

MADDOX PLANNING

**PLANNING
STATEMENT**

LONDON & MANCHESTER

0345 121 1706

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PLANNING STATEMENT

LAND WEST OF WATLING STREET, PARK STREET,
ST ALBANS

Description of development

Outline planning permission with all matters reserved except access is sought for up to 95 dwellings, including 40% affordable dwellings and 5% self-build and custom build dwellings, public open space, landscaping and associated infrastructure on land West of Watling Street, Park Street.

Type of application

Outline planning application with all matters reserved except for access.

Applicant

M Scott Properties Limited (Scott Properties), T Sutton, T Good, W Hughes & J Hughes

List of supporting documents

1. Application forms, Certificates and Notices
 2. Site Location Plan
 3. Parameter Plan
 4. Illustrative Layout Plan
 5. Planning Statement (including Affordable Housing Statement)
 6. Design and Access Statement
 7. Transport Assessment
 8. Framework Travel Plan
 9. Arboricultural Impact Assessment
 10. Preliminary Ecological Appraisal
 11. Biodiversity Impact Assessment
 12. Archaeological Desk-Based Assessment
 13. Landscape Visual Impact Assessment
 14. Green Belt Appraisal
 15. Flood Risk Assessment
 16. Drainage Strategy
 17. Topographical Survey
 18. Phase 1 Desk Study
 19. Utilities Statement
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Development Plan

The adopted development plan comprises:

1. The District Local Plan Review 1994 – Saved and Deleted Policies Version (July 2020)

The emerging development plan comprises:

1. St Stephen Parish Neighbourhood Plan (Regulation 16) 2021
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Supplementary Planning Documents

1. Design Advice Leaflet No.1 – Design and Layout of New Housing (1998)
 2. Revised Parking Policies and Standards (2002)
 3. Affordable Housing SPG (2004)
 4. Local Transport Plan 2018 – 2031 (LTP4) (Herts County Council) (2018)
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Policies Map

The following designations on the policies map are particularly relevant:

1. Metropolitan Green Belt
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Other material considerations

Other material considerations (such as national planning policy and supplementary planning documents, area action plans and design briefs) include:

1. National Planning Policy Framework (NPPF) 2021
 2. National Planning Practice Guidance (PPG)
 3. Housing Land Supply and Delivery
 4. Delivery of Self-Build and Custom Build Housing
 5. Previous Planning Decisions (including Appeal Decisions)
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Planning History

There are no relevant planning decisions on the site.

Contents of this statement

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 2. Site and Area Description
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Appendices

1. Colney Heath Appeal Decision (ref: APP/B1930/W/20/3265925)
2. 112-156b Harpenden Road Officer Report (ref: 5/2021/0423)
3. Land off Orchard Drive Park Street Officer Report (ref: 5/2021/2730/SSM)

1. Introduction

- 1.1 This Planning Statement has been prepared on behalf of Scott Properties in support of an outline planning application, with all matters reserved except access, on land to the west of Watling Street, Park Street. The site extends to approximately 4.3 hectares.
- 1.2 The application seeks outline permission with all matters reserved except for access for the following development:
- “The erection of up to 95 dwellings, including 40% affordable dwellings and 5% self-build and custom build dwellings, public open space, landscaping and associated infrastructure.”*
- 1.3 Whilst matters relating to appearance, landscaping, layout and scale are reserved for future approval, the application is supported by a Parameter Plan, which sets out the principles for the future development of the site. An Illustrative Layout Plan also accompanies the application, which demonstrates how the proposed quantum of development could be accommodated on the site. A more detailed analysis of the design rationale and evolution is provided in the accompanying Design and Access Statement.
- 1.4 Approval is sought in relation to the detail of the access arrangements into the site from Watling Street to the west, with detailed plans showing the proposed junction included within the Transport Assessment accompanying the planning application.
- 1.5 This Statement provides a detailed overview of the site and the proposals, assessed against the relevant policies and material considerations. It demonstrates that the proposed development meets the very special circumstances (VSCs) required for inappropriate development within the Green Belt, in accordance with the NPPF. The proposals will deliver a sustainable residential development, including affordable dwellings and self-build and custom build plots, in a highly sustainable location where a significant housing shortfall exists.

2. Site and Area Description

- 2.1 The application site is located on land to the west of Watling Street, Park Street, St Albans, AL2 2NY. The site area is approximately 4.3ha (10.7 acres).
- 2.2 The site is currently undeveloped land in agricultural (arable) use. It is roughly triangular in shape, and it immediately adjoins the western edge of the settlement of Park Street. The site's western boundary consists of an established tree line which separates the site from agricultural land beyond. The eastern boundary comprises frontage to Watling Street set behind vegetation, and the rear boundaries of existing properties along Watling Street. Further beyond to the east lies the proposed area of new country park to be provided by the approved Strategic Rail Freight Interchange (SRFI) development (ref: 5/2009/0708). The northern tip of the site lies adjacent to Watling Street and is opposite the petrol station and M&S convenience store. The south of the site adjoins a dense area of landscaping with further residential development beyond.
- 2.3 The existing neighbouring land uses largely comprise of residential development with the site surrounded by residential properties to south and east. The heights of dwellings in the immediate area range between one and two storeys, with some properties in the vicinity also having extended into the roof space.
- 2.4 The site is located entirely in Flood Zone 1 and is therefore at a low risk of fluvial or tidal flooding. It is not subject to any specific designations nor are there any statutory or locally listed buildings or other heritage assets in the immediate vicinity of the site or in the surrounding areas. There are no TPOs present on the site, and it is not located within a Conservation Area.

Accessibility

- 2.5 There is no existing formal vehicular access to the site from Watling Street, however, there is a footpath adjacent to Watling Street along the site's eastern boundary, with an existing signalised crossing to the south. To the north of the site and along the eastern side of Watling Street is a shared footway/cycleway, which splits in three directions; providing routes northwards via an underpass under the A5183/A414/A405 roundabout, eastwards running parallel with the A414 and south-west alongside the A405.
- 2.6 Park Street Railway Station is located approximately 320m to the south of the site and is accessible within a 4-minute walk or 1-minute cycle ride. The station provides connections to both Watford Junction and St Albans Abbey approximately every 45 minutes, with a travel time of between 19-33 minutes and 5-7 minutes respectively.
- 2.7 There are four bus stops located within close proximity of the site along Watling Street; two of these are immediately adjacent to the site's eastern boundary, with the others on the opposite side of Watling Street and located c. 20m and c. 60m from the site boundary respectively. These provide services between Watford, St Albans and the surrounding area, including Borehamwood, Hatfield, Welwyn Garden City and include stops at Park Street Railway Station, Park Street Surgery and Watford Hospital.
- 2.8 Within Park Street itself there are a number of local services and shops, located predominately around the Station. The closest of these include the M&S Simply Food Store, located opposite the northern tip of the site. Park Street Sports and Social Club is accessible within a 9-minute walk. There is also a parade of shops located within How Wood, which include a Co-op, butchers, pharmacy, off-licence, hairdressers, and food takeaway outlets. As well as being accessible by walking or cycling, it is served by the bus route with stops directly adjacent to the parade of shops, and on the edge of the application site.

2.9 There are five schools within the vicinity of the site, including three primary schools and one secondary school, as well as a maintained special school providing education to pupils with complex and profound learning difficulties. The closest primary school to the site is Park Street Primary School, approximately 1.1km to the south of the site and which is accessible within a 14-minute walk or a 4-minute cycle ride. The Marlborough Science Academy to the north is accessible within a 19-minute walk or a 7-minute cycle ride.

3. Proposed Development

- 3.1 The application seeks outline permission with all matters reserved except for access, for the following development:

“The erection of up to 95 dwellings, including 40% affordable dwellings and 5% self-build and custom build dwellings, public open space, landscaping and associated infrastructure”.

- 3.2 Whilst the application is submitted in outline with matters relating to appearance, landscaping, layout and scale reserved for future consideration, the application is supported by a Parameter Plan (drawing reference: SCOT210806-PP-01-C) which sets out the key principles for the future development of the site. It sets out the parameters that inform how the site can be developed to include open space, a Local Equipped Area for Play (LEAP), pedestrian and cycle links, surface water attenuation and landscaping, whilst also delivering a net biodiversity gain. It is anticipated that the Parameter Plan will be secured via a planning condition to inform the reserved matters application.
- 3.3 An Illustrative Layout Plan (drawing reference: SCOT210806 IL-01-A) has also been provided for information and demonstrates how the proposed development could be designed to incorporate the key principles discussed above, including a suitable housing mix. The Plans have been informed and refined as a result of input from technical consultants, pre-application discussions with St Albans City and District Council, Hertfordshire County Council Highways and Lead Local Flood Authority, and consultation with local stakeholders.
- 3.4 A more detailed analysis of the design rationale and evolution is provided within the accompanying Design and Access Statement, with details of the pre-application discussions undertaken set out in the following section of this Statement.

