planning policy, the Local Plan should extend the plan period to ensure it covers the 15-year minimum requirement from adoption. Extending this timeline would necessitate an additional 885 homes, further strengthening the Local Plan's commitment to fulfilling housing demands.

Green Belt

2.27 The acknowledgment of necessary Green Belt adjustments, particularly in and around St Albans, is both pragmatic and essential. The approach to assessing potential Green Belt releases has relied upon the Arup Green Belt Review, with specific insights provided in the Stage 2 Final Report (June 2023). However, we note that, as part of the Local Plan, a finer-grain assessment of individual sites within certain sub-areas was not undertaken. In light of proposed NPPF reforms and the potential for higher housing needs based on a revised Standard Method, we recommend that a finer grain assessment of parcels in and around St Albans City could help to identify sites within sub-parcels in and around St Albans City that make a lesser contribution to the purposes of the Green Belt than their parent sub-areas.

2.28 According to paragraph 145 of the NPPF, revising Green Belt boundaries through a Local Plan can be justified if exceptional circumstances exist. This includes establishing that all other potential means of meeting development needs have been exhausted prior to considering Green Belt land (per NPPF paragraphs 145 and 146).

2.29 While "exceptional circumstances" are not explicitly defined in the NPPF, case law, including Calverton and Compton, clarifies factors that may constitute exceptional circumstances, such as:

- The scale of identified development needs,
- Constraints on sustainable land supply,
- Limitations on achieving sustainable development without Green Belt adjustments,
- The scale of potential Green Belt harm, and
- Opportunities to mitigate this harm.

2.30 In St Albans City & District, the demand for housing is acute. This is evidenced by high Standard Method-derived needs, even with a cap in place to support early deliverability. If this cap were removed, the annual requirement would rise to 1,169 dwellings, underscoring the true level of demand within the District.

2.31 Beyond overall housing need, there is a pronounced shortfall in affordable housing.

2.32 The Local Plan's evidence base includes the South West Hertfordshire Local Housing Needs Assessment (2020), which highlights the need for 443 affordable dwellings annually in St Albans City.

This represents 50% of the Standard Method's minimum annual figure, underscoring the importance of enabling housing growth near St Albans to meet these pressing demands.
2.33 With limited development opportunities within the District's urban areas, the HELAA (2021) and Urban Capacity Study (2022) reveal significant constraints on available land.
2.34 The UCS estimates that existing settlement boundaries could yield just 2,174 dwellings, even with density increases. This necessitates new allocations beyond existing urban areas, and, given the proximity of Green Belt land to St Albans City, it is evident that some boundary adjustments will be unavoidable.
2.35 The exact impact on the Green Belt varies by site. The Stage 2 Green Belt Review assessed 182 sub-areas, rating each based on its role within the broader Green Belt framework. The review found 54 areas that contribute less significantly to the purposes of the Green Belt, recommending them for further review. This suggests that limited, carefully planned adjustments could accommodate growth without compromising the essential functions of the Green Belt.

Site-Specific Considerations
2.36 Arup conducted a Stage 2 Green Belt Review to support the evidence base for the new Regulation 18 Local Plan. The primary area of the Site lies within sub-area parcel SA-59. However, the southwest corner of the Site, which adjoins Redbourn Road, is not within a designated sub-area and was therefore not assessed in the Stage 2 review.
2.37 The Stage 2 Green Belt Review concludes that Parcel SA-59 plays a key role within Strategic Parcel 23, as assessed in the Stage 1 Review, suggesting that releasing SA-59 from the Green Belt would negatively impact the surrounding Green Belt's integrity. Specifically, the review states: "The sub-area [Parcel SA-59] does not adjoin any other sub-areas; but adjoins wider Green Belt to the north, south, and west. The removal of the sub-area in isolation is likely to alter the performance of the wider Green Belt as it would constitute an irregular spread of the large built-up area, lacking recognisable and permanent features to prevent further onward sprawl."
2.38 It should be noted that the Green Belt review has not assessed the Site as a whole. The review also does not consider that the inclusion of physical, landscape-led boundaries could be incorporated into a development scheme to prevent sprawl.

2.39 The NPPF emphasizes the need to promote sustainable development patterns when reviewing Green Belt boundaries (paragraph 142) and mandates that boundaries be "clearly defined, using physical features that are readily recognisable and likely to be permanent" (paragraph 143).

2.40 The Vision Statement for the Site illustrates that it is located in a highly sustainable area, adjacent to St Albans City and well-connected to services and amenities. It outlines a new, defensible Green Belt boundary through strategic landscape features. For example:

- Enhanced Boundary Planting: Existing vegetation along the north and northwest of the Site would be reinforced, taking advantage of the existing separation created by Batchwood Golf Course.
- New Strategic Planting: Additional planting would form a permanent edge along the Site's southwest and southern boundaries.
- Historic Hedgerow Reinstatement: A historic hedgerow would be reinstated from the northeast to southwest, creating further distinction where Redbourn Road meets Graden House Lane.

2.41 The new Local Plan should allocate enough land to exceed minimum housing targets, given SADC's record of under-delivery of both market and affordable housing. This Site's removal from the Green Belt offers an opportunity to add capacity and meet housing needs sustainably in line with the spatial strategy. While the Plan suggests a minimum density of 40 dwellings per hectare for all site types, this density may be challenging on some sites due to other requirements, including Suitable Alternative Natural Greenspace (SANG), open space, and biodiversity net gain.

2.42 Removing this Site from the Green Belt aligns with the spatial strategy and would ensure that housing requirements are met. It would also allow for the creation of a high-quality neighbourhood in one of the district's least sensitive Green Belt locations, without compromising the Green Belt's wider purposes or effectiveness. This supports sustainable development patterns and focuses new housing in St Albans City, identified as a Tier 1 settlement for development concentration during the plan period.

[Please see attached appendices]

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1. Batchwod Drive - SP3 Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Batchwood Drive - Pigeon_[R].pdf
3. Appendix A - Vision Statement_[R].pdf
4. Appendix B - ADBA_[R].pdf

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DES6 - Building Heights

Comment Number: 1

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* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Please refer to Section 3 of the enclosed representation.

3 LOCAL POLICIES

Policy DES6 – Building Heights

3.1 The proposed Building Heights policy (DES6) in the St Albans Regulation 19 Draft Local Plan seeks to manage and control the development of taller buildings to protect the character, views, and heritage of the district, particularly in St Albans City. The policy is grounded in the importance of preserving the area's predominantly low-rise, suburban skyline, with special attention to iconic features such as St Albans Cathedral, which dominates the historic cityscape.

3.2 The supporting text for DES6 outlines the historic and visual significance of the city's roofscape and skyline, emphasising that St Albans City is situated on a hill adjacent to the Ver Valley, which provides significant long-distance views. Here, St Albans Cathedral, along with other key heritage landmarks, defines the city's silhouette, contributing to the St Albans Conservation Area's character.

3.3 The policy aims to ensure that any proposals for buildings taller than the surrounding structures are rigorously assessed to prevent negative impacts on the city's distinctive skyline.

3.4 The intention behind Policy DES6 and its supporting provisions is to carefully manage building heights in a way that preserves the unique historical and visual qualities of St Albans, preventing overdevelopment that could impact the City's cherished character. Through these controls, DES6 seeks to ensure that the City's growth remains sensitive to its heritage and visual prominence, balancing development with the conservation of views and landmarks that define the identity of St Albans.

3.5 Policy DES6 has been carried forward from the Regulation 18 Draft Local Plan and is predominantly the same policy wording but for some additional context. Figure 12.1: St Albans Building Height Control Area has also been carried forward and has been updated from the previous of the draft local plan. Figure 12.1 however now has a greater zone of visibility now capturing all of the land east of the bridleway to Batchwood drive, that runs from the Batchwood drive northeast to Toulmin Drive.

3.6 Not only is there no evidence or explanation to justify why there is now a considerably greater land take that falls within the zone of visibility that will be subject to any development that comes forward and is assessed against Policy DES6, but Pigeon's concerns as set out within their representations to the Regulation 18 draft Local Plan that there appears to be no landscape led evidence based to justify these additional viewpoints and zones of visibility have not been addressed.

3.7 To reiterate, NPPF paragraph 35 requires plans to be justified based on proportionate evidence. However, SADC has still not published any evidence, such as a Landscape Character Assessment, to justify the location of these public viewpoints and associated zones of visibility or to explain why they are said to have any special quality.

3.8 The footpath is located to the north west of an existing heavily vegetated hedgerow and tree belt which prevents views from the footpath towards St Albans City. As such, there is no justification for the public viewpoints that are shown in Figure 12.1 as there are no views from the footpath.

3.9 The public viewpoints, and associated zones of visibility, to the north and west of the Site should therefore be removed from the PDLP.

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3.6 Not only is there no evidence or explanation to justify why there is now a considerably greater land take that falls within the zone of visibility that will be subject to any development that comes forward and is assessed against Policy DES6, but Pigeon's concerns as set out within their

representations to the Regulation 18 draft Local Plan that there appears to be no landscape led evidence based to justify these additional viewpoints and zones of visibility have not been addressed.

3.7 To reiterate, NPPF paragraph 35 requires plans to be justified based on proportionate evidence. However, SADC has still not published any evidence, such as a Landscape Character Assessment, to justify the location of these public viewpoints and associated zones of visibility or to explain why they are said to have any special quality.

3.8 The footpath is located to the north west of an existing heavily vegetated hedgerow and tree belt which prevents views from the footpath towards St Albans City. As such, there is no justification for the public viewpoints that are shown in Figure 12.1 as there are no views from the footpath.

3.9 The public viewpoints, and associated zones of visibility, to the north and west of the Site should therefore be removed from the PDLP.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Batchwod Drive - DES6 Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Batchwood Drive - Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Part B - Local Plan Sites

Comment Number: 6

Type:

* Site

Number:

New Site

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

1 INTRODUCTION

1.1 This submission is made by Ceres Property ("CP") on behalf of Pigeon Capital Management 4 Ltd ("Pigeon") and the Landowners (Gorhambury Estate) to the Regulation 19 Publication Draft Local Plan ("PDLP") published for consultation by St Albans District Council ("the Council") until 8th November 2024.

1.2 This representation relates to Land Northwest of Batchwood Drive ("the Site").

1.3 The Site comprises two land parcels that were submitted as part of the Call for Sites exercise held by the Council between 25 January and 8 March 2021 to inform the list of deliverable sites to form part of the new Local Plan. The Site was registered as part of the Council's Housing and Economic Land Availability Assessment (HELAA) 2021/22 Report under Ref: SA-16-18 & SA-16-21, with the latter promoted for a high quality landscape and design-led sustainable scheme for approximately 200 new homes, strategic landscaping and open space, as detailed in the accompanying Vision Statement, Appendix A). The HELAA does not exclude the Site from the site selection process as one of the total 112 omission sites, and thus was taken forward as one of the 556 sites to further site selection.

1.4 Representations were made on behalf of Pigeon and the Landowners to the Regulation 18 Draft Local Plan (DLP) being the first DLP published following the withdrawal of the previous Publication PDLP (2020 – 2036) on 23 November 2020 having been submitted to the Secretary of State for Examination on 29 March 2019.

1.5 The Site was discounted from the plan-making process and did not form a proposed allocation in the Regulation 18 DLP.

1.6 The Site is once again not proposed to be allocated in the Regulation 19 Publication PDLP (the "PDLP"). It is considered that the PDLP is broadly sound and legally compliant, however there are specific parts and policies that require modifications to ensure it is sound. We strongly recommend that such modifications are made prior to submission of the PDLP for examination, to ensure it is capable of being found sound and legally compliant.

1.7 The Site remains suitable, available and achievable for residential development adjoining the highly sustainable settlement of the City of St Albans, a settlement capable of absorbing high levels of growth throughout the plan period.

...

Site-Specific Considerations

2.36 Arup conducted a Stage 2 Green Belt Review to support the evidence base for the new Regulation 18 Local Plan. The primary area of the Site lies within sub-area parcel SA-59. However, the southwest corner of the Site, which adjoins Redbourn Road, is not within a designated sub-area and was therefore not assessed in the Stage 2 review.

2.37 The Stage 2 Green Belt Review concludes that Parcel SA-59 plays a key role within Strategic Parcel 23, as assessed in the Stage 1 Review, suggesting that releasing SA-59 from the Green Belt would negatively impact the surrounding Green Belt's integrity. Specifically, the review states:

"The sub-area [Parcel SA-59] does not adjoin any other sub-areas; but adjoins wider Green Belt to the north, south, and west. The removal of the sub-area in isolation is likely to alter the performance of the wider Green Belt as it would constitute an irregular spread of the large built-up area, lacking recognisable and permanent features to prevent further onward sprawl."

2.38 It should be noted that the Green Belt review has not assessed the Site as a whole. The review also does not consider that the inclusion of physical, landscape-led boundaries could be incorporated into a development scheme to prevent sprawl.

2.39 The NPPF emphasizes the need to promote sustainable development patterns when reviewing Green Belt boundaries (paragraph 142) and mandates that boundaries be "clearly defined, using physical features that are readily recognisable and likely to be permanent" (paragraph 143).

2.40 The Vision Statement for the Site illustrates that it is located in a highly sustainable area, adjacent to St Albans City and well-connected to services and amenities. It outlines a new, defensible Green Belt boundary through strategic landscape features. For example:

- Enhanced Boundary Planting: Existing vegetation along the north and northwest of the Site would be reinforced, taking advantage of the existing separation created by Batchwood Golf Course.
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- Historic Hedgerow Reinstatement: A historic hedgerow would be reinstated from the northeast to southwest, creating further distinction where Redbourn Road meets Graden House Lane.

2.41 The new Local Plan should allocate enough land to exceed minimum housing targets, given SADC's record of under-delivery of both market and affordable housing. This Site's removal from the Green Belt offers an opportunity to add capacity and meet housing needs sustainably in line with the spatial strategy. While the Plan suggests a minimum density of 40 dwellings per hectare for all site types, this density may be challenging on some sites due to other requirements, including Suitable Alternative Natural Greenspace (SANG), open space, and biodiversity net gain.

2.42 Removing this Site from the Green Belt aligns with the spatial strategy and would ensure that housing requirements are met. It would also allow for the creation of a high-quality neighbourhood in one of the district's least sensitive Green Belt locations, without compromising the Green Belt's wider purposes or effectiveness. This supports sustainable development patterns and focuses new housing in St Albans City, identified as a Tier 1 settlement for development concentration during the plan period.

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SA-16-21 – Land Northwest of Batchwood Drive

<u>Green Belt Constraints and Spatial Strategy</u>

4.18 The spatial strategy of the Sustainability Appraisal (SA) for the St Albans Local Plan prioritizes Green Belt preservation to limit urban sprawl and retain the district's character. Site SA-16-21 is evaluated within the broader sub-area SA-16, assessed as making a "moderate" Green Belt contribution. However, this general evaluation does not account for the nuanced features of this specific site. SA-16-21, for example, possesses natural boundary elements and surrounding infrastructure that could allow for a well-contained, minimal-impact extension to the urban area, preserving Green Belt continuity while fulfilling local housing needs. Releasing these sites from the Green Belt, especially if landscape-led boundaries are applied, would align with the Green Belt's core purposes and meet spatial strategy objectives effectively.

<u>Housing Needs and Affordable Housing Challenges</u>

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support these priorities. If designated for development, this site could deliver a significant proportion of affordable homes alongside market-rate housing, meeting local demand and contributing to a balanced, inclusive community. Such housing provision would also help retain essential workers within the district, enhancing economic and social resilience in line with the SA's objectives.

Climate Change, Flooding, and Environmental Resilience

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4.23 The deliverability of Site SA-16-21 makes it a strong candidate for early delivery within the Local Plan period, given its immediate availability and minimal constraints to development. Early delivery from this Site would contribute meaningfully to St Albans' housing targets and reflect the SA's emphasis on practical, achievable development that addresses both immediate and long-term housing needs.

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SA-16-21 – Land Northwest of Batchwood Drive

Green Belt Constraints and Spatial Strategy

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Deliverability and Viability

4.23 The deliverability of Site SA-16-21 makes it a strong candidate for early delivery within the Local Plan period, given its immediate availability and minimal constraints to development. Early delivery from this Site would contribute meaningfully to St Albans' housing targets and reflect the SA's emphasis on practical, achievable development that addresses both immediate and long-term housing needs.

[Please see attached Appendices]

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix A - Vision Statement_[R].pdf
2. Appendix B - ADBA_[R].pdf
3. St Albans Reg 19 Rep - Batchwood Drive - Pigeon_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

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We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

Sustainability Appraisal Note

Comment Number: 5

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be legally compliant?

* Yes

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* Yes

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

5 SUSTAINABILITY APPRAISAL AND SITE SELECTION

St Albans

5.1 The St Albans Local Plan's SA sets a vision prioritising sustainable development, climate action, and community well-being, all while preserving the District's Green Belt and unique environmental assets. Given these aims, sites like SA-16-21are scrutinised rigorously to ensure that development aligns with core sustainability objectives. However, SA-16-21 can still contribute meaningfully to these objectives. Through thoughtful design and planning, Land north of Batchwood Drive proposes a landscape-led development that strengthens the Green Belt, minimises environmental disruption, and enhances accessibility and sustainability.

Preferred Growth Scenario (Scenario 3) and Potential for Higher Growth

5.2 The SA's preferred Scenario 3 proposes a modest expansion focused primarily on East St Albans, aiming to balance housing demand with infrastructure capacity. However, St Albans City has substantial capacity to accommodate significantly higher levels of housing growth. The existing infrastructure, along with plans for enhanced transit and community services, supports an alternative preferred option with expanded growth to meet acute housing demands.

