

# COLNEY HEATH PARISH COUNCIL

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Land adjacent to Colney Heath Football Club, Colney Heath, St Albans

PINS Ref : APP/B1930/W/23/3333685

LPA REF: 5/2022/0599

COMMENT ON THE MINISTERIAL STATEMENT  
ISSUED BY THE DEPUTY PRIME MINISTER on 30<sup>th</sup> July 2024

DATE	
24 Sep 2024	Issue to PINS

1. The section of the Ministerial Statement most relevant to the Parish Council's position for the appeal site is "Building in the Right Places", reproduced in Appendix 1, with paragraphs numbered for ease of reference. Also included is an extract regarding delivery of affordable homes.
2. Reference is made in paragraph 1 to the definition of "brownfield" land being expanded to include hardstanding and glasshouses. The appeal site is not "brownfield land" or previously developed land, and hardstanding and glasshouses are not present. It is a "pure Green Belt" site.
3. Reference to "grey belt" land is made in paragraph 2 as follows: "as many assessments show, large areas of the Green Belt have little ecological value and are inaccessible to the public. Much of this area is better described as 'grey belt': land on the edge of existing settlements or roads, and with little aesthetic or environmental value".
4. The appeal site is beyond the settlement boundary of the village. In the ARUP Green Belt Review, Washed Over Villages Study (CD 3.5), with regard to the settlement edge characteristics and setting, ARUP noted the quality of the relationship with the open countryside, there being a mix of intact back garden hedgerow boundaries but also relatively undefined or intermittent boundaries with a mix of man-made and natural features in the gaps between residential developments. The appeal site has been actively farmed for many years, with edges forming footpaths for both leisure use and pedestrian access routes from the Roestock area to the primary school and through to the neighbouring settlements of Sleapshyde and Smallford. The appeal site is clearly not "grey belt" land; it is productive agricultural land.
5. Paragraph 2 of the Statement also notes that "development in the Green Belt happens in a haphazard and non-strategic way, leading to unaffordable houses being

built without the amenities that local people need". This comment applies exactly to the appeal proposal.

6. Strategically, the St. Albans District Council Regulation 18 draft Local Plan does not propose to allocate any land in Colney Heath village. In the plan's development hierarchy Colney Heath is a tier 6 Green Belt Village, only one tier above the lowest tier of the hierarchy i.e. Green Belt Hamlet. This is a strategic proposal based on an objective assessment and is reinforced by the Arup Green Belt review of 2023 which concluded that Colney Heath village should remain "washed over", hence no Green Belt land should be released for development.
7. The properties available in Colney Heath are not affordable for local people. This is supported by the recent (18<sup>th</sup> September) data from Rightmove which reveals that the average sale price of properties in the St. Albans area is 17 times greater than the average annual income for the area, and that average rents are the highest in the country outside London at 71% above the national average. The average household income in Colney Heath is c£37,600. Taylor Wimpey are advertising new build houses at "Colney Manor", the development of 100 houses on Bullens Green Lane, at £575,000 for 3 bed houses and £850,000+ for 4 bed houses. This demonstrates that new developments are not assisting in meeting local housing needs.
8. Paragraph 4 of the Statement refers to the review of Green Belt boundaries. St Albans District Council proposes the release 792 hectares of Green Belt land in their Regulation 18 draft Local Plan. This follows the review of the Green Belt boundaries by Arup in 2023. Paragraph 144 of the draft NPPF refers to the hierarchy of priorities for release of Green Belt land: PDL in sustainable locations, grey belt in sustainable locations, and only then other sustainable Green Belt locations. A clear implication of this hierarchy is that land in non-sustainable locations should not be released.
9. Paragraph 4 of the Statement makes clear that after the allocation of brownfield and grey land it could be possible to allocate Green Belt sites for development where very special circumstances exist, but such cases would be exceptional. This is noted in para 11(d) of the draft NPPF which states that where there is no Local Plan, as is the case for St. Albans, permission should generally be granted unless the adverse impacts significantly outweigh the benefits when assessed against NPPF policies, especially those relating to location. It is also intended that the presumption in favour of sustainable development should be strengthened. This is to be done by clarifying the circumstances in which the presumption applies and introducing new safeguards to make clear that its application cannot justify poor quality developments.
10. While paragraph 4 allows that development on Green Belt land could be permitted in very special circumstances, paragraph 5 of the Statement is explicit in stating that development on Green Belt land must be supported by the necessary infrastructure, such as schools, GP surgeries and transport links. Colney Heath village is not a sustainable location; it is not supported by these amenities. Moreover, these

amenities cannot be easily reached by sustainable means of access, particularly walking and cycling, or by direct public transport services.