Access and Parking

- 3.5 Approval is sought in relation to the detail of the access arrangements into the site from Watling Street to the east. The access proposals have been designed in consultation with Hertfordshire County Council Highways and comprise a 6m wide carriageway with a 2m footway to the northern side and a 3m combined footway and cycleway on the southern side. Pedestrian and cycle crossings from the site are proposed in four locations; two in the northern part of the site, one of which is via a new signalised crossing; one at the vehicular access into the site, and a separate footway / cycleway at the southern end of the site’s frontage to Watling Street. The accompanying Transport Assessment contains detailed plans showing the proposed access arrangements. A Framework Travel Plan also accompanies this application to help inform sustainable travel decisions by the future residents.
- 3.6 Indicatively, 252 parking spaces are proposed, comprising allocated parking spaces and garages (217 no.) and unallocated visitor spaces (35 no.). This equates to 2.65 spaces per dwelling.

Recreation and Amenity

- 3.7 The proposed development contains areas of public open space extending to c. 1.5ha, including a LEAP. The Parameter Plan shows the proposed locations for open space and SUDS, informed by the suite of technical reports accompanying the application. Additional recreational opportunities are provided through the proposed inclusion of pedestrian and cycle routes throughout the site, connecting into Watling Street to the east, and also serving to promote sustainable methods of transport.

Layout and Appearance

- 3.8 The accompanying Parameter Plan and Illustrative Layout Plan show the proposed locations of built form, which are split between three distinct character areas. The overall gross density of the proposed development is 22.1dph, with a net density (based on the proposed developable area of c. 2.8ha) of c. 33.9dph.
- 3.9 The Watling Green character area comprises the proposed dwellings on either side of the site entrance and areas of public open space on either side of the spine road. To the north, a single row of dwellings is proposed, fronting Watling Street but set well back from the road to reflect the existing residential pattern to the east of Watling Street. This area will predominantly include two storey dwellings, with single storey properties proposed in the northernmost corner to provide a gradual transition in storey height when approaching from the north. The southern portion of the Watling Green character area contains a small cluster of single-storey dwellings, arranged to provide an outlook onto the areas of open space to the north and west, as well as natural surveillance of the proposed cycle and pedestrian path to the south.
- 3.10 The southern half of the site is split into two character areas; the eastern portion is the Watling Way character area. This area will be typified by predominantly two storey dwellings, with a small area of up to 2.5 storeys in the centre of the site where views are limited. A new landscape buffer will be introduced along the eastern boundary to protect the amenity of the neighbouring properties. Public open space and a LEAP will be located along the western boundary of this area, providing functional amenity space for residents.
- 3.11 The Woodland Edge character area sits in the south-western part of the site, and comprises development of up to two storeys, fronting open space and set behind an enhanced landscape buffer to the western boundary, and a new landscape buffer to the southern boundary. The linear open space along the western boundary will serve an amenity purpose with mown paths through it, as well as providing new and improved habitat.
- 3.12 Whilst the application is in outline form, the accompanying Design and Access Statement provides further detail on the proposed character areas to demonstrate how this site can deliver architectural interest and legibility.

Indicative Housing Mix

- 3.13 The residential provision which has been tested through the Illustrative Layout Plan is based upon the provision for 60% market dwellings and 40% affordable dwellings, as set out in the table below.

	Affordable	Private
1-bed	10	-
2-bed	15	14
3-bed	10	29
4-bed	3	14
Total	38	57

Table 1: Housing Mix

- 3.14 The indicative housing mix includes 17 flats (18%), 11 bungalows (12%) and 67 houses (70%). Provision has also been made for up to 5 self-build / custom build plots (5%), proposed to be located along the site's southern boundary.
- 3.15 It is considered that the proposed bungalows would provide a suitable accommodation choice for older people, which would enable downsizing and result in the release of typically under-occupied larger family homes into the local housing market.

Landscaping

- 3.16 The Landscape and Visual Impact Assessment (LVIA) which accompanies this application includes a Landscape Design Strategy, upon which the Parameter Plan and Illustrative Layout Plan are based. Whilst the LVIA confirms that the site is both visually and physically contained by existing landscape features and surrounding built form, it provides recommendations for further planting and landscaping to the site's boundaries to protect views from existing dwellings to the south and east, to help settle the proposed development into the wider existing landscape setting and provide an improved new Green Belt edge.
- 3.17 The accompanying Parameter Plan seeks to establish the principles of the landscaping that will inform the detailed design at reserved matters stage. This includes the provision of new trees throughout the site, including tree planting along the western boundary to strengthen the existing boundary, and areas for sustainable drainage towards the west. In addition, a landscape buffer is provided on the eastern boundary adjacent to the existing dwellings on Watling Street. The provision of additional landscaping along Watling Street will further enhance the green credentials of the locality which are due to be significantly enhanced through the delivery of the country park to the east of Park Street as part of the Strategic Rail Freight Interchange development on Radlett Aerodrome.

Planning Obligations

- 3.18 Draft Heads of Terms for a Section 106 Agreement are set out below and reflect the position within the pre-application response. The applicant reserves the right to amend these prior to the determination.
- Affordable Housing - 40% of the dwellings are proposed to be affordable, with the tenure split and housing mix to be agreed as required.
 - Self-Build and Custom Build Housing - 5% of the dwellings will be made available as self-build and custom build dwellings, with the detailed arrangements for delivery and marketing to be agreed.
 - Leisure - The development will provide a proportionate financial contribution towards relevant leisure projects in the area.
 - Youth Services - The development will provide a proportionate financial contribution towards the re-provision of the St Albans Young People's Centre in a new facility.
 - Special Educational Needs and Disabilities (SEND) - The development will provide a proportionate financial contribution towards the new (WEST) Severe Learning Difficulty School.
 - Library Services - The development will provide a proportionate financial contribution towards the improve the capacity of the book stock at St Albans Central Library, or its future re-provision.
 - Biodiversity Net Gain - The s106 agreement will secure the provision of at least a 10% net gain in biodiversity.
 - Open Space - The s106 agreement will set out the delivery and maintenance arrangements of the open space and play space.
 - Other - The development will provide additional proportionate financial contributions as required and which comply with the tests as set out in Regulation 122 of the CIL Regulations 2020 (as amended). This may include contributions towards the provision of health and education services.
- 3.19 It is anticipated that the details of the s106 agreement can be agreed with Officers in parallel with the consideration of the planning application. It is also acknowledged that some of the above obligations can effectively be delivered by way of planning conditions, the wording of which can be discussed with Officers when the specific requirements are known.

4. Pre-application Engagement

4.1 Prior to the submission of this application, pre-application consultation was undertaken with Officers at St Albans City Council and a formal written response was issued. In addition to this, pre-application consultation has been undertaken with members of the St Stephen Neighbourhood Plan Steering Group and Park Street Residents' Association. A summary of these discussions and how they have influenced the proposals is provided below.