5.3 Higher growth could support a more resilient local economy, enhance social equity through increased affordable housing provision, and contribute to the council's climate goals by supporting compact, transit-oriented developments that reduce emissions and urban sprawl pressures.

Strategic Omission Sites and Expanded Growth Scenarios

5.4 Current appraised scenarios examine strategic omission sites like west of St Albans City, but even under high-growth projections, the SA stops short of advocating for full development at both sites. Instead, it presents East St Albans as the primary area for expansion.

5.5 St Albans City, however, is well-placed to support a more integrated growth approach across multiple sites. West St Albans, with its advantageous location and infrastructure compatibility, can accommodate further growth without disproportionately affecting the Green Belt or local landscape quality. This adjustment would better meet housing needs while spreading development pressures,

ensuring sustainable expansion across several areas rather than concentrating growth solely in East St Albans.

Environmental and Landscape Constraints in the Context of Expanded Growth

5.6 While the SA emphasizes Green Belt preservation and landscape sensitivity, St Albans City's ability to integrate green infrastructure and landscape buffers means it can support a higher growth rate with minimal environmental disruption. A refined approach to higher-density developments in designated areas could accommodate increased housing needs while safeguarding sensitive landscapes.

5.7 Instead of limiting development to East St Albans, expanding to west / north west St Albans, with landscape-sensitive planning and Green Belt boundary adjustments, could accommodate housing while still maintaining critical landscape and Green Belt functions. This higher-growth approach should therefore be reappraised as a viable and beneficial preferred option.

Infrastructure and Accessibility Capacity to Support Expanded Growth

5.8 St Albans' broader transport network can facilitate growth across additional areas. Public transport links, established educational facilities, and healthcare services in St Albans support the case for higher growth, particularly given the district's well-developed transit and community infrastructure.

5.9 By strategically expanding growth into west and north west St Albans, alongside East St Albans, the district can leverage existing infrastructure while fostering self-sufficient, walkable neighbourhoods that align with sustainable development goals. Appraising a higher-growth option would allow St Albans City to meet future housing demands comprehensively, reflecting its strategic urban role within the region.

Emissions Reduction and Climate Goals Aligned with Compact Growth

5.10 The SA's preferred scenario aims to limit car dependency and promote active travel. An expanded growth option, however, could better serve these goals by enabling higher-density, transit-oriented developments in well-connected areas of St Albans. The Abbey Line, public transit corridors, and proximity to employment centers mean that expanded growth could reduce per capita emissions while meeting housing needs.

5.11 Concentrating growth solely in East St Albans overlooks the broader transit and emissions reduction potential across west and north west St Albans. A higher-growth option that integrates these areas would better support climate and accessibility goals, reinforcing St Albans as a compact, low-carbon community.

5.12 While the SA's preferred Scenario 3 offers a modest growth approach, St Albans City is well-positioned to support a significantly higher level of housing growth. Appraising an alternative preferred option with increased allocations in west, north west and East St Albans would align with local infrastructure strengths, address acute housing shortages, and support St Albans' role as a sustainable urban center.

5.13 Expanded growth would also allow for a more equitable distribution of housing and affordable options, supporting community diversity and economic resilience. This higher-growth approach, guided by landscape-sensitive planning, green infrastructure, and transit alignment, should therefore be appraised as a primary alternative to ensure that St Albans meets its full potential as a balanced, thriving district.

SA-16-21 – Land Northwest of Batchwood Drive

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SA-16-21 – Land Northwest of Batchwood Drive

Green Belt Constraints and Spatial Strategy

4.18 The spatial strategy of the Sustainability Appraisal (SA) for the St Albans Local Plan prioritizes Green Belt preservation to limit urban sprawl and retain the district's character. Site SA-16-21 is evaluated within the broader sub-area SA-16, assessed as making a "moderate" Green Belt contribution. However, this general evaluation does not account for the nuanced features of this specific site. SA-16-21, for example, possesses natural boundary elements and surrounding infrastructure that could allow for a well-contained, minimal-impact extension to the urban area, preserving Green Belt continuity while fulfilling local housing needs. Releasing these sites from the Green Belt, especially if landscape-led boundaries are applied, would align with the Green Belt's core purposes and meet spatial strategy objectives effectively.

Housing Needs and Affordable Housing Challenges

4.19 St Albans has significant housing needs, particularly for affordable homes, which are inadequately met due to high demand and limited availability. The SA prioritizes development sites that can contribute substantially to local housing and infrastructure goals. SA-16-21 is well-situated to

support these priorities. If designated for development, this site could deliver a significant proportion of affordable homes alongside market-rate housing, meeting local demand and contributing to a balanced, inclusive community. Such housing provision would also help retain essential workers within the district, enhancing economic and social resilience in line with the SA's objectives.

Climate Change, Flooding, and Environmental Resilience

4.20 Building resilience against climate change, flooding, and ecological impact is a key priority of the SA. Site SA-16-21 is situated within Flood Zone 1, presenting a low flood risk. Development on this site could incorporate Sustainable Drainage Systems (SuDS), such as swales and attenuation basins, to manage surface water effectively, enhancing resilience to flooding. Further, by committing to a green infrastructure strategy that exceeds the 10% biodiversity net gain target, this site could directly address SA concerns around sustainability and environmental enhancement.

Preservation of Cultural and Historic Assets

4.21 St Albans' historical character is crucial to its identity, and the SA assesses the Site for potential impacts on nearby heritage assets. For site SA-16-21, any development approach would need to be sensitive to local heritage, with design solutions ensuring minimal visibility from nearby historic areas. The Site offers the opportunity to implement a landscape and design-led approach that preserves the visual integrity of St Albans' historic environment, aligning with the NPPF's mandate to "conserve and enhance the historic environment" while accommodating necessary growth.

Accessibility, Transport, and Community Infrastructure

4.22 The SA emphasizes site accessibility to essential services, schools, healthcare, and transport options as part of its sustainability framework. SA-16-21 benefits from proximity to key infrastructure, enabling residents to access services within a short walk or cycle. With planned improvements to pedestrian and cycling paths, this Site would align with the district's vision for 15-minute neighbourhoods, encouraging sustainable living, reducing car dependence, and supporting active travel options.

Deliverability and Viability

4.23 The deliverability of Site SA-16-21 makes it a strong candidate for early delivery within the Local Plan period, given its immediate availability and minimal constraints to development. Early delivery from this Site would contribute meaningfully to St Albans' housing targets and reflect the SA's emphasis on practical, achievable development that addresses both immediate and long-term housing needs.

[Please see attached appendices]

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Batchwod Drive - SA Reg 19 Representation_Form_[R].pdf
2. St Albans Reg 19 Rep - Batchwood Drive - Pigeon_[R].pdf
3. Appendix A - Vision Statement_[R].pdf
4. Appendix B - ADBA_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We consider it would be of benefit to discuss the potential need for modifications as set out within our representations with the Council, Examining Inspector(s), and other stakeholders in the hearing sessions.

---

366 - Chrissie Chadney

Submission Number: 366 Submission Date: 10/11/24 09:00

Respondent: Chrissie Chadney

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I have been a resident in Wheathampstead for over forty years and read the proposed District Plan with interest. Whilst there are some good ideas in it, there are a number of things which give me concern. I have read the WDPS response and concur with it fully, but have a few additional things to say here.

Population Growth and Housing Needs: Firstly, the statistics in the first section. I am in agreement with the Wheathampstead and District Preservation Society (WDPS). I must express my concern regarding the Draft Local Plan's projection of a 26% increase in dwellings, totaling 14,603 new houses, within St Albans District. The Office for National Statistics projects a mere 0.6% population growth by 2043, with the majority occurring in the 65+ age demographic. This projection makes it clear that such a significant increase in housing is unwarranted and disproportionate to our actual growth needs.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion: I firmly stand with the WDPS in urging a comprehensive reevaluation of the Draft Local Plan. It is essential that the plan not only reflects realistic population projections but also prioritizes environmental conservation, sustainable development, and the enhancement of local services and infrastructure. We need a balanced, forward-thinking approach that truly serves the interests and needs of all of the St Albans District's residents.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Chadney_C_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I have been a resident in Wheathampstead for over forty years and read the proposed District Plan with interest. Whilst there are some good ideas in it, there are a number of things which give me concern. I have read the WDPS response and concur with it fully, but have a few additional things to say here.

Environmental and Green Belt Concerns: I am particularly troubled by the potential environmental impact this plan could have on our Metropolitan Green Belt, of which over 81% of the district is comprised. The proposed development sites around Wheathampstead are all located on Green Belt land, contrary to the guidelines set by the National Planning Policy Framework which allows for development restrictions to protect such areas. The Green Belt Review by Ove Arup & Partners underscores the importance of these areas in preventing urban sprawl, which must be preserved.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Chadney_C_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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Local Economy and Employment: The draft plan offers little in the way of creating employment opportunities within our community, potentially turning Wheathampstead into a dormitory village. Our local economy, especially our vibrant High Street, depends on local employment to sustain its footfall and economic activity. It is vital that any new development integrates employment solutions to maintain and enhance our community's vibrancy and self-sufficiency.

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1. Chadney_C_[R].pdf

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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1. Chadney_C_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I have been a resident in Wheathampstead for over forty years and read the proposed District Plan with interest. Whilst there are some good ideas in it, there are a number of things which give me concern. I have read the WDPS response and concur with it fully, but have a few additional things to say here.

Transport and Traffic Issues: The anticipated population increase will undoubtedly exacerbate existing traffic issues. Over my years in Folly Fields I have seen the B651 change from one where a horse or bicycle could be safely ridden, to one with a virtually permanent stream of traffic, with many vehicles going much faster than the required 30mph. Roads such as the B651 and B653 are already nearing capacity, and with the additional burden from new housing, we could see a significant rise in congestion and accidents. This plan must consider enhancing public transport and developing cycling infrastructure to mitigate these effects and support a sustainable transport

network.The reality is that Wheathampstead residents will need to use Harpenden to shop and catch trains to London. The plans to remove much of the parking in Harpenden, where even at the moment you cannot get into the station car park after 9am, are little short of madness.

Community and Accessibility: I fully support the efforts of the “Inclusive Wheathampstead Working Group” to improve accessibility throughout our area. The introduction of green corridors and safe cycling routes would greatly benefit our community's health and mobility, reducing our reliance on cars and helping to preserve our local environment.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Chadney_C_[R].pdf

Strategic Policy SP9 - Utilities Infrastructure

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I have been a resident in Wheathampstead for over forty years and read the proposed District Plan with interest. Whilst there are some good ideas in it, there are a number of things which give me concern. I have read the WDPS response and concur with it fully, but have a few additional things to say here.

Development Sites and Local Impact: Specific development sites proposed, such as Amwell Top Field and Hill Dyke Road, threaten the rural character and ecological balance of our area. It is crucial that any development considers its impact on our countryside and strives to maintain the natural beauty and biodiversity that define our community.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Chadney_C_[R].pdf

M2 - Hill Dyke Road, Wheathampstead, AL4 8TR

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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1. Chadney_C_[R].pdf

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I have been a resident in Wheathampstead for over forty years and read the proposed District Plan with interest. Whilst there are some good ideas in it, there are a number of things which give me concern. I have read the WDPS response and concur with it fully, but have a few additional things to say here.

Utilities and Services: There appears to be a significant oversight in the plan regarding the enhancement of utilities and essential services to accommodate an increased population. It is critical that we collaborate with entities such as Thames Water to ensure that our infrastructure, particularly water and sewage systems, are upgraded in advance of any population growth to prevent exacerbating current issues.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Chadney_C_[R].pdf

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367 - Ms Julie Bell

Submission Number: 367 Submission Date: 10/11/24 09:00

Respondent: Ms Julie Bell

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Population Growth and Housing Needs:
As a representative of the Wheathampstead and District Preservation Society (WDPS), I wish to express our profound concerns about the projections outlined in the Draft Local Plan, which anticipates a 26% increase in housing stock, equivalent to 14,603 new dwellings in St Albans District. With the Office for National Statistics projecting a modest population growth of just 0.6% by 2043, predominantly among those aged 65 and over, it becomes evident that the proposed scale of housing expansion is both unnecessary and disproportionate to our actual needs.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion:
I stand firmly with the WDPS in calling for a thorough reevaluation of the Draft Local Plan. The plan must accurately reflect our realistic population growth projections and prioritize environmental protection, sustainable development, and the improvement of local services and infrastructure. A balanced and visionary approach is required to genuinely meet the needs and interests of the residents of the St Albans District.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Bell_J_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Environmental and Green Belt Concerns:
I am deeply concerned about the adverse effects this plan may have on our Metropolitan Green Belt, which encompasses over 81% of the district. The plan proposes development on Green Belt land around Wheathampstead, which contravenes the protective measures stipulated in the National Planning Policy Framework. The significance of these Green Belt areas in curbing urban sprawl has been underscored by the Green Belt Review conducted by Ove Arup & Partners and must be preserved.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Conclusion:
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1. Bell_J_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Local Economy and Employment:

The Draft Local Plan currently does little to foster employment opportunities within our community, risking turning Wheathampstead into a mere bedroom community. Our local economy, particularly our vibrant High Street, relies heavily on local employment to maintain its vitality and activity. It is imperative that any new developments include employment opportunities that support and enhance the vibrancy and self-sufficiency of our community.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Bell_J_[R].pdf

Strategic Policy SP6 - City, Town and Village Centres and Retail

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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1. Bell_J_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Transport and Traffic Issues:
The increase in population this plan aims to support will inevitably worsen the existing traffic problems. Roads like the B651 and B653 are nearing their full capacity, and additional housing will likely lead to increased congestion and a higher incidence of traffic accidents. It is crucial that the plan incorporates strategies to enhance public transport and develop cycling infrastructure, promoting a sustainable and efficient transport network.

Community and Accessibility:
I wholeheartedly endorse the initiatives of the “Inclusive Wheathampstead Working Group” to enhance accessibility across our community. Implementing green corridors and safe cycling paths will significantly improve community health and mobility, lessen our dependence on cars, and help preserve our environment.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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1. Bell_J_[R].pdf

Strategic Policy SP9 - Utilities Infrastructure

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Utilities and Services:
There is a notable lack of attention in the plan to the necessary enhancements of utilities and services to support a growing population. We must work collaboratively with service providers like Thames Water to ensure our infrastructure, especially water and sewage systems, is adequately upgraded before any increase in population, to avoid exacerbating existing problems.

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1. Bell_J_[R].pdf

M2 - Hill Dyke Road, Wheathampstead, AL4 8TR

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Development Sites and Local Impact:
The development sites proposed, such as Amwell Top Field and Hill Dyke Road, pose a threat to the rural essence and ecological harmony of our region. It is essential that any development is carefully considered for its environmental impact, striving to preserve the inherent natural beauty and biodiversity that characterize our community.

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M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

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1. Bell_J_[R].pdf

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368 - Gee Smedley

Submission Number: 368 Submission Date: 08/11/24 09:00

Respondent: Save North St Albans Greenbelt Gee Smedley

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 1

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Foreword

We believe that the Local Plan needs to deliver a better plan for residents, better for the environment, better future development and better for communities.

We believe the Local Plan is not legally compliant and therefore unsound when assessed against the Nation Planning Policy Framework (NPPF) Para 35:

- ***"Positively prepared*** *- providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;"*

- ***"Justified*** *- an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;"*

- ***"Effective*** *– deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and"*

- ***"Consistent with national policy*** *– enabling the delivery of sustainable development in accordance with the policies in this Framework."*

The evidence base used in the previous Regulation 18 consultation was not wide enough and failed to comply with LGA guidance. There has been little change in the sites selected with the latest evidence. We cannot understand how weak, or no evidence can be used to justify site selection at regulation 18 and be relied upon in Regulation 19?

The principal issues of our concern:

- The delivery of a finalised site selection without a full and thorough evidence base

  - Inadequate flood sequential testing
  - Inadequate highways assumptions and modelling (clearly evidence of failure to properly disclose evidence in the site selection methodology)

- Over reliance on the sites where promoters and developers have been paying developer contributions and lacking the necessary scrutiny to achieve the core basis of the NPPF ie Sustainability
- The Urban Capacity study is adequate and the Council has failed to keep the Brownfield register updated.

- No objectively assessed housing need evidence and only the use of the Standard Method using the 2014 household growth projections for England rather than the more up to date projections compiled for 2018, 2021 or more recent. It is clear that the use of the 2014 projections is not mandatory and by pushing ahead and using them, St Albans will lose maximum amount of limited and valuable green belt.

- Simple urban delivery and re-utilisation of land such as rationalising the swathes of under used flat roof garages owned by the Council and privately have been ignored. The Officer in charge of the delivery of the Local Plan went as far as calling the Brownfield Register in St Albans a “damp sqibb” as a public meeting an claimed he had delivered a review of urban capacity “where no stone was left unturned”. We fail to see evidence of this.

The Government’s National Planning Policy Guidance (NPPG) sets out a standard methodology to ensure that the number calculated is objective: the Objectively Assessed Housing Need (OAHN). However, a calculation can only be objective, in any true sense, if it is based on parameters that are relevant; to be relevant, a parameter must be timely, and representative. A calculation that is derived using parameters that have been superseded by more representative estimates, cannot be objective. We are not referring here to a small rounding error, but to a multiple of 3 times, from circa 15,000 down to circa 5,000 new homes. To meet the criteria of objectivity, we believe that SACD would be justified in submitting a Local Plan based on the most up to date projections that reflect the real need, following correspondence between SADC former Council Leader Chris White and the then Secretary of State Michael Gove, see Appendix 5a and 5b.