11. Paragraph 98 of the draft NPPF states that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development. No such improvements are currently proposed for Colney Heath other than the upgrading of the cycle way to the Samuel Ryder Academy. However, in 2024 only 5 children from the Colney Heath School and Nursery were allocated secondary places at Samuel Ryder Academy, hence the proposed upgrading would be of very limited benefit.
12. Paragraph 5 of the Statement is explicit in stating that developments on Green Belt land should have a target of at least 50% affordable housing in addition to the infrastructure referred to above; it should also provide accessible green space. The appeal scheme does not meet either of these criteria.
13. In summary, it can be seen that the appeal proposal reflects precisely what the Statement seeks to avoid, namely “unaffordable houses being built without the amenities that local people need”.

## **Appendix 1**

### **BUILDING IN THE RIGHT PLACES**

1. If we have targets that tell us how many homes we need to build, we next need to make sure we are building in the right places. The first port of call for development should be brownfield land, and we are proposing some changes today to support more brownfield development: being explicit in policy that the default answer to brownfield development should be yes; expanding the current definition of brownfield land to include hardstanding and glasshouses; reversing the change made last December that allowed local character to be used in some instances as a reason to reduce densities; and in addition, strengthening expectations that plans should promote an uplift in density in urban areas.

2. It is however also clear that brownfield land can only be part of the answer, and will not be enough to meet our housing needs – which is why a Green Belt designed for England in the middle of the twentieth century now must be updated for an England in the middle of the twenty first. The Green Belt today accounts for more land in England than land that is developed – around 13 per cent compared to 10 per cent. Yet as many assessments show, large areas of the Green Belt have little ecological value and are inaccessible to the public. Much of this area is better described as ‘grey belt’: land on the edge of existing settlements or roads, and with little aesthetic or environmental value. It is also true that development already happens on the Green Belt, but in a haphazard and non-strategic way, leading to unaffordable houses being built without the amenities that local people need.

3. This Government is therefore committed to ensuring the Green Belt serves its purpose, and that means taking a more strategic approach to Green Belt release. We will start by requiring local authorities to review their Green Belt boundaries where they cannot meet their identified housing, commercial or other development needs. There will be a sequential approach, with authorities asked to give consideration first to brownfield land, before moving onto grey belt sites and then to higher performing Green Belt land – recognising that this sequence may not make sense in all instances, depending on the specific opportunities available to individual local authorities. We are defining grey belt land through reference to the specific reasons for which the Green Belt exists, so that it captures sites that are making a limited contribution to the Green Belt’s purposes, with additional guidance set out in the consultation. Existing protections for land covered by environmental designations, for example National Parks and Sites of Special Scientific Interest, will be maintained – and there will be a safety valve to ensure Green Belt is not released where it would fundamentally undermine the function of the Green Belt across the area of a local plan as a whole.

4. But we cannot wait for all release to come through plan making. Where authorities are under performing – be that lacking a sufficient land supply or failing to deliver enough homes as measured by the Housing Delivery Test – we will therefore also make it clear that applications for sites not allocated in a plan must be considered where they relate to brownfield and grey belt land. This route will maintain restrictions on the release of wider Green Belt land, meaning it would remain possible for other Green Belt land to be released outside the plan-making process where ‘very special circumstances’ exist, but such cases would remain exceptional. We are also strengthening the general presumption in favour of sustainable development, by clarifying the circumstances in which it applies and introducing new safeguards to make clear that its application cannot justify poor quality development.

5. Whenever Green Belt land is released, it must benefit both communities and nature. That is why we have today translated our ‘golden rules’ into policy, meaning that development on Green Belt will need to: target at least 50 per cent of the homes onsite being affordable for housing developments; be supported by the necessary infrastructure, like schools, GP surgeries and transport links; and provide accessible green space.

6. To maximise the value delivered to communities, we are making clear that negotiation on viability grounds can take place only where there is clear justification. This will enable fair compensation for landowners, but not inflated values. If we see quality schemes come forward that promise to deliver in the public interest but individual landowners are unwilling to sell at a fair price, bodies such as Homes England, local authorities and combined authorities should take a proactive role in the assembly of land to help bring forward those schemes, supported where necessary by compulsory purchase powers. If necessary, my ministers and I will consider the use of directions, including by local authorities and Homes England, to secure ‘no hope value’ compensation where appropriate and justified in the public interest.