St Albans City and District Council

- 4.2 An initial pre-application request was submitted to St Albans City Council on 28th July 2021 for up to 100 dwellings, including 40% affordable dwellings and 5% self-build and custom build dwellings, public open space and associated infrastructure (Ref: PRE/2021/0120). A virtual meeting was held on 26th August, with the written response received in September 2021. This confirmed that whilst the proposed development is classified as inappropriate development in the Green Belt, planning permission could be granted if very special circumstances (VSCs) can be demonstrated. Officers were unable to reach a final planning judgment on the existence or otherwise of VSCs in the absence of a fully worked up planning application, and without taking into account all material considerations, including consultation responses at the application stage. The discussion therefore focused on the material required for the submission on a without prejudice basis.
- 4.3 The advice confirmed the requirement for the planning application to be accompanied by supporting evidence including a full assessment of Green Belt harm, as well as any other harm resulting from the proposal, which could encompass any conflicts with policy as well as other impacts of the proposed development. The advice also confirmed that in order to demonstrate that VSCs exist, the planning application should include a detailed assessment of other considerations including the benefits arising from the proposed development. A list of validation documents was also provided, all of which accompany the planning application.
- 4.4 The pre-application request was accompanied by a Parameter Plan, and comments were also provided in relation to the landscaping, layout and design of the proposals to ensure a high quality and sustainable development can be achieved. A landscape-led approach which integrates SUDS with landscaping features was strongly encouraged, in addition to the need to demonstrate how the development would contribute to the Council's corporate objectives in relation to sustainability and energy efficiency. An extract from an appeal decision at Smallford Works was referenced, to highlight the importance of demonstrating and securing design quality in the overall planning balance.
- 4.5 Careful consideration of the relationship of new dwellings to Watling Street was highlighted, with no obvious amenity issues identified which could not be overcome by way of good design. The advice highlighted the need to ensure a strong landscape buffer to the western boundary as part of a high-quality landscaping scheme, with suggestion of a Parameter Plan to accompany the planning application, to establish the key elements of the development to be incorporated at the reserved matters stage.
- 4.6 The advice recommended that separate landscape pre-application advice was sought from the County Council to agree the scope of the Landscape and Visual Impact Appraisal (LVIA), details of which are provided below.
- 4.7 Following the pre-application advice, an Illustrative Layout Plan was prepared, taking into account the comments received and to ensure that the proposed development would meet necessary policy and design requirements. This resulted in a slight reduction in the number of dwellings proposed from 100 to 96.

Hertfordshire County Council Landscape Services

- 4.8 A request for landscape pre-application advice was made on 10th November, which sought confirmation as to the scope and coverage of the Landscape and Visual Impact Assessment (LVIA) to accompany the planning application, including the suitability of the proposed methodology and included viewpoints.
- 4.9 A written response was received on 1st December (ref: PRE/2021/0181), which requested inclusion of additional viewpoints from within the settlement areas surrounding the site, as well as some minor amendments to the structure of the report. A virtual meeting was held on 9th December, at which clarification was provided on the desired structure of the report, as well as the additional viewpoints to be included. It was also agreed that the report would be supplemented with 'winter views' of the included viewpoints, to enable consideration of visibility during the winter months when trees are not in full leaf.

Hertfordshire County Council Highways

- 4.10 Scoping discussions were held on site between the County Council and the transport consultants, Atkins, on 3rd November 2021. These considered the proposed site access from Watling Street, as well as confirmation as to the required visibility splays.
- 4.11 The written response confirmed the requirement for the access design to demonstrate that the use of the access does not result in undue delay to traffic on Watling Street, and it was recommended that the impacts of the development on the Park Street A414 junction were tested.
- 4.12 Sustainability was reaffirmed as being at the core of the Hertfordshire County Council Local Transport Plan, with the need to address the A5183 (Watling Street) acting as a severance to the convenience shopping at the local petrol filling station to the north of the site as part of the application.
- 4.13 As a result of the pre-application discussions, the Illustrative Layout Plan was amended in response to comments on the internal road layout and footways. Whilst approval is sought in respect of the detail of the access arrangements into the site from Watling Street only, and not on the internal road layout, the Illustrative Layout Plan demonstrates that a suitable internal road network and adequate pedestrian and cycle provision can be accommodated within the proposed development.

Local Engagement

- 4.14 Scott Properties met with a member of the Park Street Residents' Association in March 2021, at the time of SACDC's Call for Sites consultation, to share the Vision Document for the site, which was prepared for the consultation, as well as the initial Parameter Plan.
- 4.15 A further meeting was held in November 2021 which also included a member of the Parish Council, to present the Illustrative Layout Plan and discuss the proposals. In response to the feedback received at this meeting, the play area was relocated to the western part of the site (away from the site access), and a mown path walking route was added around the southern and western boundaries of the site to enhance the recreational opportunities within. In addition, the provision of bungalows was increased, which reduced the total number of dwellings to 95.
- 4.16 In January 2022 Scott Properties contacted the clerk at St Stephen Parish Council to propose a meeting to present the proposals for discussion with Councillors.

5. Planning Policy Considerations

- 5.1 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material consideration indicates otherwise.
- 5.2 This section of the Statement sets out the relevant local and national planning policy applicable to the proposed development, as well as identifying any other material considerations that are of significance. The relevant policies are listed below and described further in Section 5 (Planning Assessment), as part of a full analysis of the proposed development against planning policy and material considerations.

The Development Plan

- 5.3 The adopted Local Plan relevant to this application is the City and District of St Albans District Local Plan Review 1994 (Local Plan). It was adopted in November 1994, with a Saved and Deleted Policies Version published in July 2020, to show which policies remain applicable.
- 5.4 The key relevant policies from the Local Plan applicable to this application are set out in the table below:

Policy number	Policy title
1	Metropolitan Green Belt
2	Settlement Strategy
34	Highway's considerations in development control
36a	Location of new development in relation to public transport
40	Residential development parking standards
69	General design and layout
70	Design and layout of new housing
74	Landscaping and tree preservation
84	Flooding and river catchment management
84A	Drainage infrastructure
102	Loss of agricultural land
104	Landscape conservation

Table 2: Local Plan Policies

Supplementary Planning Documents

- 5.5 The following adopted supplementary planning documents are considered relevant to the determination of the planning application, and expand upon policies within the development plan:
- Design Advice Leaflet No.1 – Design and Layout of New Housing (1998)
 - Revised Parking Policies and Standards (2002)
 - Affordable Housing SPG (2004)
 - Local Transport Plan 2018 – 2031 (LTP4) (Herts County Council) (2018)

Other Material Considerations

National Planning Policy Framework (NPPF) 2021

- 5.6 The National Planning Policy Framework (NPPF) (2021) is a material consideration in the determination of planning applications. The key elements of the NPPF relevant to the submitted application are outlined below.
- 5.7 Paragraph 60 confirms the Government's objective of significantly boosting the supply of homes, highlighting the importance of a sufficient amount and variety of land to come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.8 Paragraph 7 confirms the purpose of the planning system to contribute towards the achievement of sustainable development. The three overarching objectives are set out within paragraph 8, and comprise:
- a) ***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) ***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
 - c) ***an environmental objective*** – *to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
- 5.9 The NPPF sets out a presumption in favour of sustainable development at paragraph 11, which for decision taking means:
- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 5.10 Footnote 8 to paragraph 11d) confirms that policies can be considered out-of-date where the Authority cannot demonstrate a five-year housing land supply, or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years.
- 5.11 Footnote 7 to paragraph 11d)i. sets out a list of applicable policies, which includes those relating to land designated as Green Belt.
- 5.12 Paragraph 137 reaffirms the importance of Green Belts, with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are described as their openness and their permanence.

5.13 The five purposes of the Green Belt are set out in paragraph 138, and comprise:

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

5.14 Paragraph 147 sets out a general presumption against inappropriate development in the Green Belt, stating:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

5.15 Paragraph 148 states that:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

5.16 Paragraph 149 requires local planning authorities to regard the construction of new buildings as inappropriate in the Green Belt, with a number of exceptions.

5.17 The key chapters in the NPPF considered most relevant to this application are outlined below:

- Chapter 2. Achieving Sustainable Development
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 12. Achieving well-designed places
- Chapter 13. Protecting Green Belt land

National Planning Policy Guidance (PPG)

5.18 In relation to harm to the Green Belt, PPG states:

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.”*

Paragraph: 001 Reference ID: 64-001-20190722

Emerging St Stephen Parish Neighbourhood Plan (Regulation 16) 2021

- 5.19 The St Stephen Neighbourhood Plan Area was approved designation in April 2014. The submission version of the Neighbourhood Plan was subject to a Regulation 16 consultation in June-July 2021. Independent examination of the Neighbourhood Plan commenced in December 2021 and was ongoing at the time of the submission of this planning application.
- 5.20 Whilst the Neighbourhood Plan does not make site allocations, there are a number of policies contained therein considered to be of relevance to the planning application, as detailed in the table below.