The NPPF (Dec 2023) and NPPG are explicit that the use of the standard method for strategic policy making is not mandatory. In fact **RACHEL MACLEAN MP, Minister of State for Housing and Planning in 2023**, said in writing to Gareth Bacon MP, President of London Green Belt Council, in relation to St Albans: “that the housing need figure has always been a starting point, not a mandatory target”. Our assessment is that SACD is treating the housing need figure derived from 2014 projections as mandatory for delivery. See Appendix 2, for the full letter.

If a Local Plan based on 2014 projections is adopted, more Green Belt will be built on than is necessary. We do not believe that any green belt needs be built on to meet a truly objective assessment of need. SADC should at least be having the argument with Government and taking them to task on their avowed criteria of objectivity. If SACD does not do this, we fear that far from protecting St Albans and its surrounding Green Belt from speculative development, the Local Plan will be doing developers’ work for them. This will be a failure of leadership for which St Albans will be paying the price for generations and decades to come.

The draft Local Plan timetable has been accelerated to ensure it is reviewed against the current NPPF (Dec 2023). That NPPF is very clear on several factors. Chapter 13 is clear and It affords great wight to Green Belt and it’s permanence. Para 11 footnote 7: which has always been maintained, states clearly the Green Belt is strategic constraint. We believe SADC have failed to deliver a through cross border strategic review as the focus is almost entirely on relations within the South West Herts Joint Strategic Partnership an little to no cooperation with other neighbouring authorities.

We feel that SADC should have been more collaborative and transparent I the Local Plan process with Councillors and communities at the heart of the decision making process.

Response to CHAPTER 1 - A SPATIAL STRATEGY FOR ST ALBANS CITY AND DISTRICT

This iteration of the Local Plan over promises and under delivers. The Local Plan process states clearly that the step “Collecting Evidence” goes ahead of the stage, ”First Draft Local Plan, this did not happen.

A Local Plan should be a full spectrum comprehensive plan for effective land use emphasising economic, social, housing and environmental issues in a balanced and objectively assed way. This DLP is none of those. The process has been progressed hastily and at the time of the Regulation 18 there is no evidence base for the following, breaching the LGA Guidelines:

- There is no traffic and highways modelling or data
- There is no evidence that SADC has worked to ensure the best projections for objectively assessed housing need have been used
- There is no mention of Heartwood Forest in the ARUP Green Belt review
- There is no agreed or published methodology to assess ecological corridors for important green infrastructure, such as Heartwood Forest
- There is no agreed or published methodology to assess the carbon cost of water sourced from outside the area

Para 1.13 of this chapter states that the Local Plan should be read in conjunction with the Local Transport Plan. But there is no evidenced Local Transport Plan from the Local Highways Authority, HCC. The COMET modelling and data are not being relied upon by HCC and there is no further assessment framework to provide the evidence base to justify site selection.

Table 1.1 of the DLP, shows a process which we feel has failed. The evidence was not collected early enough to inform the site selection process. Bringing another DLP forward with substantive errors is costing St Albans taxpayers millions of pounds in wasted money and wasted time is immeasurable.

We see no evidence of the Local Plan protecting and enhancing Green Belt. As claimed in Table 1.2.

Figure 1.3 of the Local Plan incorrectly shows a cycle route running the full length of the A1081. It does not. Any such proposal has been deemed as an unsafe proposal by an independent transport consultant. See Appendix 4, for the full report from THaT Consultancy in relation to the provision of the cycle lane going north on the A1081 and categorically making a clear and defendable case for the lack of safety if delivered in anyway. See Figure 5 [in the attached file] which circles the area of error in the Local Plan map.

The current towns of Central Hertfordshire (population); Hatfield (39k), Welwyn Garden City (48k), Harpenden (31k), St Albans (72k) and Hertford (27k) have a combined population of circa 184,000, this is a level comparable with the like of Oxford or Cambridge. Indeed, the combined population of the three Central Hertfordshire Districts of St Albans (145k), Welwyn Hatfield (110k) and East Herts (140k) is 395,000 which is comparable with populations in Liverpool, Manchester or Bristol.

Growing within existing large settlements is a top priority for residents, as noted by the results of the recent Regulation 18 consultation in 2022 (see charts from the Council report below (Public Pack)Agenda Document for Local Plan Advisory Group, 24/01/2023 19:00 (moderngov.co.uk)), see some key views from that report in the graphic in Figure 6 [in attached file].

We need our Green Belt to remain in the current boundary and not cannibalized by developers with the support and recommendation of Officers. St Albans is already part of the biggest and most densely populated area in the County. Our services and infrastructure are already failing to deliver what is needed for the current population, our district does not even have a 24hr medical urgent care centre, instead we have to go to Hemel, Luton or Watford, yet we are proposing a massive

increase in population and residents over the plan period of over 30% compared the current population of the District. We do not believe this to be an evidenced and sound way of approaching housing deliver, especially with the back of a collapsed birth rate.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf
2. Appendix 2 Minister Response August 2023_[R].pdf
3. Appendix 5a LPAG 13 December 2022 - Ministerial Correspondence - Appendix 1_[R].pdf
4. Appendix 5b LPAG 13 DECEMBER 2022 - Ministerial Correspondence - Appendix 2_[R].pdf
5. Appendix 4a Transport Note 6021-1 (Harpenden Road St Albans)(Ver 1_1) - S_[R].pdf
6. Appendix 4b Transport Note 6021-3 (Harpenden Road St Albans) (Ver 1_0) (1)_[R].pdf
7. Appendix 4c Woollam Park - Transport Note 6021-2 (CLASH) (Ver 1_2) - Sent_[R].pdf
8. Appendix 4d Transport Note 6021-4 (Harpenden Road St Albans) (Ver 1_1)_[R].pdf

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Chapter 2 - Climate Emergency

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

There is no joined up strategic approach to manage and mitigate for the declared climate emergency.

This chapter is weak and fails to combine the delivery of economic growth, housing, sustainable development, sustainable infrastructure and sustainable utilities: against a requirement for net zero. There are no measurable outputs. There are no targets for policies within the Plan period.

The failure to consider properly the supply – demand balance of water needed for the delivery of the scale of housing that is proposed will require water to be bought into the region from hundreds of miles away and no account of the energy and carbon footprint of such a strategy has been shared. This is the biggest glaring climate related issue that has not been addressed. The currently consultation on delivering water from Birmingham via the Grand Union Canal, does not form part of the strategy and there is no assessment of the impact that this water will have on the delicate habitat of the chalk streams and chalk bed aquifer filtration.

We welcome the inclusion of several sites of ecological interest which are within the Green Belt, including Heartwood Forest. The focus seems to be on public access to green sites. This focus should be balanced with the need to preserve the natural environment within the Green Belt regardless of public access. Openness and views are across land, not from within it.

The failure to coordinate a strategic approach to protecting the ecological corridors as required by Hertfordshire Landscape and fails to uphold NPPF Para 180 “Planning Polices and decisions should contribute to and enhance the natural and local environment...”. In North St Albans, the

ecological corridors are specifically Woodland Trust site Heartwood Forest and ancient woodland on the edges of the B1 North St Albans Site. The lack of measurable policy is a deep failure. The four pages are mainly high-level statements with some minor inclusions of consideration for bat & swift boxes and hedgehog gaps. This is not affective Climate Crisis mitigation and do not accord with any published climate policy.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf

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Chapter 3 - Sustainable Use of Land and Green Belt

Comment Number: 4

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The Council have inconsistently applied the findings of the ARUP Stage 2 Green Belt Review, this is another major flaw. The process and document do not include a single reference to Heartwood Forest as a whole and is a deep failure on the part of both ARUP and SADC.

ARUP Stage 2 Green Belt Review does not recommend land in North St Albans for development. We have seen no rational on why this should be ignored. We also see misleading assessments of evidence in the process.

- A number of sites have been recommended contrary to the view formed by ARUP, including B1 North St Albans

- ARUP Green Belt Review 2023: Page 71 see B1 North St Albans (Not Recommended for release) Area codes SA-60, SA-62,SA-63a, SA-63b, SA-63c, SA-64, SA-65a, SA-65b, SA-66, SA-69.

One of the principal issues of our objection is the use of the 2014 household growth projections for England rather than the more up to date projections compiled for 2018, 2021 or more recently (as SADC sought to establish early on in the Local Plan process but failed to deliver). There is clear guidance and broad universal understanding is that the use of the 2014 projections is not mandatory and by pushing ahead and using them, St Albans will lose valuable green belt protected countryside forever.

The former Chair of the Planning Policy and Climate Committee and Council Leader, Councillor Chris White, in September 2022, wrote the Secretary of State for the DLUHC requesting clarification of the application of the Standard Method. That was given. The housing need calculation is advisory, always has been. See Appendix 5a and 5b, for the letters to and response from the Secretary of State.

The Council have ignored the December 2022 statement by the Secretary of State which included the following clear paragraphs “we will be clear that local planning authorities are not expected to review the Green Belt to deliver housing”.

Just like other Councils, SADC could deliver a strategy to protect Green Belt, as it forms a major constraint and is a major decision-making issue carrying substantial weight. As was applied by the PINS in the Local Plan of Worthing Borough CouncilWorthing Local Plan - Final Report (adur-worthing.gov.uk), note Para 78 and 84 of the decision notice:

NPPF Para 11, Footnote 7, also includes Green Belt in the list of constraints limiting the scale of development. Why has SADC not taken this into account?

The Government's National Planning Policy Guidance (NPPG) sets out a standard methodology to ensure that the number calculated is objective: the Objectively Assessed Housing Need (OAHN). However, a calculation can only be objective, in any true sense, if it is based on parameters that are relevant; to be relevant, a parameter must be timely, and representative. A calculation is that is derived using parameters that have been superseded by more representative estimates, cannot be objective. And we are not referring here to a small rounding error, but to a multiple of 3 times, from circa 15,000 down to circa 5,000 new homes. To meet the criteria of objectivity, we believe that SACD would be justified in submitting a Local Plan based on the most up to date projections.

The NPPG is explicit that the use of the standard method for strategic policy making is not mandatory. In fact, **RACHEL MACLEAN MP, Minister of State for Housing and Planning**, in writing to Gareth Bacon MP, President of London Green Belt Council, stated that: "that the housing need figure has always been a starting point, not a mandatory target". Our assessment is that SACD is treating the housing need figure derived from 2014 projections as mandatory for delivery when it is not. See Appendix 2, for the full letter.

If a Local Plan based on 2014 projections is adopted, more Green Belt will be built on than is necessary: we do not believe that any Green Belt need be built on to meet a truly objective assessment of need. SACD should at least be having the argument with Government and taking them to task on their avowed criteria of objectivity. If SACD does not do this, we fear that far from protecting St Albans and its surrounding Green Belt from speculative development, the Local Plan will be doing developers' work for them. This will be a failure of leadership for which St Albans will be paying the price for generations and decades to come.

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2. Appendix 2 Minister Response August 2023_[R].pdf
3. Appendix 5a LPAG 13 December 2022 - Ministerial Correspondence - Appendix 1_[R].pdf
4. Appendix 5b LPAG 13 DECEMBER 2022 - Ministerial Correspondence - Appendix 2_[R].pdf

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Chapter 4 - Housing

Comment Number: 8

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Housing a key requirement for a growing, equitable and stable society. We feel that repeatedly SADC do not have a handle on what constitutes local housing need, be it in the Local Plan process or in individual applications.

We would like to highlight SADC response to a Freedom of Information request to understand how the term “Net” affordable housing is calculated. SADC response differs from the evidence used by Inspector Masters at the Roundhouse Farm, Bullens Green Lane Inquiry in June 2021, which released Green Belt land to meet the housing need as calculated by the Standard Method using 2014 data. The SADC methodology which is consistent with NPPF and NPPG and disclosed in the regular SADC Authorities Monitoring Reports gives a higher figurer for Net Affordable Housing.

We were appalled at the inflammatory statements made by the Chair of the PP&CC on which can be viewed here. https://fb.watch/ner4HnxsOo/ . There is no way SADC can stop new residents purchasing housing from the open market.

St Albans is a vibrant and thriving commuter town, with in 30minutes train ride from one of the most economically powerful cities on Earth, London. As acknowledged in Chapter 5 of the DLP. We ask why para 5.7 is using data which is three years out of date? Post COVID has seen a rise of hybrid working and the District being an attractive place for those who do not have to go into an office every day.

The London Metropolitan Green Belt is part of the character of St Albans.

According to Estate Agents and Journalists who regularly publish in the local and national papers, the following are observed by prospective homeowners in St Albans, with St Albans regularly hitting the ten 10 of The Times Newspaper “Best Places to Live” index.

12 reasons why St Albans is the best place to live - HertsLive (hertfordshiremercury.co.uk)_Why St Albans, Hertfordshire, is one of the best places to live in 2022 (thetimes.co.uk)

- Looking excellent quality state and private schooling
- Looking for good transport links by rail and road to work
- Looking for easy access to the high-quality countryside for leisure and business including equestrian facilities
- Looking for high quality retail opportunities (as acknowledged in Chapter 6, para 6.2)
- Looking for high variety of quality leisure opportunities

SADC seems to have missed the long-term desirability of St Albans as being a key factor in it’s popularity and marketability, having undoubtedly an impact on house price affordability of the area making it one of the most sort after affluent areas in the Country. Has SADC examined why a three bedroom detached property in St Albans cost over 40% more than in neighbouring Hatfield which has the same transport links and same Green Belt constraint? We feel the inflated land values are down to desirability based on the factors above marketed by newspapers and estate agents.

Recent years have seen short term tends including St Albans attractiveness to new immigrants from Hong Kong, periods of very low interest rates, and high wage growth in the service sector. These trends are now reversing with the national policy of inflation control via fiscal tightening.

Specifically to B1 “North St Albans” which straddles Bernards Heath and Marshalswick District Wards. The area has been described as popular due to access to countryside, popular and outstanding school St Albans Girls School with good road links for commuting, see the articles below. The articles do not mention that the roads are over capacity and traffic is unmanaged, we deal with those issues in our response to Chapter 8 – Transport.

Area Guide: The thriving Bernards Heath area of St Albans | Herts AdvertiserArea Guide: The historic Marshalswick area of St Albans | Herts Advertiser

We would also like to know how SADC can seek to influence house prices as is implied in the explanatory video St Albans City and District Council Local Plan Regulation 18 Consultation 2023 - YouTubethat accompanies the campaign? Housing moves on credit availability (interest rates and wage inflation), it is an illiquid asset that is slow released by developers and sold at a new build premium to maintain local house prices. There is also land banking. If SADC has economic data that can be shared to the contrary, we would like to see it. How can St Albans Green Belt be the main starting point for affordable or social housing in the strategy area?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf

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Chapter 7 - Community Infrastructure

Comment Number: 9

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

There are no details provided in Chapter 7 of a delivery plan for Healthcare, which is failing already. This is one of the major issues for our supporters, lack of access to medical treatment in the District.

There is no strategic vision to provide or ringfence land for healthcare provision. There is a strong feeling amongst residents that West Herts Hospital Trust has engaged in asset striping activities on an extensive basis over the last 20 years and has repeatedly tried to reduce the services and land available for services in St Albans to capitalise on the high land values in the District. A recent planning decision saw St Albans Hospital remove access to part of a public playing field to accommodate a carpark for staff, they claim it will be temporary, the community is sceptical. This goes to show there is no available land to deliver the scale of healthcare infrastructure needed to accommodate services for a population increase equivalent to another Harpenden.

Most maternity care service are accessed via motorway outside the district and there is very little provision for any type of rigorous scanning or comprehensive treatments.

Residents are fed up having to spend hours driving or taking the train to and from hospitals outside of the District to access what should be the type of quality care we need to be present in St Albans, given the size of our population.

Why has SADC failed to provide any vision or guidance on these matters?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf

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Chapter 8 - Transport

Comment Number: 10

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

This chapter is completely inadequate.

We have commissioned an independent highways expert to delivery a review of the transport ad highways evidence base. The main finds make for depressing reading.

Main Findings of the review of transport and highways issues within the Local Plan process:

"*1.4 Our review of the information presented as part of the Reg 19 consultation, supported by our previous work reviewing planning applications relating to this site, lead us to conclude that the proposed allocation cannot be supported on highway and transport grounds.*

1.5 In reaching this conclusion we fundamentally disagree with the views expressed by Hertfordshire County Council (which is the local highway authority) in their Transport Impact Assessment of the site where they conclude that:

"Overall there are 'no showstoppers'".

1.6 In our opinion the main 'showstoppers' are:

- ***LCWIP Scheme 1 St Albans-Harpenden Link (A1081)***

Development of this site (or part thereof) is tied in with the delivery of LCWIP Scheme 1 St Albans-Harpenden Link (A1081). This scheme proposes a fully segregated cycleway along the full length of the A1081 between Harpenden and St Albans. The scheme is included in the Infrastructure Delivery Plan (20 September 2024)

Our investigations relating to the proposed pedestrian and cycle facilities along Harpenden Road to the north of the Ancient Briton junction (i.e. the section of 3 | P a g e

Harpenden Road from which access to the site will be provided) have identified landownership, highway safety and technical design feasibility constraints that when considered individually and collectively seriously impact on the deliverability of this scheme.

Essentially, there is insufficient highways land along the section of Harpenden Road between the Ancient Briton junction to the south and the proposed site allocation to enable the LCWIP requirements to be delivered.

- ***Congestion & delay on Harpenden Road (A1081) and at the Ancient Briton junction***

Harpenden Road (A1081) already experiences high levels of congestion and delay. Traffic flows, and delays, on Harpenden Road and at the Ancient Briton junction to the south of the site, are forecast to increase in each of the scenarios considered as part of the traffic modelling work undertaken in support of the Reg 19 Local Plan. This modelling considers all the sustainable transport measures set out in the IDS together with a series of increasingly optimistic modal shift forecasts in favour of sustainable modes of travel instead of car use. As noted above the scheme most likely to encourage walking and cycling to/from the proposed site allocation cannot be delivered in accordance with the LCWIP specification.

- *Traffic modelling undertaken in support of the Reg 19 draft local plan*

The traffic modelling undertaken in support of the Reg 19 draft local plan is based on the County Council's Comet model. This is a high-level "countywide model of transport".

As acknowledged by the County Council, WSP (who undertook the Comet modelling) and Arup (who prepared the Infrastructure Delivery Plan) further detailed traffic modelling work is required."

"Production & Timing

2.1 There was no transport evidence base presented in support of the Regulation 18 draft local plan when it went to public consultation in July 2023."

The full report can be viewed in Appendices 4.

Transport assumptions in the Aecom Sustainability Review

The Sustainability Review is completely wrong with regard to transport assessment of North St Albans, see Figure 7 for the extract from the Aecom Sustainability Review.

We have clear evidence that the proposed cycle lane is not deliverable for two proposed routes which would not be LTN 120 compliant and would not even fit into the topography due to the lack of road width. See Appendices 4, technical notes from THaT Consultancy.

Figure 7: Extract from Aecom Sustainability Review [see attached file]

A site selection process can only be made with supporting evidence and deliverability must be evidenced. As stated in the LGA "Effective Delivery of Strategic Sites" Toolkit: "Ensuring infrastructure delivery alongside development".

NPPF makes it clear that evidence base is required to support the "objectively assessed development needs". PINS will examine "soundness" as part of the plan making process.

1. There is no evidence of up-to-date traffic data or modelling of traffic flows in the future to check the impact of the site. The recently submitted COMET modelling is poor. See Appendices 4d, COMET modelling review by THaT Consultancy.
2. There is no evidence of feasibility and delivery of strategic routes in North St Albans via the LCWIP.
3. There has been no updated road hierarchy assessment.

Specifically in relation to Site B1 "North St Albans": We ask in both this consultation, the previous Regulation 18 Consultant and at many Planning Policy & Climate Committee meetings, as a follow up questions to the Committee, why is the real evidence of no deliverable cycle and unmanaged over capacity traffic on the A1081 being ignored? We have had no comprehensive response from Officers.

CLASH has provided evidence that the proposals put forward by the developers in the 5/2021/0423 application and subsequent application for amendment 5/2023/1426, which was withdrawn, are not safe. See Appendix 4: THaT Consultancy report in relation to withdrawn application 5/2023/1426.

A damning verdict was given of the latest COMET modelling from Hertfordshire County Council by a number of groups including ourselves. In public consultations and stakeholder engagement events, promoters for North St Albans development concede that "Modal shift: realistic needs to be key driver...work is ongoing. Working above and beyond HCC's multi-modal transport model (COMET) which is unrealistic in its trip expectations." See the statement captured in the minures of St Michael's Parish Council meeting Sept 2024, Microsoft Word - StMPC Minutes September 2024 PUBLISHED DRAFT

Local Cycling and Walking Infrastructure Plan LCWIP: This document is not conclusive or cohesive and Officers have clearly stated that is a "high-level concept" in a written response to questions at the PP&CC meeting on September 12th. This is not a strong evidence base for site selection.

It talks of the strategic importance of the St Albans to Harpenden link and sustainable travel upgrade but fails to provide any substantial traffic modelling or data with the proposals. There is only a medium probability of residents switching from cars to walking or cycling. We say that is very much lower given the volume of traffic that comes from beyond the edge of the proposed development site, which can be seen daily and evidence via both Google Maps and TomTom traffic data. See photographic evidence of this in the CLASH objection Appendix 1a and 1b, to application 5/2021/0423.

Correspondence between CLASH and Planning Policy & Climate Committee CLASH question:

"The LCWIP proposes upgrades and maintenance which is long overdue (by some estimates overdue by 10 years) which are very welcome. The presentation we are about to see this evening notes that the A1081 St Albans - Harpenden corridor as being "strategically important". However, the LWCIP does not state there is high conviction that the take up of cycling will be delivered (figure 4.4 LCWIP GIS Models: District Wide Cycling Outputs). Specifically: The LCWIP contains details about a diversion to the existing cycle lane National Highways Network Route 6, that has not been given approval by HCC yet. The section is between the Texaco Garage and Ancient Briton on the A1081. Attached is the expert opinion that this proposed change is not deliverable due to safety reasons. Why has this been included in the LCWIP and what weight will the expert opinion carry?"

SADC Response:

"The A1081 is on the LCWIP primary network for cycling due to its strategic importance as a route on the National Cycling Network, and the primary route between the district's largest settlements of Harpenden and St Albans, with a medium-high level of cycling potential identified in the DfT Propensity for Cycling Tool (PCT – Appendix C) and the LCWIP GIS model (Appendix E). The proposals included in the LCWIP Infrastructure Plans are high-level concepts, and are therefore only an indication of what is believed to be possible and most effective on each route after auditing. Further detailed design and feasibility work will need to be undertaken for each route, and this will include an assessment of road safety factors. Where necessary, changes to the LCWIP routing or infrastructure proposals could be suggested in order to improve safety, while still adhering to the latest guidance on high-quality walking and cycling infrastructure."

CLASH follow up question on the webcast: Planning Policy & Climate Committee - Tuesday 12 September 2023, 7:00pm - St Albans Webcasting (public-i.tv)

"When will the feasibility studies supporting the LCWIP strategy and proposals be available? There is no traffic management or flow data."

SADC response: *"These will come further down the line when HCC respond in full and when funding is available for them"*

CLASH email to SADC on Sept 12th 2023:

Please see the following as a follow up question after the debate on the LCWIP this evening:

- Will the concerns we have raised about the delivery of the LCWIP on the section of A1081 between Ancient Briton and Texaco garage, also be raised with HCC along side other concerns with the A1081 in Harpenden? Including the evidence document we have from a certified transport consultant.

- also, the document relates to an application that was withdrawn by the developer. So we cannot see how there would be an appeal of this as there is no right to appeal in this situation. Please advise. We would expect this material document to be shared publicly and with HCC.

Also, we contest the response where is states "largest settlements of Harpenden and St Albans, with a "medium-high" level of cycling potential identified in the DfT Propensity for Cycling Tool ", the proposals actually only shows "medium" potential.

SADC Response September 21st 2023:

Many thanks for your email and apologies for the slow response – I have been on leave.

There is no provision in the Procedure Rules for follow-up questions to be sent after the meeting, because we have a function where public questioners are entitled to an oral supplementary question.

However, you are welcome to submit questions to a future meeting of the Planning Policy & Climate Committee where it relates to matters within the remit of the Committee and a substantive item on the agenda.

Kind regards,

Traffic evidence and modelling:

SADC have failed to provide the necessary evidence base to objectively justify this Local Plan site allocation and have over reliance on the modelling high modal shift to justify their approach to highways improvements.

CLASH have been pro-active and delivered sound and defendable evidence as follows:

- Objection to the application 5/2021/0423, (outline application granted with 39 conditions): Highways Conditions not yet delivered and with low probability of delivery. CLASH highlighted the discrepancy between the developer's road width measurements and the real measurements. See Appendix 1a and 1b, for the full CLASH objection which contains data that still stands.

- *Objection to the withdrawn application 5/2023/1426: The developers have made it clear in the covering letter that the off-site highways works were not assessed by HCC in the original application 5/2021/0423. Figure 10*

- THaT Consultancy provided a sound and defensible report August 2024 and November 2024 (included assessment of the LCWIP 2023 published documents). The conclusion of that reports being:

See Appendices 4 for full reports from THaT Consultancy.

We would except current traffic modelling and surveys of the A1081 corridor to find what we experience daily. This is a severely congested A road, of high strategic importance due to the connectivity of the M1. There will be no situation that we can envisage that will change the status and road hierarchy of the A1081 and supporting function to the M1, especially when there are closures on the motorway. We cannot envisage any scenario where cycling routes will be given highways priority on the A1081. If there is such a scenario, SADC must supply the evidence.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf
2. Appendix 4a Transport Note 6021-1 (Harpenden Road St Albans)(Ver 1_1) - S_[R].pdf
3. Appendix 4b Transport Note 6021-3 (Harpenden Road St Albans) (Ver 1_0) (1)_[R].pdf
4. Appendix 4c Woollam Park - Transport Note 6021-2 (CLASH) (Ver 1_2) - Sent_[R].pdf
5. Appendix 4d Transport Note 6021-4 (Harpenden Road St Albans) (Ver 1_1)_[R].pdf
6. Appendix 1a Sewell Application July 2021_[R].pdf
7. Appendix 1b Sewell Application July 2021 - Appendix_[R].pdf

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Chapter 9 - Utilities Infrastructure

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We have grave concerns about the lack of detail provided by SADC in para 9.5 of DLP.

The Hertfordshire Water Study (which was sourced elsewhere and not part of SADC online evidence base documents) does not confirm there is available water supply to support projected levels of growth in the current plan period. As stated in the DLP at Para 9.5.

The study gives a framework of policy that must be delivered in order to achieve the supply and demand balance up to 2040, which is dependent on imports of water from outside the region.

Para 6.3.3 of The Hertfordshire Water Study, Hertfordshire_Water_Study 2017 (hertsmere.gov.uk) clearly shows there is a shortfall of water supply using the projections of the Standard Method.

Figure 11 [see attached file], shows Para 8.6.4 of The Hertfordshire Water Study showing the indicative growth areas in blue. These do not match the current site allocations. Site B1 “North St Albans” does not appear as a feature on this map and is not part of the indicative growth areas.

Para 10.3.1 of The Hertfordshire Water Study, requires a sustainable approach to development and groundwater recharge. Development on Site B1 “North St Albans”, would substantially deplete local ground water recharge as we make clear in our consultation response to Chapter 10.

The area is a flood attenuation point that recharges the local aquifer. Any SuDS plan that suggests that excess rainwater be diverted to the Thames sewer system will deplete aquifer volumes and limit groundwater abstraction which is favoured over chalk stream abstraction.

There is no mention in this consultation of the need to ensure Natural Catchment Management. Which is vital to the delivery of the recommendations in The Hertfordshire Water Study.

The study conclusions specific to St Albans in section 12, related to the indicative growth areas and these do not match the site allocations in this Local Plan. Therefore, if there is a reason for this study to supply conclusive evidence of the water “supply – demand balance”, it has not been stated.

The most recent consultation for Affinity water shows substantial water supply shortage by 2030. There is only mention of Affinity Water's strategy for 'demand management' in this DLP. See Affinity Water 'supply management' in the link. Why is this not included in the DLP? Sites that might be needed for extra bore holes should not be considered in the Local Plan. The recent application 5/2021/0423 has allowed building right on top of a key water filtration point in our ground water system. Annex 9 of the Call for Sites, shows the extent of development proposed on the chalk aquifer in North St Albans. The same areas that filter the water for the ecological systems of our wonderful Heartwood Forest. Why have SADC not considered this?

Affinity Water Water Resources Management Plan 2024

52e25a3b0555c5d43114dde844fba378_A_summary_of_our_draft_Water_Resources_Management Plan_2024.pdf (amazonaws.com)

Why is there no mention of maintaining ground water filtration to support our local chalk streams? We question if the SUDS plans attached to large scale housing development are fit for purpose? The usage of "1 in 100 year" rain fall events does not model today's erratic rain fall. The "excess" rainfall is to be diverted to the Thames sewer rather than be managed back into the local water supply and offering protection to our chalk streams. How can the Local Plan stand up to scrutiny for sustainability when these types of policies are in place?

With proposals to deliver water to the South East from Oxfordshire, West Midlands and South Lincolnshire, should any Local Plan deliver housing on Green Belt, which will further exacerbating local water stresses. Would the water from these regions be classed as a "sustainable" supply within the context of the Climate Crisis in the Local Plan?

Of the two discharge stations managing St Albans sewage, the main one at Maple Cross is regularly discharging into the River Colne or Grand Union Canal. The other station at Bricket Wood does not have a reporting system yet. See details herehttp://www.thameswater.co.uk/edm-map. What confidence does the SADC have that Thames Water will deliver the mentioned upgrades in capacity in line with the planned development over the plan period?

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf

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Chapter 10 - Natural Environment, Biodiversity and Green Infrastructure

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

Flood risk sequential testing and specific assessment of all sources of flooding have been washed over and are inadequate.

See Appendix 8a and 8b for our full reports on the flood risk at the two development sites in North St Albans. The Aecom Sustainability Review and site selection rating has inadequately assessed flood risk sequentially. Looking at the broad location side-by-side in Figure 12, we see a huge error in the assessment Functional Floodplain (or climate change floodplain), with the definition being too narrow to capture pluvial flooding which is wide spread. See appendix 9, for full side-by-side analysis in Excel.

We also fail to understand way Sewell Park (150 dwellings) and North St Albans (1,000 dwellings) are now split out and how they can vary so widely given they are adjoining land parcels which form the site B1 North St Albans. We have highlighted these discrepancies in pink and can evidence why we think they should all be measured as “Weak”.

Figure 12: Side by side site scoring analysis [see attached file], see appendix 9 for full version in Excel.

We welcome SADC’s commitment to protect and enhance “Significant Public Accessible Green Areas”.

But public access should not be the primary focus as it is with the report.

How will SADC protect Heartwood Forest from loss of water filtration into the aquifer beneath as water run off is diverted into sewers? The Aquifer provides Heartwood Forest Springs with the volume and pressure of water needed to deliver water at a higher altitude in Heartwood Forest if you propose building on key flood attenuation sites at Site B1 “North St Albans” that will support the aquifer water levels? See figure 13 [see attached file], Source: DEFRA Magic Map Flood Risk.

We welcome the inclusion of Blue Infrastructure as a point of environmental assessment.

How will SADC ensure there is no negative impact on the potable abstraction zone for the main abstraction of drinking water by Affinity Water at the two local bore holes? Information on location available via the British Geological Survey and is of a sensitive nature so exact locations are not included in this consultation response. But both bore holes lie less than 2 miles from the B1 “North St Albans” site.

An adequate reply to protection of potable abstraction zones was not provided to the question raised at the PP&CC June 2023 meeting on this matter. SADC answer did not cover the necessary detail. See Appendix 6.

The site B1 “North St Albans” is less than two miles from two drinking water abstraction points i.e. bore holes, that are licenced to Affinity Water. According to DEFRA there are Drinking Water Safeguard Zones for surface water and Source Protection Zone Level 3, on the site B1 “North St Albans”. These zones also undoubtedly support our chalk streams via lateral chalk bedrock aquifer flows. This has not been considered in the site selection process. Why not? Especially given the sensitivity of chalk stream protection.

The area within site B1 “North St Albans” is a flood attenuation point that recharges the local aquifer. Any SuDS plan that suggests that excess rainwater be diverted to the Thames sewer system will deplete aquifer volumes and limit groundwater abstraction which is favoured over chalk stream abstraction in current and future water management plans.

SADC must take into account the chalk stream catchment area. The maps available must read by a hydrogeologist to have the correct interpretation as the catchment boundary has an error of up to 500m and is dependent upon the topography of land. Figure 14. shows the estimated catchment boundary and expectations of actual boundary.

We have defensible evidence that water flows downhill from the railway line, across Sandridgebury Lane and into the fields, so forming part of the Ver Catchment. This land is not contaminated by the bromate plume traveling East from Sandridge.

In addition there is clear Government guidance that groundwater abstraction should be closely managed. Water abstraction plan - GOV.UK (www.gov.uk) and Colne Abstraction Licensing Strategy (publishing.service.gov.uk)

Ref “*NEB 8 – Managing Flood Risk”* : There is no data provided by SADC on the management of the extensive flood risk from groundwater at site B1 “North St Albans”. The extent of surface water flooding is clear to see in Figure 13.

Ref “*NEB 9 – Agricultural Land* : *Other than where development is allocated in this Plan, where major development on agricultural land is proposed, a detailed survey (approved by the Department for Environment, Food and Rural Affairs (DEFRA) or an independent expert), which includes an assessment of grading, should be submitted. Development resulting in the loss of the best and most versatile agricultural land (grades 1, 2 or 3a) will normally be refused. An exception may be made where it can be evidenced that there is an overriding need for the development and there is no alternative land of a lower quality which could reasonably be used.”*

1. Why should sites where development is allocated in this DLP be exempt from detailed agricultural survey? The majority of the site B1 “North St Albans” is between Grade 2 and 3a most versatile agricultural grading, with some areas being 3b, but that has not held back the farmers delivering the same crop across the whole site as pictured below.
2. The ARUP Green Belt Review gives significant weight to this being agricultural land. There is little mention of it in the Aecom Sustainability Review. This is against NPPF policy and NPPG guidance.

See figure 15 [in attached file], Land classification on the Defra Magic Map

There is no mention of how the plan making process will seek to protect the ecological corridors around the sites. Specifically for site B1 “North St Albans”, we have defendable evidence that the land around Heartwood for up to 2miles across the natural landscape operates as a continuous ecological corridor and any disruption of it will affect Heartwood. It is home to many red list bird species and protected mammals. See Appendix 7, Heartwood Halo Project August 2023.

We have identified eight red list bird species over the last two years as being consistently present on land within site B1 “North St Albans”. Full details on page 2 of Appendix 7, Heartwood Halo.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf
2. Appendix 8a Woollam Park - Flood Risk Assessment - Revision A - Copy_[R].pdf
3. Appendix 8b Harpenden Road, St Albans - Cala Site Flood Risk Review - Rev B_[R].pdf
4. Appendix 9 Green Belt Sites Recommended- Broad Location Proformas_0_[R].pdf
5. Appendix 6 Supplement POST-MEETING SUPPLEMENT_[R].pdf
6. Appendix 7 Heartwood Halo - August 2023 - Copy_[R].pdf

Chapter 13 - Health and Wellbeing

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

The inclusion of air quality and noise assessments is welcomed.