Policy number	Policy title
S1	Location of development
S2	Housing mix
S3	Character of development
S5	Design of development
S6	Minimising the environmental impact of development
S7	Protecting natural habitats and species
S14	Provision for walking, cycling and horse-riding
S17	Leisure facilities for children and teenagers

Table 3: St Stephen Neighbourhood Plan Policies

Housing Land Supply and Delivery

- 5.21 The St Albans City and District Monitoring Report 2021 ('AMR 2021') sets out that the current position in respect of the District's housing land supply.
- 5.22 The AMR 2021 confirms that the housing land supply position is 2.2 years when calculated using the Standard Methodology, inclusive of a 20% buffer due to the HDT 2020 results. This equates to, a shortfall of 2,999 dwellings during this period, and is therefore a significant shortage.
- 5.23 The 2021 Housing Delivery Test results, published in January 2022, confirm delivery of 69%, a level at which the presumption in favour of development is engaged in accordance with footnote 8 to paragraph 11d) of the NPPF.
- 5.24 Table 2 within the AMR 2021 sets out the average historic housing delivery. Within the past five years (between 2016/17 to 2020/21) the average delivery was 460 net dwellings per annum.
- 5.25 The GL Hearn South West Herts – Local Housing Need Assessment (LHNA) (September 2020) sets out the estimated annual level of affordable housing within the period 2020-2036 for the respective authorities within the region. For St Albans, the estimated annual net need for affordable/social rented housing has been calculated at 443 dwellings per annum (Table 37), with the annual net need for affordable home ownership estimated to be 385 dwellings (Table 42).
- 5.26 Table 10 of the AMR 2021 sets out the historic affordable housing completions. The Local Plan contains a target for 200 affordable dwellings per annum, however, since the adoption of the Local Plan in 1994/95, this target

has been exceeded once, in 2004/05. Within the past five years (between 2016/17), the average delivery was 89 dwellings per annum.

Delivery of self-build and custom build housing

- 5.27 Section 1 of the Self Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) confers a duty on local authorities to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. Under s1(1), this should include individuals and associations of individuals.
- 5.28 Section 2A(2) of the Self Build and Custom Housebuilding Act 2015 (as inserted by s10(1) of the Housing and Planning Act 2016) confers a statutory duty on local authorities to grant planning permissions for sufficient serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area arising in each base period.
- 5.29 PPG provides clarification on the calculation of the base periods and confirms the timescales within which the duty to grant planning permission applies. It states:

“The first base period begins on the day on which the register (which meets the requirement of the 2015 Act) is established and ends on 30 October 2016. Each subsequent base period is the period of 12 months beginning immediately after the end of the previous base period. Subsequent base periods will therefore run from 31 October to 30 October each year.

At the end of each base period, relevant authorities have 3 years in which to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period.”

Paragraph: 023 Reference ID: 57-023-201760728

- 5.30 The requirement to grant suitable development permissions for self-build and custom build housing is enshrined in Regulation 2 of the Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016, which states:
- “The time allowed for an authority to which section 2A of the Act (duty to grant planning permission etc) applies to comply with the duty under subsection (2) of that section in relation to any base period is the period of 3 years beginning immediately after the end of that base period.”*
- 5.31 The table overleaf compares the number of individuals, associations and persons in association on the register in the relevant Base Periods with the permissions granted during the statutory time period. The figures for Base Years 5 and 6 (31 October 2018-30 October 2019 and 31 October 2020-30 October 2021) have not been included given the Council has until 30 October 2023 and 30 October 2024 respectively to comply with the statutory time period. It uses the data from Tables 56 and 57 of the AMR 2021.

Base Period	Date by which demand must be met	Permissions Granted	Registrations*	Deficiency
1) 01 April – 30 October 2016	30 October 2019	54	108	54
2) 31 October 2016 – 30 October 2017	30 October 2020	23	145	122
3) 31 October 2017 – 30 October 2018	30 October 2021	15	104	89
4) 31 October 2018 – 30 October 2019	30 October 2022	TBC	87	-
			661	265

Table 4: Self-build and custom build dwelling registrations and permissions

* Combined individuals, associations and persons in association taken from Table 57: SADC Self-Build and Custom Housebuilding Regulations (2016-2021) of the AMR.

- 5.32 The above demonstrates that the Council has failed in its statutory duty in the provision of plots for self-build and custom build housing. It is also noted that 87 further permissions are required prior to 30 October 2022 to ensure the Council does not fail for the fourth consecutive year.
- 5.33 The failure to meet the statutory duty is also recognised within the Committee Report for the application on land to the rear of 112-156b Harpenden Road (ref: 5/2021/0423/LSM).

Previous Planning Decisions (including Appeal Decisions)

- 5.34 Whilst it is acknowledged that each application must be treated on its own merits, it is considered that the previous planning decisions discussed below, and which are included within Appendices 1 – 3, amount to material considerations in relation to the weight attributed to the aspects of the applications which included housing provision, sustainability of location, and biodiversity net gain.
- 5.35 The recent appeal decision in respect of land off Bullens Green Lane, Colney Heath described the Council's position as a result of a 2.4-year housing land supply as a 'bleak one' and confirmed that the shortfall was both considerable and significant (paragraph 48).
- 5.36 Paragraph 49 of the decision states:

"49. There is therefore no dispute that given the existing position in both local authority areas, the delivery of housing represents a benefit. Even if the site is not developed within the timeframe envisaged by the appellant, and I can see no compelling reason this would not be achieved, it would nevertheless, when delivered, positively boost the supply within both local authority areas. From the evidence presented in relation to the emerging planning policy position for both authorities, this is not a position on which I would envisage there would be any marked improvement on in the short to medium term. I afford very substantial weight to the provision of market housing which would make a positive contribution to the supply of market housing in both local authority areas."

- 5.37 Further, in relation to affordable housing delivery, the Inspector confirms:

"53. The uncontested evidence presented by the appellant on affordable housing for both local authorities illustrates some serious shortcomings in terms of past delivery trends...In SADC, the position is equally as serious. Since the period 2012/13, a total of 244 net affordable homes have been delivered at an average of 35

net dwellings per annum. Again, this equates to a shortfall also in the region of 4000 dwellings (94%) which, if to be addressed in the next 5 years, would require the delivery of 1185 affordable dwellings per annum.

54. The persistent under delivery of affordable housing in both local authority areas presents a critical situation. Taking into account the extremely acute affordable housing position in both SADC and WHBC, I attach very substantial weight to the delivery of up to 45 affordable homes in this location in favour of the proposals.”

5.38 In relation to the provision of self-build dwellings as part of the overall housing provision, the decision states:

“51. In the case of these appeals, there are no development plan policies which relate specifically to the provision or delivery of self building housing in either authority...Furthermore, neither authority has an up to date assessment of likely future demand for this type of housing in line with the Planning Practice Guidance...Evidence also presented demonstrated that the statutory duty to provide for base period plot provision has also not been met in either authority, in some periods by a significant margin.

52. In common with both market housing and affordable housing, the situation in the context of provision of sites and past completions is a particularly poor one. To conclude, I am of the view that the provision of 10 self build service plots at the appeal site will make a positive contribution to the supply of self build plots in both local planning authority areas. I am attaching substantial weight to this element of housing supply.”

5.39 Two subsequent planning applications on sites within the Green Belt have been determined by the Council since the appeal decision; an outline application for up to 150 dwellings and associated works with all matters reserved except access on land to Rear of 112-156b Harpenden Road, St Albans (5/2021/0423/LSM), and an outline application for up to 30 dwellings on land off Orchard Drive, Park Street (5/2021/2730/SSM). Both applications received an Officer recommendation for approval, on the basis that the benefits of the proposals were considered to clearly outweigh the harm to the Green Belt.

5.40 Paragraph 8.7.1 of the Committee Report for 112-156b Harpenden Road confirms that the Council cannot demonstrate a 5-year housing land supply, albeit at the time this was 2.5 years, as opposed to 2.2 years as more recently confirmed. The report also confirms that the Council is currently failing to meet its statutory duty for the provision of self-build and custom build housing.

5.41 The following paragraphs of the report reproduce extracts from the Colney Heath appeal decision in relation to the weight to be given to the provision of housing in the planning balance. At paragraph 8.7.4, the report states:

“8.7.4. There is no material reason for officers to apply a different weighting to the proposals subject of this officer’s report. The housing situation and the emerging plan situation are the same. There is no reason to think that the site cannot come forward immediately on receipt of full planning permission and significantly boost local supply. Accordingly, very substantial weight is attached to the delivery of market and affordable housing, and substantial weight to the delivery of self-build plots.”

5.42 The report confirms the suitability and sustainability of the site’s location for housing at paragraph 8.10.1, noting that it is within easy walking distance of local shops and services, within 3.2km of the train station, close to schools and within 160m of a bus stop. Paragraph 8.10.2 states:

“8.10.2. In conclusion, the suitability and sustainability of the location weighs in favour of the proposals. It is considered that moderate weight should be given to this benefit of the proposals.”

5.43 At paragraph 8.12.4, the report discusses the commitment to achieve a 10% biodiversity net gain, confirming that whilst the NPPF requires compensation for the loss of biodiversity, it does not require net gain, and there is no statutory basis for requiring a net gain at this time. As such, the report concludes:

“8.12.4. ...Therefore, the commitment to 10% biodiversity net gain counts as a benefit of the proposals, to which it is considered that moderate weight should be applied.”

5.44 The outline application for up to 30 dwellings and associated parking, landscaping and access works on land off Orchard Drive, Park Street, also within the Green Belt (5/2021/2730/SSM) was recommended for approval. The proposed development included the provision for 35% affordable housing and one plot for self-build housing (3%).

5.45 Similarly to the planning application on the land to the rear of 112-156b Harpenden Road, as discussed above, the provision of housing was considered to weigh heavily in favour of the proposals. The appeal decision at Colney Heath was also a relevant consideration, with the report confirming at paragraph 8.4.3:

“8.4.3. There is no material reason for officers to apply a different weighting to the proposals subject of this officer’s report. The housing situation and the emerging plan situation are the same. There is no reason to think that the site cannot come forward immediately on receipt of full planning permission and significantly boost local supply. Accordingly, very substantial weight in favour is attached to the delivery of market and affordable housing, and substantial weight to the delivery of self build plots.”

5.46 In considering the planning balance, the report states at paragraph 8.28:

“8.28. Turning to the “other considerations” which weigh in favour of the proposals, as this report has indicated, the delivery of market and affordable housing are both afforded very substantial positive weight. The provision of self-build is given substantial positive weight. The commitment from the applicant to deliver 10% biodiversity net gain on the site is afforded moderate positive weight. The site is located in a sustainable location, and this benefit is given low to moderate positive weight.”

5.47 It is considered that the weighting given to the particular aspects of the three planning decisions above are of relevance to this application, as discussed in greater detail in the following sections.

6. Planning Assessment

Principle of Development

- 6.1 As set out at 5.1 above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is, in this context, a material consideration that must be attributed significant weight.
- 6.2 Whilst the NPPF does not change the statutory primacy of the development plan in decision making, it is a material consideration in the determination of planning applications. The NPPF is predicated on a presumption of sustainable development, which is an important material consideration which carries significant weight in the planning balance.
- 6.3 In relation to decision-taking, the mechanism for applying the presumption in favour of sustainable development where development plan policies most important for determining the application are out of date, by reason of a lack of five-year housing land supply or failure to meet the Housing Delivery Test, is set out in paragraph 11d) of the NPPF. Paragraph 11d) confirms that permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance, including land designated as Green Belt, provides a clear reason for refusing the proposed development.
- 6.4 In accordance with paragraph 149 of the NPPF, the proposed development would represent inappropriate development in the Green Belt, and upon application of paragraph 147, is by definition harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 148 confirms that such circumstances will not exist "unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."
- 6.5 The following section sets out the matters considered to be of relevance to the determination of this application and in demonstrating as part of the overall planning balance that VSCs exist.

Matters to be considered

- 6.6 Based on the relevant planning policies, guidance, emerging plans and the material considerations identified in Section 5 above, the following issues are considered to be of relevance to the determination of this planning application:
- Green Belt
 - Landscape and Arboriculture
 - Housing Need and Mix (incorporating Affordable Housing Statement)
 - Design and Residential Amenity
 - Sustainability
 - Highways, Transport and Parking
 - Flood Risk and Drainage
 - Ecology
 - Heritage and Archaeology
 - Contamination
 - Developer Contributions
 - Economic Benefits
 - Other Matters

Green Belt

- 6.7 Policy 1 of the Local Plan requires demonstration of very special circumstances for inappropriate development in the Green Belt, also reflected in the NPPF. A Green Belt Appraisal has been undertaken and accompanies this application, which assesses the site against the purposes of the Green Belt set out in paragraph 138 of the NPPF. The site is also assessed as part of parcel GB28 within the Green Belt Review Purposes Assessment (November 2013) (GB RPA 2013), however, the site area represents only 5% of the 83ha included within this parcel.
- 6.8 The accompanying assessment concludes that the site reads as part of the existing settlement edge of Park Street on account of its close proximity edge and the position of the A5183 (Watling Street) directly along its eastern boundary, and the A414 Park Street Roundabout along its northern boundary. The Watling Street Caravan Park and associated parking and infrastructure to the west of the site as well as the electricity sub-station are also described as urbanising influences within the setting of the site.
- 6.9 Set out below are the conclusions of the site's contribution against the initial four purposes of the Green Belt in the accompanying assessment. It also references the relevant conclusions within the GB RPA 2013, however, this includes a fifth purpose; maintaining the existing settlement pattern, that is not relevant to national Green Belt standards, therefore has been disregarded in the accompanying Green Belt Appraisal.

Purpose 1: To check the unrestricted sprawl of large built-up areas

The site is well contained by the existing settlement edge to the immediate south, Watling Street to the east and the established tree boundary to the west and north. As such, the potential for urban sprawl is unlikely, given the physical barriers separating it from the open countryside to the west. The assessment concludes that development of the site would represent a 'rounding-off' of the settlement, due to the proximity of existing development to the east and south.

The GB RPA 2013 concludes that parcel GB28 has a limited or no contribution to this purpose.

Purpose 2: To prevent neighbouring towns merging into one another

The site lies to adjacent to the settlement of Park Street, which is separated from the main central core of St Albans by the A414 and mature vegetation on either side of the road. The existing dwellings along the entirety of the eastern boundary and southern boundaries of the site prevent encroachment to east or south. A number of arable fields as well as the A405, the Watling Street Caravan Park and the electricity sub-station separate the site from Chiswell Green to the west, which is approximately 800m away. As such, the assessment concludes that the development of the site is unlikely to substantially contribute to the merging of towns into one another.

The GB RPA 2013 considers that parcel GB28 has a partial contribution to the strategic gap between St Albans and Watford to the south. It is noted, however, that this parcel covers an area of 83ha between the settlements of Park Street and How Wood, and extends northwards from Park Street and the A414 to the southern edge of St Albans.

Purpose 3: To assist in safeguarding the countryside from encroachment

Due to the existing settlement to the east and south of the site and the A414 to the immediate north, the assessment considers that encroachment into the countryside through the development of the site will be minimal. Whilst the assessment acknowledges that development of the site would result in the loss of a narrow strip of agricultural land, it states that this would create a logical extension to the existing settlement edge. The small area of open countryside to the west lies beyond the caravan park, itself separated from the site by a strip of mature woodland, creating a natural barrier along the edge of the site. As such, the assessment

concludes that the perception is that of separation between the site and the open fields to the west, on the approach into Park Street from the north.

The GB RPA 2013 assesses parcel GB28 as having a partial contribution to assisting in safeguarding the countryside from encroachment. It notes that urban influences are strong through the proximity of settlement edges and A414 and A405, confirming also that level of visual openness are generally contained.

Purpose 4: To preserve the setting and special character of historic towns

The site lies within the northern section of Park Street, north of the railway line, where a mixture of building ages and vernacular shows the natural evolution of the settlement over time. The railway line creates a man-made boundary, separating the site from the historic core of the village, therefore the assessment concludes that it would be unlikely that development of the site would alter the setting and special character of the historic core of Park Street.

The GBR RPA 2013 concludes that parcel GB28 makes a limited or no contribution to preserving the setting and special character of historic towns, noting the absence of historic places adjoining the parcel.