1. There is no data provided in the site selection for air quality, air pollution or noise assessment.
2. New technologies and data sources are available to provide close to real time data on the issues and some is published by Central Government.

Ref “*Strategic Policy SP13 – Health and Wellbeing”*

1. *a) Improved walking and cycle infrastructure to allow people to move around more easily using*
   active modes of travel, so reducing air pollution and increasing levels of everyday exercise;

Policy SP13 is admirable. But when the majority of traffic passing along a road is from outside the walking or cycling catchment area, as it is on the A1081 adjacent to site B1 “North St Albans”, it is clear that these aspirations are not deliverable on all sites.

We have already asked in both this consultation and at the Planning Policy & Climate Committee meeting on September 12th 2023, as a follow up questions to the Committee, why there has been no traffic data modelling or monitoring evidence provided?

There are only “Air Quality in England” (AQE) sensors at three locations in St Albans. St Albans Holywell Hill (sensor) Annual Statistics - Air Quality monitoring service (airqualityengland.co.uk)Hollywell Hill, Verulam Road and Folley Lane. None of the major tributary A roads have AQE sensors.

The Defra Air Quality Viewer only looks at existing Air Quality Management Areas.Local Authority Details - Defra, UK

Any evidence submitted on air quality is of great importance and carries substantial weight under the NPPF and High Court case law. Openly available air quality assessment tools are sound evidence and carrying a high level of accuracy. They can and should be used to gather local evidence.

New online application www.addresspollution.orgwas accepted by Inspector Boniface as evidence in the Planning Inquiry at the recent SADC Chiswell Green appeals, which have now been recovered by the Secretary of State.

Use of the tool using postcodes in B1, “North St Albans” confirms the issues of already poor air quality along the A1081 corridor and must not be simply discounted.

Extract from terms and conditions at AddressPollution.org

- "AddressPollution.org is now one of the most awarded environmental campaigns worldwide.

- In the summer of 2022 it received United Nations accreditation becoming a UNESCO Green Citizens project. It has now landed front page national news 3 times, been featured in more than 570 pieces of national and international press, whilst changing the property sector for good, turning home owners and estate agents into budding environmentalists."

Figure 16 [see attached file], shows the level of Air Pollution, using the postcode of St Albans Girls School: AL3 6DD

Application 5/2021/0423 which forms part of the site B1 “North St Albans” failed to assess air quality and approval was given against the evidence provided by the developers own Air Quality Assessment report.

a. The air quality report by Hawkins Environmental as part of application 5/2021/0423, corroborates the data gathered by addresspollution.org, and shows the area already has low air quality, with high levels of the worst pollutants in the categories of PM10 and PM2.5 at the test sites on Harpenden Road and Sandridgebury Lane.

1. The reference to monitors at other locations in St Albans is not relevant to this application as the pollutants are localised. It is not clear what height the sensors were located and for the exact duration.
2. The proposal of a cycle lane linking down to the major traffic lights at The Ancient Briton junction is an important part of the sustainability of the site, but the current design is flawed and will not provide a safe cycling experience, thereby deterring users. Thus it will do little to mitigate the air quality as the likelihood of the application site being substantially served by bicycle is very low. There have been many representations by local cyclists and cycling groups on the issues with design of the cycle lane.

3. Walking routes for children attending local schools from the application site, will mainly be along the Harpenden Road and Sandridgebury Lane, both identified as having the highest levels of pollution in the area, based on the data presented. Having no mitigation strategy for this level of air pollution is not consistent with national or regional policies. These locations and pollution levels were not assessed in the recent Council Air Quality Action Plan.
4. The conclusion of the report infers there would be little additional impact on already poor air quality and essentially states that because it is very bad already, the incremental change will have a small proportional impact. This should not be interpreted as a positive. It is another factor to show the lack of sustainability of this site. The Council has a statutory duty to limit and reduce poor air quality.

There is no reference to how noise pollution will be monitored. Is this another example of when there is no evidence base?

Important areas:

FAQs.pdf (extrium.co.uk)

Figure 17 [see attached file] shows Extium/Defra Important Areas. What are Important Areas? Noise Important Areas (IAs) for roads and railways are based upon the strategic noise maps results and have been produced in line with the requirements set out in the noise action plans. The IAs highlight “hotspot” locations where the highest 1% of noise levels at residential locations can be found. In accordance with the noise action plans, the IAs provide a framework for further investigation. You can see an Important Area hotspot on the A1081 between the Texaco Garage and Sandridgebury Lane. This runs exactly parallel to the main site.

Given the extent of the rail noise pollution from the Thameslink line, which is significantly higher that the surrounding landscape built on a bunt with a bank structure underneath, we do not believe there are any current construction techniques that could mitigate for the railway noise. No green noise limiting features can be grow as Network Rail has an aggressive tree management policy that removes all trees that have the potential to cause leaves, branches or trunks on the railway line.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf

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Chapter 14 - Implementation

Comment Number: 7

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

We cannot see how the implementation of the Draft Local Plan will stand up to the soundness test.

SADC claims powers for plan making will be taken away by Central Government if the DLP was not progressed by July 2023, so they bought the consultation in without the necessary objectively assessed evidence base required.

1. The plan making process has failed to follow LGA guidance.
2. Bringing another plan forward with substantive errors is costing tax payers millions of pounds in wasted money and is a failure of SADC Leadership.

We have a Freedom of Information request response form 2023, in Appendix 10, that states the last time Officers were advised of the potential for the removal of powers in the plan making process, was in 2018. We cannot see that Officers have asked for clarification of the question we posed a number of times in a number of different ways to the Planning Policy and Climate Committee, “should the plan be reassessed to allow for full and reliable evidence. Each time of asking, we have been rebuffed.

That withstanding, SADC should have done a much better job at Regulation 18 stage before coming to Regulation 19.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf
2. Appendix 10 Council responce August 2023 - Local Plan - Copy_[R].pdf

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B1 - North St Albans, AL3 6DD

Comment Number: 2

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Reponses to points in Key Development Objectives/issues to address

Key Development Objective #3: There has been no agreed strategy to deliver the transport network and off-site highways improvements. There has been no traffic data or modelling supplied in the evidence base. The lack of evidence is staggering given we have produced a number of expert reports that should the cycle lane being relied upon cannot be delivered due the error by the developer in measuring the road width.

Key Development Objective #4: There are no HCC Highways approved off-site pedestrian and cycle links as part of planning application 5/2021/0423. We have strong and defensible evidence that any such works would be unsafe for all highways users on the A1081 section between the Ancient Briton and New Green Avenue.

Key Development Objective #6: Any applications must provide an adequate Environmental Impact Assessment, including the impact of the ecological corridors supporting Heartwood Forest. The application 5/2021/0423 delivered what is considered, a substandard condition on bio-diversity protection and enhancement with the new owner of that parcel of land already unlawfully removing over 500m of protected hedgerow.

Key Development Objective #7: There is noise data already available via Defra. The railway line sits at an elevation of approximately 30mtrs. There are no noise buffers available in current construction methodologies to mitigate for this.

Key Development Objective #8: There is a serious visual impact on the landscape if this land is developed. See Appendix 1a and 1b: “Sewell Application” for details of the adverse visual impact on the landscape at Site B1, especially from the Hertfordshire Way and public footpaths along the railway line from Long Spring Wood to Sandridgebury Lane, a very popular route due to the linkage to the Hertfordshire Way and Heartwood Forest.

Our consultation response will substantiate the above comments.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf
2. Appendix 1a Sewell Application July 2021_[R].pdf
3. Appendix 1b Sewell Application July 2021 - Appendix_[R].pdf

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Sustainability Appraisal Note

Comment Number: 12

Type:

* Sustainability Appraisal

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

[Please see attachment for full submission]

We see the follow extracts [paras 5.4.38, 5.4.42, 5.4.50, 5.5.8] the AECOM SR to be flawed or failing given our responses about the evidence base above.

Page 22. In the great majority of cases sites were sifted-out through the HELAA due to availability concerns or due to being too small. Just nine sites were sifted out due to suitability concerns (flood risk in six instances, and heritage impact in three)

- **Transport -** key factors are: A) there is not support for lower growth, nor for high growth at St Albans; B) there is a modest degree of support for removing smaller allocations at lower tier settlements; and C) there is a preference for SE St Albans over expanded **North St Albans.** With regards to significant effects, the ISA Report (2023) concluded a 'moderate or uncertain positive effect' for the preferred approach at that time, and there is now greater confidence in this conclusion in light of consultation responses received and ongoing work to explore transport issues and opportunities, including transport modelling work and detailed work to explore the potential for growth to deliver targeted enhancements to the District's active travel network. However, it is not possible to predict 'significant' positive effects given ongoing work and because inherent challenges remain locally, given the densely populated

nature of the south of the District (also noting recent sites unexpectedly gaining permission at appeal) and given inherent transport challenges at Harpenden (including noting likely future expansion of Luton Airport).

North St Albans and NE Harpenden — are the two largest strategic allocations other than HGC, and **neither site is** `recommended' by the Green Belt Review (2023). such that there must close scrutiny of their potential to deliver infrastructure benefits. Neither site will deliver a secondary school, but there is no clear need for one at either location; also, NE Harpenden benefits from being located near-adjacent to a secondary school with capacity (indeed, one delivered only in recent years). Both sites will deliver a primary school and a local centre, as well as other targeted infrastructure benefits.

- **Other strategic allocations - North St Albans** is beyond easy walking distance of the town centre and train station but is located on good bus route (and East St Albans is near a good bus route; indeed. these are the two key routes locally) and there are opportunities for upgrades to cycling infrastructure. West of London Colney is in good proximity to the local centre and schools, plus delivering a new secondary school will help to reduce the distance that students need to travel to school and, in turn, help with peak time traffic congestion (although there are concerns around school traffic affecting London Colney). A benefit of NE Harpenden is its proximity to a recently delivered secondary school, although school traffic in combination with traffic relating to housing growth is a matter for further consideration.

- North St Albans —the southern extent is notably constrained by Long Spring LWS (ancient woodland), which is associated with a public footpath and potentially serves a role in terms of functional connectivity between habitat patches at a landscape scale. Also, Sandridgebury Lane cuts through the site, which is associated with historic hedges. On the other hand, growth here would be in close proximity to Heartwood Forest, such that it could potentially contribute to targeted enhancements.

9.4.4 In conclusion, a broadly **neutral effect** is predicted on the baseline, accounting for established objectives. There is a case for predicting positive effects given: certain site-specific opportunities, growth broadly directed in support of two key opportunity areas, namely Heartwood Forest and the series of country parks set to be delivered alongside the Government permitted SRFI; and support for HGC, which is subject to limited constraint (assuming effective SANG) such that it is supported in biodiversity terms (as it will take the pressure of more sensitive areas). However, a number of the proposed non-strategic allocations are subject to significant onsite or adjacent constraint (primarily locally designated habitat or non-designated priority habitat), and there are also some notable constraints affecting two of the strategic urban extensions, namely **NortWStAlbanS** and NE Harpenden (but strategic sites give rise to a good opportunity to avoid and mitigate impacts through masterplanning etc). Also, growth could potentially be directed with a clearer focus on realising strategic green / blue infrastructure opportunities (e.g. river corridors).

- **Active travel —**this is a focus of discussion under other headings, but also warrants mention here, as access to active travel infrastructure (linking to key destinations) is important for good health, and new / upgraded infrastructure is a key means of achieving `planning gain' to the benefit of existing community.

The District has a very good existing network, including cycle routes along two former train lines, and this network has been a key factor influencing site selection. HGC and East Redbourn are located on the Nickey Line, and Glinwells (east of St Albans) is also located on an offroad cycle route. Other urban extensions **with clear** potential to deliver strategic upgrades to cycle infrastructure include NW Harpenden. **North St Albans** and Harper Lane; however, the site proformas for numerous other proposed allocations also identify active travel routes that should be a focus of developer contributions. Overall, there is confidence that a strategic / targeted approach is proposed to realising key opportunities.

- **Green Belt —**warrants mention here as an issue that can clearly generate a high degree of interest / concern amongst local residents. The contribution of land to the defined purposes of the Green Belt has been a major factor influencing the progression of sites to the reasonable growth scenarios; however, and as discussed in Section 5.4, HGC and four of the eight proposed strategic urban extensions are not supported in full by the Green Belt Review (although HGC is supported in part, as is NE Harpenden).

However, in each case the decision to 'depart' somewhat from the Green Belt Review is on account of wider factors including opportunities to secure infrastructure and wider benefits, and there is a need to consider these sites in context, i.e. mindful that non-allocation would result in increased pressure for growth elsewhere. Also, it is notable that all four sites featured in the previous version of the St Albans Local Plan (withdrawn in 2020), such that they have been the focus of a considerable amount of consultation over the years (with **North St Albans** perhaps standing out as generating local concern).

- Other strategic allocations (i.e. all other than East St Albans, which is discussed in Section 6) —

- Sites subject to limited constraint are — North St Albans (although historic Sandridgebury Lane passes through the site, and is likely a popular route linking to historic Sandridgebury and Sandridge); Glinwell (east of St Albans), which is a previously developed site, and where the possibility of increasing appreciation of the Grade II listed former station house at its southern extent might be envisaged (the glasshouses are not thought to have significant heritage value, unlike elsewhere in the sub-region); and Harper Lane (to the north of Radlett), which is distant from the historic core of Radlett, although a consideration is the proximity of the former Harperbury estate to the east.

- Other strategic allocations (i.e. all other than East St Albans, which is discussed in Section 6) — only North St Albans has been surveyed, with the finding being that the site comprises mainly grade 3a land.

Landscape Chapter 9

- North St Albans - Sandridgebury Lane follows a shallow valley, with higher ground to the south (Bernard's Heath, now within the St Albans urban area) and to the north (Childwick Green and the Heartwood Forest). This arguably lends a degree of support for growth in this area, from a landscape perspective, and there is also a need to factor-in the adjacent site with planning permission for 150 homes. There is also a need to note the urbanising influence of the Porters Wood industrial area to the south; however, on the other hand, there is an argument to suggest that the industrial area, along with its two valued linear woodlands (Beech Bottom and Long Spring) and nearby St Albans Girls School, represents an appropriate northern extent to the St Albans urban area, from a landscape perspective. There is also a need to note the public right of way following Long Spring, which is likely to be a popular walking route linking St Albans to the Heartwood Forest. It appears to be the case that the footpath partly follows Sandridgebury Lane, hence increased traffic should be avoided.

Table 9.1: Key findings of the Modal Shift Study (2024)

[Please see attachment for Table]

— North St Albans – does not give rise to any clear transport concern, given good connectivity to a toptier settlement, plus reasonable connectivity to key destinations outside of the District. However, the train station is a 42 minute walk, opportunities appear fairly limited – primarily relating to enhanced cycle connectivity and support for key bus services – and the site is distant from the key A414 corridor.
A particular opportunity is in respect of a new cycle route along the A1081 between St Albans and Harpenden, which is a priority within the St Albans LCWIP. The LCWIP discusses the cost of St Albans – Harpenden A1081 cycle infrastructure upgrades as being in the region of £15m, which

is more than the funding available for the whole of Hertfordshire through the Government's Active Travel Fund for the period 2020-2023. This serves to highlight the important of developer funding (S106). Also, with regards to the A1081 as a cycle corridor, it is noted that the Harpenden Neighbourhood Plan states:
"St Albans City and District Council has provided a shared surface cycle and pedestrian route along the edge of the A1081. However, this route is limited in width and many cyclists use the road instead. A separate cycle route could provide a popular route in a similar style to the Nickey Line..."

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

[Please see attachment for full submission]

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. 00 CLASH Reg 19 Response November 2024 Sent - Copy_[R].pdf

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369 - Sue Greenwood

Submission Number: 369 Submission Date: 09/11/24 09:00

Respondent: Sue Greenwood

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 1

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

I would like to submit my objection to the proposed planning site of Amwell Top Field Wheathampstead M9.
I strongly object to the plan submitted to build on Amwell Top Field, the numbers of houses seem to vary from 60-140 over a 10 year plan
Amwell top field lays directly over a high pressured gas pipe. This gas pipe comes through our village from Peters Green , continuing on to South Mimms. It comes up the back of Brewhouse Hill, crossing the Harpenden rd entering a corner field then crossing Amwell lane into Amwell Top Field. This was constructed in 1999, and we were told nothing can be built on top of this gas pipe. There are 2 aerial checks twice a month from a helicopter, and then the pipeline is walked once a year for checks. There are AMP's (aerial marker posts) where the gas pipe crosses a road. Strangely this AMP is no longer visible in Amwell Top Field !!
Amwell lane where this field is situated is a narrow single track lane with very few passing places.This lane is approached from the corner junction (bend)of Brewhouse Hill & Harpenden Rd. This is already a black spot with numerous cars leaving the road and ending up in hedges, and if the hedges weren't there, they would've ended up in the houses. This has been a big issue for us , trying to slow the traffic down on this approach, so I can't see that this proposal is going to help in any way with the increase of possibly 100 cars a day.
Amwell is a beautiful untouched hamlet. The vista is of narrow lanes lined with hedges. This is a very popular walking route for families & dog walkers leading to Nomansland.
And the infrastructure in our village cannot cope as it is, what with oversubscribed schools and doctors surgeries, where are these people going to go ?
I have added 2 photos, one being a map of the high pressure gas pipe & the other AMP which is no longer visible in this field.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Greenwood_S_[R].pdf
2. Photos_[R].pdf

370 - Diane Black

Submission Number: 370 Submission Date: 09/11/24 09:00

Respondent: Wheathampstead District Preservation Society Diane Black

Strategic Policy SP1 - A Spatial Strategy for St Albans District

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Population Growth Projections

The plan currently assumes that a 26% increase in the number of dwellings is required in the District, 14,603 new houses in total. Using the average number of people per household of 2.43 this equates to a population increase of 23%.