- 6.10 The accompanying assessment concludes that the site relates more positively to the existing settlement edge than the open countryside that lies beyond the mature trees and caravan park to the west, and that it can be released from the Green Belt for development without substantial harm to the remaining Green Belt areas. Mitigation measures are proposed to ensure that the proposals can be successfully integrated into the landscape setting, which include the retention and enhancement of existing boundary vegetation to preserve visual containment. Landscape planting and buffers to all of the site's boundaries, as well as the creation of open space, play space and the inclusion of pedestrian and cycle links into Watling Street are also recommended to ensure the proposals relate positively to the character of the site and its setting.
- 6.11 PPG confirms that assessing the impact of a proposal on the openness of the Green Belt requires a judgment based on the circumstances of the case. It provides examples of matters which may need to be taken into account in making the assessment, as determined by the courts. These include, but are not limited to the spatial and visual aspects of openness, the duration of the development and its remediability, and the degree of activity likely to be generated.
- 6.12 A Landscape and Visual Impact Assessment (LVIA) accompanies this application and assesses the landscape and visual impacts of the proposed development. Whilst it is acknowledged that the proposed development would introduce permanent built form onto the majority of a site currently free of any buildings, the LVIA confirms that the site is well contained from views to the north and west (within the Green Belt) as a result of the existing established tree belt and presence of the caravan park and electricity substation. The assessment also recommends additional landscaping to these boundaries to further strengthen the site's containment and create a defensible Green Belt boundary.
- 6.13 The site is surrounded by existing development and built form to the north, east, south and partially along the western boundary. The LVIA concludes that the site feels more connected to the settlement edge as opposed to the arable land to the west. It is therefore considered that the visual harm to the Green Belt will be limited.
- 6.14 In accordance with paragraphs 147 and 148 of the NPPF, inappropriate development is by definition harmful to the Green Belt and when considering a planning application, authorities should ensure that **substantial weight** is given to any harm to the Green Belt. It is clear, however, that the site offers little contribution towards the purposes of the Green Belt set out at Paragraph 138 of the Framework. Development of the site would have little impact on the openness of the Green Belt given the existing level of containment to each of the site's boundaries, which are also proposed to be strengthened through additional landscape planting and buffers as part of the proposals.

Landscape and Arboriculture

- 6.15 Policy 1 of the Local Plan requires new development within the Green Belt to integrate with the existing landscape setting, with siting, design and external designed listed as being of particular importance. Additional landscaping will normally be required, with significant harm to the ecological value of the countryside avoided. Policy 2 seeks to direct new development to main towns, and confirms the Council's intentions to protect and enhance the essential character of existing settlements.
- 6.16 Paragraph 174 of the NPPF states that planning policies should contribute to and enhance the natural local environment by a range of measures including protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.
- 6.17 Policy 104 of the Local Plan sets out that the Council will seek to preserve and enhance the quality of landscape throughout the District. Furthermore, policy 74 confirms that the Council will take account of several landscaping factors when considering planning applications, which include the retention of existing landscaping, and the provision of new landscaping. This is reiterated in policy S6 of the Neighbourhood Plan, which sets out that development proposals should maintain and where practicable enhance the natural environment, landscape features and the rural character and setting of the Neighbourhood area.
- 6.18 The accompanying LVIA concludes that the site displays a transitional sub-urban character and feels more connected to the settlement edge than to the arable land to the west, particularly within the northern and southern sections of the site. In terms of landscape impacts, an adverse impact of moderate significance was identified upon the current use of the site as an arable field, however, the impacts were not considered to be significant. All other landscape impacts were judged to be of minor significance. As a result of the recommended landscape planting mitigation measures proposed, described in more detail below, the existing boundary vegetation was judged to experience a beneficial impact of minor significance.
- 6.19 The proposed landscape mitigation measures include the retention of all boundary vegetation where possible, with additional tree planting along the western boundary. New hedgerow planting is proposed along the currently open parts of the site's eastern boundary to extend the visual and habitat corridors around the site, as well as to the south to help filter views. Visual and ecological interest is to be created through informal planted areas within the site, also providing residents with outdoor amenity space, as well as landscape planting between the built form and within the street scene to promote wildlife and create visual interest. The creation of pedestrian and cycle links to connect the development into Watling Street are also recommended.
- 6.20 In terms of visual impacts, the LVIA concludes that the site is relatively well contained from views to the north and west, albeit to a lesser extent from the east as a result of the existing settlement edge. Adverse visual impacts of moderate significance were identified upon the residents of Old Orchard, largely as a result of the current weak southern boundary to the site, however, these views are not considered to be significant, and the inclusion of additional tree planting and new hedgerow along this boundary will serve to filter views, resulting in a low magnitude of change. All other visual receptors were considered to be of moderate/minor or minor significance, however, the LVIA confirms that these are not considered significant within the planning balance.
- 6.21 The LVIA confirms that the proposed development is acceptable on both landscape and visual grounds, providing the proposed mitigation strategy is implemented to protect views from existing dwellings to the south and east and to help settle the development into the existing landscape setting.
- 6.22 The Parameter Plan submitted with the application incorporates the proposed landscaping measures, and it is intended that this will establish the key principles of the development to be taken forward into the detailed design.

- 6.23 An Arboricultural Impact Assessment (AIA) accompanies this application which demonstrates how the trees on site have been considered in the design and layout of the proposed development. The AIA identified a total of 69 trees and groups of trees, consisting of 3 Category A trees, 19 trees and 9 groups of trees of Category B, 24 trees and 11 groups of trees classified as Category C and 4 Category U trees.
- 6.24 The majority of trees on the site are to be retained and incorporated into the proposed development, with additional hedge and tree planting forming part of the landscape strategy. A small number of lower category trees will require partial or full removal to facilitate the proposed site access, which are not considered to be of high biodiversity, landscape or green infrastructure value. The AIA also confirms that the loss of these trees will not represent a significant impact to visual amenity of the local area. Further, it concludes that the proposed replacement planting and the retention of neighbouring trees of equal or higher quality will adequately offset the losses and mitigate any potential impacts to visual amenity that may arise.
- 6.25 Both the AIA and the LVIA demonstrate that the proposed development is suitable in respect of landscape and arboriculture and compliant with the relevant policies of the Local Plan, Neighbourhood Plan and NPPF.

Housing Need and Mix (including Affordable Housing Statement)

- 6.26 The Council's Annual Monitoring Report ('AMR 2021') confirms the housing land supply position to be 2.2 years, when calculated using the NPPF's Standard Methodology. The shortfall in the Council's prevailing 2.4-year housing land supply at the time of the Colney Heath appeal decision was described by the Inspector as considerable and significant. It was afforded very substantial weight in the planning balance.
- 6.27 The appeal decision also highlighted the historic under-delivery of affordable housing, confirming that since 2012/13, a total of 244 net affordable homes had been delivered at an average of 35 net dwellings per annum. The shortfall was calculated to be in the region of 4,000 dwellings (94%), which if to be addressed within the next five years, would require the delivery of 1,185 affordable dwellings per annum. It is noted from the AMR 2021 that 168 affordable dwellings were delivered in 2020/21, however, there remains a significant shortfall, with no immediate prospect of this being addressed. Very substantial weight was also attached to the provision of affordable housing by the Inspector.
- 6.28 It is noted that, since the appeal decision and the subsequent planning decisions discussed in Section 5 above, the Council's housing land supply position has worsened to 2.2 years. Furthermore, the Indicative Local Development Scheme (LDS) presented to the St Albans City and District Council Local Plan Advisory Group on 18 January 2022 presents three options for the timescales for delivering a new Local Plan for the District. Indicative New LDS 3 – Option 1 contains the earliest projected adoption date for the new Local Plan, in Autumn 2025, compared to the current LDS, which predicts adoption at the end of 2023.
- 6.29 The Inspector's comments at paragraph 49 of the Colney Heath appeal decision in relation to the delivery of housing are noted, and in light of the anticipated delays to the production of a new Local Plan, are considered pertinent to this application:
- "49. ...From the evidence presented in relation to the emerging planning policy position for both authorities, this is not a position on which I would envisage there would be any marked improvement on in the short to medium term."*
- 6.30 The provision for self-build and custom housebuilding plots in the Colney Heath appeal were afforded substantial weight by the Inspector. The reasons given were the absence of development plan policies relating specifically to the provision or delivery of self-build housing, the lack of an up-to-date assessment of likely future demand in line with the PPG, combined with evidence which demonstrated that the statutory duty to provide for base period plot provision had not been met.

- 6.31 As demonstrated within Table 4 of Section 5 above, the Council has failed to meet its statutory duty for three consecutive years, and in addition to the existing shortfall, will need to grant permission for a further 87 plots prior to 30 October 2022 to avoid failure for a fourth year.
- 6.32 In the two subsequent planning decisions issued following the Colney Heath appeal, Officers were of the view that there were no material reasons to apply a different weighting to the proposals in respect of the delivery of market and affordable housing, as well as self-build and custom housebuilding plots.
- 6.33 This planning application would provide up to 95 dwellings, 40% of which are proposed as affordable. This is 5% above the Council's target of 35% on-site as set out in the Affordable Housing SPG (2004). This provision of affordable housing also complies with St Stephen Parish Neighbourhood Plan which sets out in Policy S1 that where very special circumstances can be demonstrated, development should make additional provision for affordable housing.
- 6.34 The proposed affordable housing mix has been informed by the GL Hearn South West Herts – Local Housing Needs Assessment (LHNA) (September 2020), however, since its publication, the Government introduced First Homes, a priority immediate home ownership product. In accordance with PPG, (Paragraph: 012 Reference ID: 70-012-20210524) a minimum of 25% of all affordable housing units secured through developer contributions should be First Homes. For the remaining 75% of the affordable housing provision, paragraph: 015 Reference ID: 70-015-20210524 of PPG requires social rent units to be delivered in the same percentage as required by the local authority, with the remaining provision split in accordance with the local authority's ratio.
- 6.35 In accordance with the transitional arrangements for First Homes, it is understood the First Homes policy requirement will apply to applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022. Given the timescale for the submission of this application, it is expected that First Homes will be required as part of the proposed development, therefore no tenure breakdown for the affordable housing has been suggested at this stage. It is anticipated that the Council will provide the required tenure mix, which will form part of the Section 106 agreement.
- 6.36 Whilst there is no specific policy on housing mix within the District Local Plan, the Neighbourhood Plan sets out in Policy S2 that in order to address the evidenced housing need in the Parish and redress the imbalance in housing size, support will be given to developments that provide predominantly 1-, 2- and 3-bedroom properties. The Neighbourhood Plan also refers to a local preference for smaller dwellings.
- 6.37 Whilst the application is submitted in outline form only, the indicative housing mix is provided in Table 5 overleaf, and comprises a range of house types, including bungalows suitable for older people.

	Affordable		Private	
1-bed flat	6		-	
1-bed bungalow	2		-	
1-bed maisonette	2		-	
		26%		0%
2-bed house	4		11	
2-bed flat	8		-	
2-bed flat-over-garage	1		-	
2-bed bungalow	2		3	
		40%		25%
3-bed house	10		25	
3-bed bungalow	-		4	
		26%		50%
4-bed house	3		14	
		8%		25%
Total	38		57	

Table 5: Indicative Housing Mix

- 6.38 The indicative housing mix includes provision of 11 bungalows, which would provide a downsizing opportunity for older people within the local community, freeing up currently underoccupied housing onto the market. It is considered that this also represents a significant benefit of the proposals.
- 6.39 The GL Hearn South West Hertfordshire Local Housing Needs Assessment (September 2020) projects a significant increase in the population aged over 65 of c.44% between 2020 and 2036, considerably higher than all other age groups which are projected to increase by c.20%. Paragraph 7.18 confirms that St Albans has the highest percentage of older persons in under-occupied homes (88%) and confirms that by providing smaller properties into which older people could downsize, homes would be released for larger households.
- 6.40 The site is within single ownership and is not subject to any known legal restrictions or ownership issues that would impede delivery. It is anticipated that delivery on the site could commence in 2024 if outline planning permission is granted in 2022 with the approval of a reserved matters application in 2023. At a delivery rate of c.50 dwellings per annum, the development would be completed before the end of 2026, therefore significantly boosting the Council's five-year housing supply. In light of the worsening housing land supply position and the anticipated delays to the production of the new Local Plan, the provision for market housing should be afforded **very substantial weight** in the planning balance.
- 6.41 Further, the proposals include provision for 40% affordable housing, in excess of the existing policy requirement for 35%, and would make a considerable contribution towards to the acute affordable housing shortage. The increased provision of affordable housing will not affect the viability of the development proposals and, in light of the substantial historic undersupply and anticipated delays to the production of the new Local Plan, should be afforded **very substantial weight**.
- 6.42 In addition to market and affordable housing, the proposed development includes provision for 5% self-build and custom housebuilding plots. In light of the Council's failure to meet the statutory duty to grant sufficient planning permissions for such plots for three consecutive years, and in accordance with previous planning decisions, the provision of self-build properties should be afforded **substantial weight**.

Design and Residential Amenity

- 6.43 Policy 69 of the District Local Plan sets out that all development shall have an adequately high standard of design taking into account context and materials. Policy 70 states that the design of new housing development should have regard to its setting and the character of its surroundings with regards to massing and siting of buildings. The policy goes on to state that a tolerable level of visual privacy in habitable rooms and to a lesser extent in private gardens, should be provided. Policy 70 also states that the size of a private garden should reflect the number of persons for which the dwelling has been designed, their likely range of activities and local residential character, and that gardens may be smaller where there is public open space nearby.
- 6.44 The St Stephen Parish Neighbourhood Plan also sets out within Policy S3 that the design of new development should demonstrate how it has taken account of the local context and has reflected the character and vernacular of the area, using architectural variety in form and materials. Policy S5 states that development proposals should incorporate a high quality of design, which responds and integrates well with its surroundings, meets the needs of the population of the neighbourhood area and minimises the impact on the natural environment. Policy S17 of the Neighbourhood Plan states that major development which includes playgrounds and leisure facilities for children and young people will be viewed favourably.
- 6.45 Whilst the detailed design of the proposed development will be agreed at reserved matters stage, it is the intention to provide a development whereby the design would complement the surrounding setting and character, and provide ample amenity space for future residents, in the form of public open space and private gardens. A LEAP is also proposed within the west of the site, with the specific play provision and equipment to be detailed at the reserved matters stage. This approach contributes to the social objective in achievement of sustainable development, by ensuring the development will be well designed, with accessible and safe open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 6.46 The Parameter Plan accompanying the planning application establishes the proposed areas of built form within the site, and it is anticipated that this will inform the detailed design of the development by planning condition. It adopts a landscape-led approach, incorporating the recommendations of the LVIA to ensure that the amenity of the neighbouring properties is protected. This includes the creation of new hedgerows and tree planting along the southern boundary and sections of the eastern boundary to protect views into the site from the south and east.
- 6.47 The Illustrative Layout Plan accompanying the application is provided for information only, however, this shows how the proposed development could be designed in a sensitive way to preserve the amenity of the neighbouring residents and provide a suitable layout for future residents of the site. It is therefore considered that there are no impacts on residential amenity that would affect whether the development can be supported in principle at this stage, and that compliance with Policies 69 and 70 of the Local Plan and Policy S17 of the Neighbourhood Plan can be achieved at the reserved matters stage.

Sustainability

- 6.48 The site benefits from being located close to a number of local services and shops, the closest of which is the M&S Simply Food Store, located opposite the northern tip of the site and approximately 320m from the centre of the site, so accessible within a 4-minute. Park Street Sports and Social Club is accessible within a 9-minute walk. There is also a parade of shops located within How Wood, which include a Co-op, butchers, pharmacy, off-licence, hairdressers, and food takeaway outlets. As well as being accessible by walking or cycling, it is served by the bus route with stops directly adjacent to the parade of shops.
- 6.49 Park Street Railway Station is located approximately 320m to the south of the site and is accessible within a 4-minute walk or one minute cycle ride. The station provides connections to both Watford Junction and St Albans Abbey approximately every 45 minutes with a travel time between 19-33 minutes and 5-7 minutes respectively.