The Office for National Statistics projects a 0.6% growth in population of St Albans District from 2024 to 2043 with the main growth coming from the 65+ age range. Therefore, there is no justification for the target of 14,603 new houses.

We appreciate there is requirement across the UK for additional housing but there seems to be a completely disproportionate allocation given to St Albans City and District.

There is limited provision for additional employment in the district and therefore any population increase of this scale will mean people having to travel outside the district to work, adversely impacting the environment and putting additional pressure on a transport network already at breaking point. Over 81% of the district is also covered by Metropolitan Green Belt which needs to be protected.

We believe that the Council should challenge the Governments ‘Standard Method’ for calculating local housing needs as there is no justification given their own population growth projections for the district and the adverse impact the proposed plan will inevitably have on the environment, local services and facilities and the Metropolitan Green Belt.

Green Belt Protection

All the sites for development that are proposed around Wheathampstead would be on Green Belt land. The protection of the Green Belt should be a major concern for the Council, but there is little evidence of this throughout the Plan.

The Council has failed to take account of the National Planning Policy Framework (NPPF) as revised in July 2021, paragraph 11, footnote 7. This permits local planning authorities to restrict the scale of development due to planning constraints including protection of Green Belt and other designated areas and sites.

The proposed development at Amwell Top Field (M9) is within the Green Belt, which is designed to reduce the impact of existing development on the character of the Green Belt. This reduction of impact would be lost as a result of this development.

The St Albans Stage 2 Green Belt Review completed by Ove Arup & Partners in 2023 concluded that the Green Belt around Wheathampstead contributes significantly to purpose 4 of the Green Belt, namely, to safeguard the countryside from encroachment. Only one of the Wheathampstead sites proposed for development in the Plan, the area south of Hilldyke Road, is identified by Arup as one of the areas in the District that contributes least to the Green Belt purposes. The need to provide affordable housing should not be seen as a justification for building on the Green Belt, as the average house price at the proposed sites would almost certainly be beyond the means of those for whom affordable housing is designed.

Preventing coalescence is also a critical element of the Green Belt policies so it is essential that the Local Plan prevents Wheathampstead coalescing with Harpenden along the Lower Luton Road and Harpenden Rd/Wheathampstead Rd.

Equally important is the protection of distinct communities in discrete areas within the Parish of Wheathampstead, such as The Folly, Lea Valley Estate, Amwell, and these must continue to be protected by current Green Belt policies.

We support the Green Network Vision and the creation of Green Corridors that are shown as part of the Hemel Garden Communities initiative and we would like to see similar Green Corridors allocated around Wheathampstead to provide safe links to neighbouring settlements. Wheathampstead Parish Council recently formed an “Inclusive Wheathampstead Working Group” with an initial focus on Accessibility. Green Corridors incorporating Safe Cycle Routes would also provide a safe route for Mobility Scooter users to reach nearby settlements which is important for mental and physical health and other activities.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Summary

Considering the comments above, we urge the council to revisit the draft Local Plan, challenge the Government’s Standard Method for calculating housing needs and produce a more equitable balanced plan that serves the needs of the St Albans District residents. We would like to see more detailed planning which includes funding allocation and addresses key issues on exactly how the plan is going to meet climate change targets, deal with extreme weather events, increase biodiversity by 10%, protect the Green Belt, improve transport networks including cycleways, improve water networks and prevent pollution of our rivers, improve services and facilities and protect secondary school placements.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

Strategic Policy SP3 - Land and the Green Belt

Comment Number: 2

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* No

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

Strategic Policy SP5 - Employment and the Local Economy

Comment Number: 4

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* No

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WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Employment Opportunities

The Plan does not make provision for the additional employment that an increased population will need other than in the Protected Employment Areas, both of which are remote from Wheathampstead. Only one existing employment area in Wheathampstead, Place Farm, is protected. (The reference to Codicote Road is presumably a mistake.)

In order to minimise any increase in commuter traffic, employment opportunities should be provided in larger new developments.

Our community has worked hard to regenerate our High Street over the past 20 years and wants to ensure it remains a viable local retail area as well as the 300 or more “off the High Street” businesses that make up our local economy.

Much of the life and character of Wheathampstead would be lost if a higher proportion of residents worked outside the village. If Wheathampstead were to become a dormitory village, footfall in the village centre would plummet and the High Street could become mainly residential.

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

Strategic Policy SP7 - Community Infrastructure

Comment Number: 6

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Schools

Katherine Warington secondary school was built to ensure all children in Harpenden and surrounding villages would have a place at a secondary school in Harpenden. This followed an existing secondary school in Wheathampstead being demolished and housing built on the site at Butterfield Road. However, due to delays in agreeing the site and the eventual build of Katherine Warington School a huge amount of stress was put on placing children from Wheathampstead into secondary school in the years before the new school opened. This cannot be repeated.

However, there is no consideration given to the impact of new housing in Harpenden on school placements from the surrounding villages. In particular the large-scale development B2 North East Harpenden is likely to attract families who would be given priority to Katherine Warington School based on distance, meaning that Wheathampstead children will be impacted again.

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

Strategic Policy SP8 - Transport Strategy

Comment Number: 3

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Traffic

However, many dwellings are constructed there will inevitably be an increase in traffic. The main roads in and out of Wheathampstead, especially the B651 and the B653, are already very busy. Both roads are extremely narrow in parts and have been getting busier and busier in the last few years with regular growing traffic tailbacks at busy times. On the B651 in and around Sandridge, new dwellings are already being constructed increasing already heavy traffic volumes. The B651 in particular is regularly used by cyclists and has a number of accident black spots where there have been serious accidents recently. According to data from Crashmap, in the last 10 years there have been 7 accidents on the B651 from Wheathampstead to Sandridge, 2 fatal and 2 serious and 25 accidents on the B653 from Marford roundabout to Katherine Warington School, 4 serious.

Any significant increase of traffic on these would give rise to an unacceptable level of congestion and higher risk of accidents. Careful consideration needs to be given as to how traffic from any new development would feed into these routes without causing undue congestion.

New developments also need to be sited and designed so that the impact on country lanes and residential streets is minimised.

A significant increase in road traffic would cause air quality to suffer further in the medium term, which in turn would have a detrimental impact on health.

Public transport, which has been declining, should be improved to meet the needs of a larger

population, and cycling should be encouraged. However, many people will continue to use their cars, and the car park in the centre of Wheathampstead must remain free to use in order to discourage parking in the busy High Street or in nearby residential roads.

There is also no mention of additional commuter trains from Thameslink to take workers into London from Harpenden. The current trains are already at capacity at peak times with standing room only and there is no contingency in the system.

Factors Outside Wheathampstead

Wheathampstead would of course also be impacted by nearby development outside its borders, in particular the developments at B2 North East Harpenden, M17 North of Wheathampstead Road, M19 Piggotshill Lane and M20 Lower Luton Road. The large-scale development at North East Harpenden (B2) would vastly increase the amount of traffic using the already very busy B653 through both Batford itself and Wheathampstead.

A further threat comes from the possibility of developments outside the District. In particular, the proposed expansion of Luton Airport would have a major impact on our area in terms of traffic, pollution and noise.

The combination of these external factors and the developments proposed within Wheathampstead itself would put an enormous and unacceptable strain on local roads and would vastly increase noise and pollution levels.

Cycleways

The Wheathampstead Neighbourhood Plan highlights the lack of safe cycle routes linking the village to all neighbouring settlements. Key routes to Welwyn Garden City and Harpenden would provide ideal cycling commuter routes by connecting to major railway stations. The route to Harpenden would also make it safe for children to cycle to secondary school which is currently not possible as the B653 is deemed too dangerous for children to cycle on. These should be included in the Local Plan as “Cycleways proposed routes” in figure 1.3.

New cycling infrastructure by creating Safe Cycleways for Wheathampstead should be explicitly provided through Section 106 funding allocation when major developments are approved. Also, when the Local Plan is approved and when the District becomes eligible for Community Infrastructure Levy then Wheathampstead must be allocated a significant share for cycling infrastructure since a failure to do so will perpetuate the use of private cars.

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Summary

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

Strategic Policy SP9 - Utilities Infrastructure

Comment Number: 5

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Utilities and Local Services

There is little mention in the Plan of utilities such as water and waste. If there is to be any increase in population, it will be vital that these are adequately provisioned. The impact on local services including doctors, dentists and schools, some of which are already under pressure, needs to be carefully assessed and proper plans and appropriate funding allocated before additional housing plans approved.

In particular, given the current water and sewage crisis, the council needs to work with Thames Water to ensure that the current issues are resolved before any additional strain is put on the water network. According to Thames Water data there have already been 14 storm overflow discharge events on the Wheathampstead stretch of the River Lea in the last 12 months. Work is urgently required to ensure sewage is not entering the River Lea as well fixing pipework, fixing/relocating pumping stations and improved flood management. Careful consideration, planning and appropriate funding will then be required to ensure the system can cope with additional housing.

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 7

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* No

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WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Environmental Issues

Biodiversity issues and the protection of natural resources receive scant attention in the Plan despite the significant loss of Green Belt land that the Plan envisages. The need to respond to climate change is dealt with in only a very general way.

Detailed plans are required on how the 10% improvement in biodiversity will be delivered given the extent of the building work, increase in traffic and loss of Green Belt and detailed plans of what measures will be taken to achieve climate change targets and deal with the expected extreme weather conditions.

The following Nature Reserves in Wheathampstead Parish should be added to the list;

1) Bower Heath

2) Butterfield Road Nature Reserve

3) Marshalls Heath

The country lanes around Wheathampstead Parish are lined with a plethora of healthy trees and many important hedgerows. The Parish Council is concerned that residential development in Wheathampstead will inevitably lead to more cars and vehicles using our country lanes. To protect the character of the country lanes (many of which are single track) and to preserve the important hedgerows and trees plus the ecology they support, road widening should be prevented. The alternative approach to facilitate increased throughput would be the use of properly signposted passing places at regular intervals.

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

NEB4 - Significant Publicly Accessible Green Areas

Comment Number: 8

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* No

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

M2 - Hill Dyke Road, Wheathampstead, AL4 8TR

Comment Number: 9

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WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Development Sites in Wheathampstead

WDPS is concerned about all development on Green Belt land unless there are exceptional circumstances, and as mentioned above there is provision in the NPPF for local planning authorities to restrict the scale of development to permit the protection of the Green Belt.

M2 Hill Dyke Road, Wheathampstead borders Dyke Lane which is a significant and important country lane that is mostly single track and lined with healthy trees and important hedgerows that need to be protected

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

M9 - Amwell Top Field, Wheathampstead, AL4 8DZ

Comment Number: 10

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Development Sites in Wheathampstead

WDPS is concerned about all development on Green Belt land unless there are exceptional circumstances, and as mentioned above there is provision in the NPPF for local planning authorities to restrict the scale of development to permit the protection of the Green Belt.

WDPS opposes the proposed development site M9 Amwell Top Field. It protrudes from the existing built-up area and encroaches on the countryside. This site borders Amwell Lane which is a significant and important country lane that is partly single track and lined with healthy trees and important hedgerows that need to be protected. We understand that development at the Amwell site would be limited to half of the Top Field. We trust that this would be in the northern half closest to the village and we would urge that the Plan map be re-drawn to highlight only that part of the field where development is proposed.

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Please upload any supporting documents here. Do not include any signatures or other personal data.

1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

UC3 - London Road Car Park, London Road, St Albans, AL1 1NG

Comment Number: 11

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

WDPS comments on St Albans City and District Council Draft Local Plan

Wheathampstead and District Preservation Society (WDPS) has approximately 400 households as members, and we therefore speak for around 15% of the population of the Wheathampstead area.

Other Development Sites impacting Wheathampstead

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

UC14 - Car Park to rear of 3 Church Green (Waitrose), Harpenden, AL5 2TJ

Comment Number: 12

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

UC15 - Bowers Way East Car Park Bowers Way, Harpenden, AL5 4EQ

Comment Number: 13

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

WDPS comments on St Albans City and District Council Draft Local Plan

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

UC48 - Car Park adj. to 42-46 Adelaide Street, St Albans, AL3 5BH

Comment Number: 17

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

UC50 - Southview Car Park, Lower Luton Road, Harpenden, AL5 5AW

Comment Number: 14

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

UC54 - Harpenden Railway Station Car Park East, Harpenden, AL5 4SP

Comment Number: 15

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* No

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1. WDPS comments SADC local plan Oct 2024 final_[R].pdf

371 - Tarmac

Submission Number: 371 Submission Date: 08/11/24 09:00

Respondent: Turley Steven Kosky

On Behalf Of C/O Turley : Tarmac

Part B - Local Plan Sites

Comment Number: 1

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

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St Albans Draft Local Plan 2041 – Regulation 19: Representations by Tarmac – Land at Colney Heath and Tyttenhanger

Land at Colney Heath and Tyttenhanger

I am writing on behalf of Tarmac in connection with representations made in relation to the above sites, as part of the Regulation 18 public consultation held last year.
We are currently in the process of preparing representations to the current Regulation 19 consultation for the above two sites, owned by Tarmac, but cannot seem to find any reference to them in the Council's evidence base. The above submissions (including full appendices) were submitted at the same time as Tarmac's representations in connection with the site allocation at Harper Lane. We can find reference to our Harper Lane representations in the evidence base, but none in relation to the above two sites, notably in terms of their site assessment and reason for non-allocation.
We however do not understand why these sites appear to have not been assessed, as we have receipts for their delivery (extract below) and these sites were also promoted in the earlier call for sites exercise held in 2021, along with other sites promoted by Tarmac at the time.

These representations have been prepared by Turley, on behalf of Tarmac, pursuant to the St Albans City and District Local Plan 2041, Regulation 19 Public Consultation, 2024. Tarmac is an established land promotion and development company with a strong portfolio of freehold and other commercial land interests in St Albans District. Tarmac is a major national employer, with active businesses operating in the area and nationwide experience of bringing forward strategic development sites for all scales for residential, mixed-use, commercial and industrial development.

Tarmac is promoting a number of its freehold sites in St Albans District for potential residential, employment and other forms of development. As part of these Regulation 19 responses, Turley has been instructed to prepare separate representations in relation to each of Tarmac's promoted site locations. The following submissions specifically relate to the following Tarmac sites: Site A - Land at Colney Heath, which is located southeast of the A414, between Colney Heath and Sleapshyde, as shown on the attached red line plan at Appendix 1 and Site B - Land at Tyttenhanger, which is also located southeast of the A414, as shown on the attached red line plan at Appendix 4.

Tarmac objects to the Draft Local Plan as currently proposed, primarily in relation to the omission of the two sites identified above from allocation in the Draft Local Plan. Tarmac also has further concerns, in relation to the construct of the Regulation 19 Draft Local Plan in general, which are set out in Section 2 of these representations. These concerns relate to the calculation of Local Housing Need, constraints on the housing land supply and the need for increased residential densities. Tarmac is also concerned in relation to the narrow spatial focus of the employment land allocations and the endorsement of the contents of the draft Local Plan for submission to the Secretary of State in advance of the conclusion of this Regulation 19 consultation stage.

Promoted Land at Colney Heath

The overall Tarmac site at Colney Heath comprises 43.58 hectares of open grassland, local woodland and a lake adjacent to the southwest boundary. In the 2021 Call for Sites, this Site was promoted to the Council as a suitable hybrid development proposal with the potential to provide a mixed-use development opportunity comprising 3.70 hectares of new B1 employment fronting the A414 (for an innovation hub or similar) with a small allocation of new homes directly adjacent to Colney Heath village, on a 1 hectare parcel, as referenced in the NPPF, directly to the rear of the High Street.

The A414 is an important transport corridor and Hertfordshire County Council (HCC) have adopted a strategy to upgrade the road into a principal multi-modal movement corridor, linking the main urban centres, to help support growth in a more efficient and sustainable manner. These improvements include the development of a Mass Rapid Transport (MRT) system, cycleways and other targeted capacity and other safety improvements.

The MRT envisages new development being located at key nodes within the corridor, with high quality interchange opportunities, to complement the alignment of planned land use with the emerging transport strategy. Both Tarmac sites suitably fulfil this criteria.

The employment land is proposed with a potential connection to a transport interchange with the A414 corridor, including the future MRT system. Access work associated with this new employment development will allow existing safety issues on the A414 to be addressed whilst also making strong connectivity for pedestrians and cyclists on a north - south axis, addressing the existing severance between Colney Heath and Sleapshyde.

With regard to the 1 hectare southern land parcel to the rear of Colney Heath High Street, an outline planning application (all matters reserved except for means of access) for up to 45 new homes was submitted to St Albans Council in February 2022 and validated on 8th March 2022, under reference 5/2022/0599 for the development of land to the rear of 96 To 106 High Street Colney Heath, adjacent to the Football Club.

The application was refused by the Council in May 2023 and submitted to the Inspectorate for appeal, but later withdrawn from appeal in October 2024. The final iteration of the application proposed 50% of these homes to be affordable and additionally proposed 10% as Custom Build homes, together with new landscaping, public open space and associated infrastructure works.

Whilst the application was refused by the Council, Tarmac considers that the site to the rear of the High Street remains highly suitable for the development proposed, and so Tarmac continues to advocate the scheme within these representations. In the interim, the draft NPPF has been published, which introduces the concept of ‘grey belt’ which characterises this site, as discussed later in these representations.

Tarmac owns and controls all of the land, referenced in these wider site submissions, all of which, can be reasonably brought forward for practical completion within five years of securing outline planning permission and reserved matters (both for the employment and residential elements).

This is a material consideration of very substantial weight, given the acknowledged need for employment land in the district and the continuing major deficit in the Council's five year housing land supply position. Ecological enhancements will also be a key element in the green infrastructure provision for this site, to help achieve Biodiversity Net Gain (BNG) and an illustrative Framework Masterplan is attached at Appendix 3 for reference.

In summary, whilst the promoted site at Colney Heath is not currently identified for allocation in the Draft Local Plan, these representations conclude that, on overall balance, that there are exceptional circumstances to support the allocation of Land at Colney Heath by St Albans Council for the mixed-use development proposed, both fronting the A414 and to the rear of Colney Heath High Street.

St Albans Draft Local Plan 2041 – Regulation 19: Representations by Tarmac – Land at Colney Heath and Tyttenhanger

Promoted Land at Tyttenhanger

The mixed-use proposals at Land at Tyttenhanger, as set out in these representations, are primarily landscape led, with over 60% of the site proposed for open space, recreation and semi-natural green space. The remaining area of the site is proposed for employment, commercial and residential land uses, together with a new transport interchange, to help deliver sustainable development within the A414 corridor, accessible to the future MRT, as set out above. The opportunity to create an MRT stopping point on the A414 at this location would similarly encourage more active and sustainable forms of personal travel.

The proposals for the Tarmac site at Tyttenhanger are on land which has been previously used, or is in current active use and is now nearing practical completion. The site is also located close to where other large scale strategic residential development, in the form of a 5000 home new settlement, has been allocated to the immediate south of the site by the adjoining local planning authority (Hertsmere Borough) as part of its emerging Local Plan. Indeed the Tarmac site at Tyttenhanger could provide a direct public transport corridor to the A414 to access the future MRT network. It is incumbent upon St Albans and Hertsmere to fully co-operate in securing the most sustainable active transport outcomes for the new settlement.

The Tarmac proposals at Tyttenhanger, set out in these representations, therefore merit further consideration by St Albans Council and we strongly urge the Council to reconsider the potential and value of this promoted Site. This site similarly meets the definition of 'grey belt' as set out in the draft NPPF. These representations conclude that there are therefore exceptional circumstances to support the allocation of Land at Tyttenhanger by St Albans Council for the mixed-use development proposed.

In overall conclusion, these representations demonstrate that both of Tarmac's sites at Colney Heath and Tyttenhanger are both sustainable and deliverable and so strongly warrant further consideration as part of the Draft Local Plan going forward. The site at Colney Heath offers a significant new employment opportunity in a strategic transport corridor on the A414, which can help to support the future delivery of the MRT. The southern part of the site is highly suitable for a residential and other similar uses and can assist the Council to meet its required 10% of allocations on small sites of 1ha or less. Colney Heath also offers significant potential for BNG as part of these developments.

The site at Tyttenhanger offers two land parcels, with opportunities for a similar range of uses, in the same strategic corridor, with similar benefits. Part of the site is available now and part of the site will be available later in the Plan period, which provides the Council with a future planned resource. Land at Tyttenhanger also offers significant potential for BNG as part of its development.

Both sites also meet the new definition of 'grey belt' as set out in the draft NPPF, by reason of meeting the basic tests, set out in the draft NPPF consultation. Accordingly on overall balance, there are exceptional circumstances available to St Albans Council to support the allocation of both Land at Colney Heath and Land at Tyttenhanger for the mixed-use development proposed, for the reasons set out above.

Where the Council requires any additional technical or other information, for either site, Tarmac and its consultant team will be able to address any technical queries on request and welcomes the opportunity to engage further with the Council.

Tarmac also requests the right to participate in the future examination of the St Albans Local Plan following its submission to the Secretary of State, pursuant to the matters raised in this Statement.

See attached documents for more information

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There are exceptional circumstances available to St Albans Council to support the allocation of both Land at Colney Heath and Land at Tyttenhanger for the mixed-use development proposed.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Appendix 1 - Land at Colney Heath - Site Boundary Plan 1-5000_[R].pdf
2. Appendix 2 - Land at Colney Heath - Constraints Plan_[R].pdf
3. Appendix 3 - Land at Colney Heath - Framework Plan 1-5000_[R].pdf
4. Appendix 4 - Land at Tyttenhanger - Site Boundary Plan 1-5000_[R].pdf
5. Appendix 5 - Land at Tyttenhanger - Constraints Plan_[R].pdf
6. Appendix 6 - Land at Tyttenhanger - Framework Plan 1-5000_[R].pdf
7. LANDAT~2.pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Tarmac also requests the right to participate in the future examination of the St Albans Local Plan following its submission to the Secretary of State, pursuant to the matters raised in this Statement.

372 - Gate Herts (Gypsy & Traveller Empowerment, Hertfordshire)

Submission Number: 372 Submission Date: 06/11/24 09:00

Respondent: Michael Hargreaves

On Behalf Of Gate Herts (Gypsy & Traveller Empowerment, Hertfordshire) :

Chapter 1 - A Spatial Strategy for St Albans City and District

Comment Number: 8

Type:

* Paragraph

Number:

1.9 - 1.11

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

6.0 Duty to Co-operate

6.1 The reference to the Duty to Co-operate and Joint Planning at paras 1.9 -1.11 of the Reg 19 Local Plan makes no reference to planning for Gypsies and Travellers. We wonder if this is because, notwithstanding the joint working with Dacorum on the Hemel Garden Communities that the Council does not regard planning for Gypsies and Travellers as a strategic planning matter. While the numbers and scale of land involved is small, for the following reasons we would suggest that in the St Albans and Hertfordshire context that provision for Travellers should be treated as a strategic matter which should be addressed through the duty to co-operate:

- The significant difficulties that all the Hertfordshire local planning authorities have had in providing enough accommodation for Gypsies and Travellers over many years;
- That the change in definition in the 2023 version of PPfTS has resulted in a substantial increase in the numbers meeting the definition and in need;

- That to meet those needs, a number are proposing that sites should be provided through garden villages, urban extensions and the like, but as far as we are aware they are not addressing the substantial delivery challenges we identify at para 4.6 of this submission (and have identified to all of them) ;
- That to meet those needs a number of them are proposing green belt releases to accommodate garden villages etc, and, in our submission, should also considering Green Belt releases on the basis of para 17 PPfTS; and
- In regard to St Albans, that the extent of undeveloped land, and of land not within the Chilterns AONB, may mean it has more potential to accommodate Traveller than some neighbouring areas.

7.0 Legal Compliance

7.1 The implication of the flaws in the Local Plan identified in the above paragraphs, not least in failing to making any allocations for Gypsies and Travellers, means that not only is the plan not sound, it is also not legally compliant on the basis:

- It indirectly discriminates against Gypsies and Travellers (whose ethnicity is a protected characteristic under the Equality Act) without adequate justification, contrary to s.19 of the 2010 Equality Act; and
- Its approach is contrary to the Public Sector Equality Duty under s.149 of the Act.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would ask the Inspector(s) appointed to examine the plan to ask the Council to explain whether it considers provision for Gypsies and Travellers is a strategic matter, and what action it is taking under the Duty to Co-operate.

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Annex 1 Traveller Sites through Local Plan Allocations_[R].pdf
2. Annex 2 Inspectors letter to GNLP re GT sites 190122_[R].pdf
3. Herts Gate Reg 19 Rep 061124_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

GATE Herts is one of the leading locally based Gypsy and Traveller organizations in England and the only significant Gypsy & Traveller organization in Hertfordshire. In our submission the plan is unsound and not legally compliant in regard to provision for Gypsies. We would contribute the lived experience of Gypsies and Travellers and substantial experience of planning for Gypsies and Travellers to the hearings.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

LG7 - Affordable housing in the Green Belt (rural exception sites)

Comment Number: 5

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Rural exception sites provide a potential way of meeting Gypsy and Traveller residential needs, but as drafted, the policy can be read to imply that housing for Gypsies and Travellers would be excluded, which would be discriminatory.

7.0 Legal Compliance

7.1 The implication of the flaws in the Local Plan identified in the above paragraphs, not least in failing to making any allocations for Gypsies and Travellers, means that not only is the plan not sound, it is also not legally compliant on the basis:

- It indirectly discriminates against Gypsies and Travellers (whose ethnicity is a protected characteristic under the Equality Act) without adequate justification, contrary to s.19 of the 2010 Equality Act; and
- Its approach is contrary to the Public Sector Equality Duty under s.149 of the Act.

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Add the words 'including Gypsy and Traveller residential pitches' to the first line of the policy so it reads:

Proposals for affordable-only housing, including Gypsy and Traveller residential pitches, in the Green Belt for local needs must demonstrate that: …..

Please upload any supporting documents here. Do not include any signatures or other personal data.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

GATE Herts is one of the leading locally based Gypsy and Traveller organizations in England and the only significant Gypsy & Traveller organization in Hertfordshire. In our submission the plan is unsound and not legally compliant in regard to provision for Gypsies. We would contribute the lived experience of Gypsies and Travellers and substantial experience of planning for Gypsies and Travellers to the hearings.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP4 - Housing

Comment Number: 3

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

3.0 St Albans City and District Council Gypsy & Traveller Accommodation Assessment, ORS, September 2024

3.1 The 2024 GTAA is not consistent with national policy in two important ways.

3.2 Contrary to para 7 of Planning Policy for Traveller Sites (PPfTS) the report did not:

1. a) '*pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups*)' nor
2. b) '*cooperate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up- to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan, working collaboratively with neighbouring local planning authorities*.'

3.3 Given that Gate Herts is one of the most active and effective locally based Traveller organizations in the country, that Phil Dodshon, the St Albans officer then responsible for the Local Plan specifically asked ORS to liaise with GATE Herts in relation to carrying out the GTAA, and that there was a meeting between GATE and representatives of ORS on 10 November 2023 we find the absence of any reference to engagement with Gate Herts hard to understand. Nor is there any reference to ORS engaging with the Gypsy and Traveller team at the County Council who manage the local authority sites across Hertfordshire.

3.4 In work I have personally been involved in on a needs assessment elsewhere in the country we have interviewed prominent members of the community and those involved in Traveller education, community development among the Traveller communities, local authority site managers, and planning agents who represented Gypsies. Those people added significantly to our understanding of the issues impacting on the Travelling communities in that area. In our report, unlike that of ORS which treats local authority planners as the only stakeholders, we treated all of these parties as stakeholders.

3.5 This apparent failure to engage, or when engagement has occurred to make any reference to it, would appear to be contrary to the requirements of PPfTS para 7 a) and b). It means the needs assessment is not informed by evidence based on the lived experience of Gypsy people, as opposed to the data gathered from them. Had this been done, some of the weaknesses in the GTAA that we identify below could have been avoided.

3.6 Our second major concern with the GTAA is that contrary to para 7 c) of Planning Policy for Traveller Sites (PPfTS) it does not represent '*a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions'.*

3.7 We have at least two significant concerns with the 2024 GTAA. We are also unclear on what the study is saying about the requirement to include need from unidentified households. The relevant sections of the report at paras 1.16, 3.26 - 3.32 and Appendix C are ambiguous. At para 4.18 we indicate how we recommend that the forecasts of need from unidentified households should be taken into account in the pitch targets.

3.8 We believe that the GTAA's approach to need from housed Gypsies and Travellers at paras 3.17 – 3.19 and 7.23 is unsound. According to the 2021 Census for England only 21.6% of those identifying as White Gypsy or Irish Traveller were living in caravans or other mobile or temporary structures. The remaining 78.4% were living in various types of bricks and mortar accommodation. We will check the St Albans figure but we would be very surprised if those in housing did not represent a majority of the Gypsy population in St Albans. Based on our experience leading a GTAA in another part of the country we would suggest that

- the failure to interview any housed Travellers is a profound weakness of the way the study was carried out;
- While housed Travellers can be 'hard to reach', they are more likely to be reached where the research team works closely with local Traveller organisations; and
- The implied assumption that housed Travellers will only require housing is not correct. Our research establishes that while many prefer housing, the preference of a significant number is for pitch accommodation (and following the December 2023 change in definition a significant number of them will meet the definition).[1]

3.9 One of the weaknesses of many GTAAs is the tendency to focus almost exclusively on the residents of established sites and one of the challenges in producing robust GTAAs is to identify need from the more mobile households who lack secure accommodation, and who by definition are more likely to be in need.

3.10 A related issue is the apparent assumption at paras 7.37 – 7.46 that there is no identifiable need for transit accommodation. Given the increasing draconian measures against unauthorised encampment through the Criminal Justice and Public Order Act 1994 and Police Act 2022, we should be cautious about using the '*historic low numbers of unauthorised encampments'* to conclude that there is limited current need for transit accommodation. More generally, we are surprised that discussions with members of the travelling communities did not bring out concerns with the lack of a range of transit opportunities, which in our experience is an issue which comes out strongly in discussions with Travellers.

3.11 It should have been possible for the GTAA to get some understanding of the need from mobile, roadside households and for transit accommodation by speaking to the Gypsy and Traveller team at the County Council who are responsible for the Mimms transit site in Hertsmere site, the very experienced gentleman who manages the site for the county, together with the temporary site residents. Finally we would have expected the research team to have spoken to the family living roadside in the area who are well known to the Gypsy and Traveller team at the County, St Albans Council, and to GATE Herts.

7.0 Legal Compliance

7.1 The implication of the flaws in the Local Plan identified in the above paragraphs, not least in failing to making any allocations for Gypsies and Travellers, means that not only is the plan not sound, it is also not legally compliant on the basis:

- It indirectly discriminates against Gypsies and Travellers (whose ethnicity is a protected characteristic under the Equality Act) without adequate justification, contrary to s.19 of the 2010 Equality Act; and
- Its approach is contrary to the Public Sector Equality Duty under s.149 of the Act.

[1] Once the GTAA I have been involved with is published, I will make its results on need from housed Gypsies and Travellers available.

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* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

GATE Herts is one of the leading locally based Gypsy and Traveller organizations in England and the only significant Gypsy & Traveller organization in Hertfordshire. In our submission the plan is unsound and not legally compliant in regard to provision for Gypsies. We would contribute the lived experience of Gypsies and Travellers and substantial experience of planning for Gypsies and Travellers to the hearings.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU5 - Self-Build and Custom Housebuilding

Comment Number: 6

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Self-build sites provide a potential way of meeting Gypsy and Traveller residential needs, but as drafted, the policy can be read to imply that housing for Gypsies and Travellers would be excluded, which would be discriminatory. Modifying the plan to include provision for Gypsies and Travellers would potentially be particularly valuable for at least two reasons: firstly on the basis that many Gypsies are self-builders: they have the construction skills and develop their sites themselves; and secondly because of the availability of the land, which Policy HOU5 states must be reserved for self-build provision within Broad Locations and housing sites with a capacity for 100 + dwellings.

7.0 Legal Compliance

7.1 The implication of the flaws in the Local Plan identified in the above paragraph, not least in failing to making any allocations for Gypsies and Travellers, means that not only is the plan not sound, it is also not legally compliant on the basis:

- It indirectly discriminates against Gypsies and Travellers (whose ethnicity is a protected characteristic under the Equality Act) without adequate justification, contrary to s.19 of the 2010 Equality Act; and
- Its approach is contrary to the Public Sector Equality Duty under s.149 of the Act.

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Add the words 'including for Gypsies and Travellers' to the first line of the policy so it reads:

With regard to Self-build and Custom Housebuilding, including for Gypsies and Travellers, the Council: ….

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* Yes, I wish to participate in hearing session(s)

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GATE Herts is one of the leading locally based Gypsy and Traveller organizations in England and the only significant Gypsy & Traveller organization in Hertfordshire. In our submission the plan is unsound and not legally compliant in regard to provision for Gypsies. We would contribute the lived experience of Gypsies and Travellers and substantial experience of planning for Gypsies and Travellers to the hearings.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

HOU6 - Gypsies, Travellers and Travelling Show People

Comment Number: 4

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

Policy HOU6 is profoundly inadequate and unsound.

4.2 It ignores the para 9. PPfTS requirement to set pitch targets for Gypsies and Travellers which address likely permanent and transit needs.

4.3 It ignores the para 10 a) and b) PPfTS requirement to identify a supply of specific deliverable sites, and specific developable sites or broad locations for growth, although the proposals for two 15 -20 pitch sites in East Hemel Hempstead South and Central may be equated with broad locations for growth.

4.4 The principles in HOU6 a), b) and c) are too vague to represent adequate criteria to guide land supply allocations, as required by para 11 PPfTS.

4.5 We would also argue that criteria based policies are required to provide a basis for decisions on sites which are not allocated.

4.6 We do not support the degree of emphasis in the Plan on new sites within 'Broad Locations for development'. As we indicated in our Reg 18 reps:

- There is a huge gap between allocation in the Plan and getting sites delivered on the ground. As shown by the examples in Annex 1 across the country, the record on delivery of allocations in major urban extensions etc is extremely poor. The reasons for this include that site developers do not welcome Gypsy provision and will put efforts into avoiding, postponing, or watering down provision. At the same time, there is little political advantage for local planning authorities in promoting sites, and they may be open to being persuaded not to include or to delay provision;
- One of the starting points for developing sound proposals, will be through an understanding what Gypsy people actually want. Provision which does not take account of Gypsy & Traveller needs is unlikely to be successful..
- Among the questions that needs to be addressed in developing proposals for sites delivered as part of major urban extensions are: Will these sites be for private ownership by Gypsy & Traveller owner-occupiers, or social rented? Who will be responsible for implementation and disposal of private sites? How extensively will such sites be developed before sale? Could pitches be part rent part buy? In regard to social rented sites, who will manage the sites?
- There is a particular issue of the lack of housing providers willing to take on the management of new sites.

4.7 There is also a vagueness and ambivalence about what the plan proposing. Is it limiting provision to the East Hemel Hempstead sites for the reasons at HOU6 d), or is it also considering sites in the other broad locations as implied by HOU6 b)? It is also not clear why the East Hemel Hempstead sites should be identified over the other broad locations.

4.8 While the scale of need in St Albans may mean that sites delivered in association with major urban extensions may be required, for the following reasons they should only figure as part of a solution, together with sites owned by Gypsies and Travellers, which would need to provide all or most of the pitches in the early years of the plan:

- While the need is front loaded – see GTAA fig 12, Table 3.2 of the Draft Plan confirms that development from the Broad Locations will be back loaded towards the end of the Plan period. There is an important gap for years 1-5 and potentially years 6- 10 which development through the Broad Locations will not be able to fill;
- By contrast to the reticence of developers of major urban extensions etc Gypsy and Traveller site owners are strongly motivated to ensure sites are delivered.

4.9 The Council has failed to make use of para 17 PPfTS, which in the circumstances of St Albans is the obvious and appropriate way of making allocations and avoiding the need for high conflict and high cost (for all parties) planning appeals.

4.10 The fact that the plan fails to make adequate or indeed any allocations for Gypsies and Travellers means that the plan is contrary to the social objective of sustainable development at para 8 b) NPPF, that it ignores the NPPF objectives towards the supply of homes, and for different groups in the community at paras 60 and 63, NPPF, and that it is contrary to the objectives at paras 4 b., 4 e, 4 h, and 4 j. PPfTS, and to the sustainability objectives for Gypsy sites at paras 13. b, 13. c., 13. d, and 13. h PPfTS.

4.11 St. Albans' policy failure in regard to adequate provision for Gypsies and Travellers goes back many years. One indicator of this is the way that, notwithstanding the high bar to establish 'very special circumstances' to permit development in the Green Belt, a whole sequence of appeals have been allowed in St Albans in recent years.[1]

4.12 The policy failure is particularly unreasonable precisely because of the character of St Albans: the whole of the district is either within the footprint of the settlements where land values are very high or included within the Green Belt. Together with the cultural preference of Gypsy people to live in the countryside, (which is indirectly acknowledged at paras 14 and 25 PPfTS) this inevitably means that Traveller sites need to be in the current Green Belt.

7.0 Legal Compliance

7.1 The implication of the flaws in the Local Plan identified in the above paragraphs, not least in failing to making any allocations for Gypsies and Travellers, means that not only is the plan not sound, it is also not legally compliant on the basis:

- It indirectly discriminates against Gypsies and Travellers (whose ethnicity is a protected characteristic under the Equality Act) without adequate justification, contrary to s.19 of the 2010 Equality Act; and
- Its approach is contrary to the Public Sector Equality Duty under s.149 of the Act.

[1] 3259165 Nuckies Farm, November 2019; 3233561 Tullochside March 2020; 3259165 Ardens Rise October 2022; 3283105 Coursers Road February 2023; 3276551 Woodview Lodge April 2023:

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy HOU6 is profoundly inadequate and unsound.

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4.5 We would also argue that criteria based policies are required to provide a basis for decisions on sites which are not allocated.

4.6 We do not support the degree of emphasis in the Plan on new sites within 'Broad Locations for development'. As we indicated in our Reg 18 reps:

- There is a huge gap between allocation in the Plan and getting sites delivered on the ground. As shown by the examples in Annex 1 across the country, the record on delivery of allocations in major urban extensions etc is extremely poor. The reasons for this include that site developers do not welcome Gypsy provision and will put efforts into avoiding, postponing, or watering down provision. At the same time, there is little political advantage for local planning authorities in promoting sites, and they may be open to being persuaded not to include or to delay provision;
- One of the starting points for developing sound proposals, will be through an understanding what Gypsy people actually want. Provision which does not take account of Gypsy & Traveller needs is unlikely to be successful..
- Among the questions that needs to be addressed in developing proposals for sites delivered as part of major urban extensions are: Will these sites be for private ownership by Gypsy & Traveller owner-occupiers, or social rented? Who will be responsible for implementation and disposal of private sites? How extensively will such sites be developed before sale? Could pitches be part rent part buy? In regard to social rented sites, who will manage the sites?
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- While the need is front loaded – see GTAA fig 12, Table 3.2 of the Draft Plan confirms that development from the Broad Locations will be back loaded towards the end of the Plan period. There is an important gap for years 1-5 and potentially years 6- 10 which development through the Broad Locations will not be able to fill;
- By contrast to the reticence of developers of major urban extensions etc Gypsy and Traveller site owners are strongly motivated to ensure sites are delivered.

4.9 The Council has failed to make use of para 17 PPfTS, which in the circumstances of St Albans is the obvious and appropriate way of making allocations and avoiding the need for high conflict and high cost (for all parties) planning appeals.

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4.12 The policy failure is particularly unreasonable precisely because of the character of St Albans: the whole of the district is either within the footprint of the settlements where land values are very high or included within the Green Belt. Together with the cultural preference of Gypsy people to live in the countryside, (which is indirectly acknowledged at paras 14 and 25 PPfTS) this inevitably means that Traveller sites need to be in the current Green Belt.

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4.13 In this section we identify the minimum essential actions and modifications necessary to make Policy HOU6 of the plan sound. There are further issues that need to be addressed to make the plan fully compliant with Government policy and legal requirements, but it may not be not realistic to address within the time available for examination of the plan. For that reason, we suggest a number of modifications, which identify the remaining weaknesses in the plan's policy framework that would need to be addressed through subsequent review of the Plan (as well as being material to planning decisions in the interim).

4.14 We would ask the Inspector(s) appointed to examine the plan to indicate at the earliest possible point in the process that the plan cannot be found sound without adequate allocations for Gypsy and Traveller residential use. At Annex 2 is a letter from the Inspectors who examined the Greater Norwich Local Plan relating to the work involved in bringing forward allocations through modifications. Such work will take time, and we would expect it to make use of the sites we proposed to the Council through the call for Gypsy and Traveller sites.

4.15 As well as allocations, given the issues we identify at para 4.6 above with delivering pitches from the Broad Locations for Development, we would ask the Inspector(s) to require the Council to explain how such sites will be delivered. If the Council is unable to explain exactly how pitches will be delivered, such developments will not be able to bring forward the 'specific development sites' required by para 9 a) PPfTS and should not be included in the Plan.

4.16 As well as explaining how such sites will be able to guarantee the delivery of pitches, we would ask the Inspector(s) to require the Council to appraise which, if any, of the Broad Locations are the most appropriate to include allocations for Gypsies and Travellers, and the timescale for their delivery (which is needed to determine whether and when such sites would be able to deliver pitches to meet the timetable of need identified through the GTAA).

4.17 In the following paragraphs we suggest key elements of a sound replacement for HOU6. The paragraphs in italics represent suggested text. The paragraphs headed comments provide justification for the text we suggest.

4.18 ***a) Pitch Target***

At least 98 additional Gypsy and Traveller residential pitches should be developed.

Figure – : Minimum need for additional Gypsy and Traveller pitches by time period and source of need ***[PLEASE SEE ATTACHMENT AS OUR REPRESENTATION DATABASE IS UNABLE TO DISPLAY TABLES]***

This is a minimum requirement, which should be met, rather than a ceiling which should not be exceeded.

The real level of need is likely to be higher because the 2024 needs assessment did not take account of need from Gypsies and Travellers in bricks and mortar housing, nor from homeless, mobile families. In addition, some pitches developed through this policy may be occupied by families who fall outside the definition, [1] and the stronger development constraints in neighbouring districts may mean that an approach to accommodating needs based on the duty to co-operate may require St Albans to contribute to accommodating some of their needs.

In order to maintain an up-to-date understanding of needs, the needs assessment should be reviewed regularly. Any review should address the needs of families in bricks and mortar housing, from homeless, mobile homeless families, for transit accommodation and potentially to contribute to meeting the needs of neighbouring districts through the duty to co-operate.

Comment
While not all the undetermined households will meet the definition, given the very large sample size, it is reasonable to apply the local results from the interviews in St Albans that 79% met the definition to the undetermined households. The above figures are based on reading Figure 2 of the GTAA with Figure 12. The alternative to not include an allowance for need from the undetermined households would be to effectively assume that none would meet the definition, which is not credible.

4.19 ***b) Site Allocations***

The need for a minimum of at least 98 pitches will be provided for by ***[PLEASE SEE TABLE IN ATTACHMENT AS THE REPRESENTATION DATABASE IS NOT ABLE TO DISPLAY TABLES]****:*

Comment

In our submission to the Gypsy and Traveller Call for Sites we suggested a number of options for how the land in the vicinity of Caravan Site, Watling Street, could be developed to provide accommodation.

Sites developed as part of or in association with the Broad Locations for Development should only be included if the evidence establishes that the pitches will be delivered within the appropriate time-scale. Other councils in Hertfordshire are also proposing to secure pitches in this way. GATE has suggested to them that such a study should be taken forward jointly. Subject to resources, GATE would be willing to take part in such work.

4.20 ***c) Pitches developed as part of or in association with the Broad Locations for Development***

Comment

This part of the policy will only be needed if the Council is able to ensure that the pitches will be delivered within the appropriate time-scale.

The effectiveness of this type of policy, which is likely to be at least in part dependent on contributions from the developers of the sites, is likely to be increased if contributions linked to the development can be invested in sites elsewhere. In this context the land in the vicinity of Caravan Site, Watling Street may be particularly relevant.

4.21 ***d) Loss of Pitches***

Planning Applications that result in the loss of pitches will not be permitted unless replaced by at least an equivalent number and quality of pitches

4.22 ***e) Planning applications on non-allocated sites.***

Subject to the other policies of the Plan, proposals will be permitted where the site:

- *Is within reasonable travelling distance of schools, services, and shops;*
- *Has suitable vehicular access;*
- *Is of a scale and character appropriate to the*

Development in the Green Belt should not be regarded as inappropriate where the Council cannot show a five-year supply of deliverable sites.

Comment

The approach to development in the Green Belt is based on applying the approach at para 152 of the Consultation Draft NPPF, July to Traveller development.

f) Transit Pitches

Pending a more complete understanding of transit and related needs, which should be carried out through the next review of the GTAA, and subject to the other policies of the Plan, proposals for transit pitches and for a temporary stopping place will be supported, including where they represent subsidiary parts of larger Gypsy and Traveller residential sites.

Comment

We have been involved in a number of schemes which propose transit pitches as a subsidiary element of site development proposals. Such an approach contributes to the need for transit accommodation on an interim basis, while providing the potential to accommodate the site owners' longer-term family needs.

[1] *For reasons including pitches on social rented sites being allocated on the basis of need, not planning status, and pitches being occupied by non-mobile households on the basis that denying them accommodation would break up an extended family who depend on each other for support.*

Please upload any supporting documents here. Do not include any signatures or other personal data.

1. Annex 1 Traveller Sites through Local Plan Allocations_[R].pdf
2. Annex 2 Inspectors letter to GNLP re GT sites 190122_[R].pdf
3. Herts Gate Reg 19 Rep 061124_[R].pdf

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

* Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

GATE Herts is one of the leading locally based Gypsy and Traveller organizations in England and the only significant Gypsy & Traveller organization in Hertfordshire. In our submission the plan is unsound and not legally compliant in regard to provision for Gypsies. We would contribute the lived experience of Gypsies and Travellers and substantial experience of planning for Gypsies and Travellers to the hearings.

I would like to be notified about the submission of the St Albans Local Plan for Independent Examination:

* Yes

I would like to be notified about the publication of the report of the Inspector appointed to carry out the examination:

* Yes

I would like to be notified about the adoption of the Local Plan:

* Yes

Strategic Policy SP10 - Natural Environment, Biodiversity and Green and Blue Infrastructure

Comment Number: 7

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Cooperate

The implication of Policy SP10 f) is that Gypsy and Traveller residential development within the Chilterns Beechwoods Special Area of Conservation Zone of Influence will be required to make contributions towards the Strategic Access Management and Monitoring Strategy and to provision for new Suitable Alternative Natural Greenspace. These financial contributions are substantial. In the absence of evidence about the recreational habits of Gypsies and Travellers we would question whether such contributions are justified.

7.0 Legal Compliance

7.1 The implication of the flaws in the Local Plan identified in the above paragraph, not least in failing to making any allocations for Gypsies and Travellers, means that not only is the plan not sound, it is also not legally compliant on the basis:

- It indirectly discriminates against Gypsies and Travellers (whose ethnicity is a protected characteristic under the Equality Act) without adequate justification, contrary to s.19 of the 2010 Equality Act; and
- Its approach is contrary to the Public Sector Equality Duty under s.149 of the Act.

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* Yes

Part B - Local Plan Sites

Comment Number: 2

Type:

* Site

Number:

new Sites

Do you consider the St Albans Local Plan to be legally compliant?

* No

Do you consider the St Albans Local Plan to be sound (positively prepared, justified, effective and consistent with national policy)?

* No

Do you consider the St Albans Local Plan to have complied with the Duty to Cooperate?

* No

Please give details of why you consider the Local Plan is, or is not, legally compliant, sound, or compliant with the Duty to Co-operate

REDACTED1.0 introduction

1.1 Gypsies and Travellers are among the most prejudiced against and deprived communities in Britain, see: England's Most Deprived Groups: Gypsies, Roma, Travellers. Communities, EHRC, 2016[1] and Tackling Inequalities Faced by Gypsy Roma and Traveller, House of Commons Women and Inequalities Committee, 2019[2].

1.2 The treatment of Gypsies and Travellers is contrary to various international conventions and the UK Government's commitment to them, see for example the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities, Fifth Opinion on the UK Government, December 2022. [3]

1.3 There is an accommodation crisis among Gypsies and Travellers that is far more severe than among the settled community and levels of homelessness are far more acute. The stress over sites and planning is a major contributor to anxiety, depression and even suicide. Because having a secure home is so fundamental to people's lives and to accessing services, without addressing the accommodation shortage, it will not be possible to address the other inequalities in areas such as health, life expectancy, education, and the criminal justice system to which Gypsy people are subject.

1.4 [Sets out structure of attached pdf]

1.5 With Development Plans – as in much of the planning system - the perfect can be the enemy of the good. We are aware of the recent correspondence between Planning Minister, Matthew Pennycook and the Chief Executive of the Planning Inspectorate in which the Minister wrote:

'Pragmatism should be used only where it is likely a plan is capable of being found sound with limited additional work to address soundness issues. Any pauses to undertake additional work should usually take no more than six months overall.'

We support this approach. However, the plan is weak and unsound in its coverage of Traveller issues. We identify the minimum essential actions and modifications necessary to make the plan sound. There are other issues that it may not be realistic to address within the time available, and recommend modifications to identify the weaknesses in the policies being put in place that would need to be addressed in a subsequent review of the Plan.

2.0 Background to GATE Herts' Involvement

2.1 GATE Herts (https://gateherts.org.uk/) is one of the leading locally based Gypsy and Traveller organisations in England. Through Report Racism GRT https://reportracismgrt.com/ it plays a national role in regard to reporting and supporting the victims of hate crime against Gypsies and Travellers. It is a member of the Moving for Change coalition of Gypsy and Traveller organisations https://www.movingforchange.org.uk/.

2.2 The planning system is central to controlling the supply of accommodation for Gypsy people. Individual families will fund planning applications and appeals etc relating to individual sites. Very few resources have gone into challenging development plans, which can have the potential to address the policy constraints on making more adequate provision, and in some cases weak needs assessments and inadequate allocations have been allowed to go unchallenged in the examination of the plan, or the issues 'kicked down the road'.

2.3 Reflecting its concerns about the working of the planning system Gate Herts has been able to obtain a small amount of resources to engage with the Local Plan teams across Hertfordshire and to challenge the emerging Local Plans. We see Hertfordshire are a critical area. It is part of that ring of counties around London: Essex, Buckinghamshire, Hertfordshire, Kent, Surrey with among the largest Traveller populations, but often the highest levels of conflict reflecting the extent of Green Belt, high land values etc.

2.4 Gate Herts has engaged throughout the local plan process, consistently stressing the same issues.

2.5 We took the opportunity of the 2024 Gypsy and Traveller call for sites to identify a group of sites. We proposed that the sites should be removed from the Green Belt and allocated as Gypsy and Traveller residential sites on the basis of Planning Policy for Traveller Sites para 17. Specifically:

- We recommended that some of the land which we understand to be in the Council's ownership adjoining the Caravan Site, Watling Street, Park Street should be allocated;
- We identified the following sites REDACTED with potential for site extensions and / or for unauthorised development to be authorised: Meadowside; Adjoining 73 Chiswell Green Lane; Mill House Yard; Woodview Lodge; Nuckies Farm; Ardens Rise; Tullochside;
- However, while noting that those sites were in private ownership, and that any development would need to be carried out so as to ensure and guarantee the delivery of Traveller accommodation we supported the principle of the allocation of land for additional Gypsy and Traveller accommodation within the sites promoted through the previous call for sites to the north-west and south of the Barley Mow caravan site; and Adjoining the Ver Meadows caravan site.; and
- We supported the proposal submitted REDACTED to develop land at Luton Lane, Redbourn as a 15 pitch Gypsy & Traveller site.

7.0 Legal Compliance

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[1] https://www.equalityhumanrights.com/sites/default/files/is-england-fairer-2016-most-disadvantaged-groups-gypsies-travellers-roma.pdf

[2] https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/360/full-report.html

[3] https://rm.coe.int/0900001680ab55b4

Please set out the modification(s) you consider necessary to make the St Albans Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the St Albans Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We are disappointed that the Council has not included any of our proposals in the Regulation 19 Plan. However, central to our case is that to be sound, the plan must include an adequate level of allocations for Gypsy and Traveller residential use. This requires the Council to appraise and bring forward proposals. The sites we have suggested provide a useful starting point for carrying this work out.

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