- 6.50 There are four bus stops located within close proximity of the site along Watling Street; two of these are immediately adjacent to the site's eastern boundary, with the others on the opposite side of Watling Street and located c. 20m and c. 60m from the site boundary respectively. These provide services between Watford, St Albans and the surrounding area, including Borehamwood, Hatfield, Welwyn Garden City and include stops at Park Street Railway Station, Park Street Surgery and Watford Hospital. The bus route also stops directly outside the parade of shops within How Wood.
- 6.51 There are five schools within the vicinity of the site, including three primary schools and one secondary school, as well as a maintained special school providing education to pupils with complex and profound learning difficulties. The closest primary school to the site is Park Street Primary School, approximately 1.1km to the south of the site and which is accessible within a 14-minute walk or a 4-minute cycle ride. The Marlborough Science Academy to the north is accessible within a 19-minute walk or a 7-minute cycle ride.
- 6.52 The site is therefore considered to be in a highly sustainable location, within close proximity to local facilities, services and sustainable methods of transport to facilitate journeys further afield. It is noted that officers considered the land to the rear of 112-156b Harpenden Road to be a suitable and sustainable location, due to it being within easy walking distance of local shops, services and schools and within 3.2km of the train station and 160m of a bus stop. It was afforded moderate weight in the planning balance. Three bus stops are located along Watling Street and adjacent to the site's eastern boundary, all of which are accessible within a 1-2 minute walk or less than a 1-minute cycle ride. Park Street Train Station is located c.320m to the south of the site, accessible with a 4-minute walk or a 1-minute cycle ride. Schools and other services and facilities are also accessible within acceptable walking and cycling distances, as confirmed within the Transport Assessment accompanying this planning application, as well as accessible via public transport within close proximity of the site.
- 6.53 Furthermore, a Framework Travel Plan accompanies this application, which offers a package of measures that are designed to increase sustainable travel by reducing the number of car trips generated from the proposed development. As noted within the document, it could also help to reduce congestion, facilitate economic growth by improving awareness of travel to work options, and improve health and wellbeing for residents.
- 6.54 The proposed measures designed to increase sustainable transport methods contributes towards the social and environmental objective of achieving sustainable development, in accordance with paragraph 8 of the NPPF.
- 6.55 It is considered that there is no material reason to apply a different weighting to the proposed development than as was applied to the application on land to the rear or 112-156b Harpenden Road as a result, therefore the suitability and sustainability of the site for the proposed development should be afforded **moderate weight** in the planning balance.

Highways, Transport and Parking

- 6.56 Paragraph 142 of the Framework sets out that where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which is well-served by public transport.
- 6.57 Policy 34 of the District Local Plan sets out that development likely to generate a significant amount of traffic, which involves the creation or improvement of an access onto the public highway, will not normally be permitted unless acceptable in terms of road safety, environmental impact on traffic, road capacity and parking provision. Furthermore, policy 36A of the District Local Plan sets out that the District Council will generally encourage the use of public transport, and in considering the impact of new development, account will be

taken of its proximity to the public transport network and whether facilities will be provided within the development to cater for use of the network.

- 6.58 Policy S14 of the Neighbourhood Plan requires new developments to incorporate safe, accessible (including for those with disabilities) pedestrian access with links from the development to existing footways, and where feasible, cycleways.
- 6.59 The site benefits from a highly sustainable location, whereby day-to-day facilities and services can be easily accessed via non-vehicular means of transport, including walking, cycling, bus and train. Safe and suitable vehicular and pedestrian access can be achieved into the site from Watling Street. The proposed development includes new pedestrian links into Watling Street and a signalised crossing towards the north of the site. Cycle routes are also incorporated throughout the site and connect onto Watling Street.
- 6.60 Furthermore, a Transport Assessment accompanies this application submission and concludes that a safe and appropriate access can be provided from Watling Street. This includes a 6m wide carriageway with a 2m footway to the north and a 3m footway/cycleway to the south. Pedestrian and cycle access is proposed from Watling Street in four locations; two in the northernmost part of the site, one of which will be via a new signalised pedestrian crossing, one at the site access and 3m footway/cycleway where the site's frontage with Watling Street ends, adjacent to the existing signalised crossing on Watling Street.
- 6.61 The Transport Assessment confirms that development of the site aligns to and is consistent with the key themes of national and local transport policy, in that they promote sustainable travel choices, and do not significantly alter the existing performance of the local road network. In compliance with Policy 34 of the Local Plan, the Transport Assessment also demonstrates that the proposed development is not likely to generate a significant amount of traffic. Further, a Framework Travel Plan accompanies the planning application and offers a package of measures designed to encourage sustainable travel, by reducing the reliance on the private car, also highlighting the site's close proximity to the public transport network.
- 6.62 Policy 40 of the District Local Plan sets out parking standards for residential development in St Albans. Whilst the exact parking space numbers and details will be addressed at reserved matters stage, the indicative provision is 252 spaces which is equivalent to 2.65 spaces per dwelling, to be provided as a mixture of garages, allocated (on-plot) spaces and unallocated visitor bays. The provision is therefore policy compliant and consistent with what has been sought for recent similar applications in the District.
- 6.63 As such, it is considered that the proposed development performs very strongly in terms of highways, transport and parking.

Flood Risk and Drainage

- 6.64 Policy 84 of the District Local Plan sets out that in areas liable to flood, development or the intensification of existing development, will not normally be permitted. Appropriate flood protection will generally be required where the redevelopment of existing developed areas is permitted in areas at risk from flooding. Policy 84A goes on to state that planning permission will not normally be granted for new development in areas which are considered presently at risk of sewerage flooding, or where development would result in an unacceptable increase in sewerage flood risk there or elsewhere.
- 6.65 The site is located within Flood Zone 1 (low risk) of fluvial flooding, and is at 'low' or 'negligible' risk of flooding from all other potential sources. The Flood Risk Assessment that accompanies the submission confirms that in respect of flood risk, the proposed development will be adequately flood resistant and resilient, will offer a safe means of access and egress and will not increase flood risk elsewhere through the loss of floodplain storage or impedance of flood flows.

- 6.66 A Drainage Strategy accompanies this application and details the proposed drainage strategy, in accordance with the Sustainable Drainage Systems (SUDS) hierarchy. It is proposed that surface water is discharged into the existing public surface water sewer network, with storage provided via an attenuation basin located in the northern part of the site and an underground tank located in the south-west corner of the site. These have been sized to include a 1 in 100-year storm event plus a 40% allowance for climate change and a 10% allowance for urban creep. In order to ensure no detrimental effects downstream of the site, all post-development flows will be restricted to the existing greenfield run-off rates.
- 6.67 The proposed development will therefore be acceptable from a flood risk perspective and includes a suitable Sustainable Urban Drainage Strategy, demonstrating full compliance with policies 84 and 84A of the Local Plan.

Ecology

- 6.68 In relation to biodiversity, Policy S6 of the St Stephen Parish Neighbourhood Plan sets out that proposals that would achieve a net gain in biodiversity will be particularly supported. Furthermore, Policy S7 states that proposals that would result in significant harm to Local Wildlife Sites and/or the landscape features would not be supported. Paragraph 174 of the NPPF specifies that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, minimising impacts on and providing net gains for biodiversity.
- 6.69 Whilst the specific details on biodiversity net gain would be dealt with at a reserved matters stage, the planning application is accompanied by a Biodiversity Impact Assessment, calculated in accordance with the Biodiversity Metric 3.0. The Assessment calculates that the proposed development, if delivered in line with the Illustrative Layout Plan, would result in an increase in habitat units within the site, resulting in a considerable 29.72% net gain in biodiversity. It is considered that this represents a significant benefit of the proposed development, as confirmed in the committee report for the planning application on land to the rear of 112-156b Harpenden Road, which states:
- “8.12.4. ...Therefore, the commitment to 10% biodiversity net gain counts as a benefit of the proposals, to which it is considered that moderate weight should be applied.”*
- 6.70 Moderate weight was also applied to this aspect of the planning application on land off Orchard Drive. It is considered that the commitment to achieving a net biodiversity gain in excess of 10% should be afforded **substantial weight** in the planning balance, noting also that the site has the potential to deliver a net gain of almost 30% if delivered in line with the Illustrative Layout Plan.
- 6.71 Furthermore, a Preliminary Ecological Appraisal accompanies this application, and confirms that the site is not subject to any statutory or non-statutory designations. It also confirms that, given the distance and the habitats present it is considered unlikely that there will be any negative impacts on the closest non-statutory designated site, the Ver Valley Meadows located approximately 0.2km to the east of the site, with significant intervening built form. No notable protected species were recorded within the site, nor were any habitats found to be of local, regional, or national ecological value. The report recommends the retention of the boundary vegetation, as well as the inclusion of a grassland buffer from the boundary woodland within the south-east corner of the site and the two trees along the eastern boundary.
- 6.72 The above demonstrates that the proposed development would comply with the relevant policies of the Neighbourhood Plan and the NPPF.

Heritage and Archaeology

- 6.73 The site does not contain any heritage assets, nor are there any within proximity that would likely be affected by the proposed development. The closest heritage asset is the Grade II Listed property '52 Park Street', located c.350m to the south of the site, separated from the site by intervening built form and the railway line. The site is therefore not considered to form part of the setting of any heritage assets within Park Street, which are considered will be unaffected by the proposed development. The site does not lie within Park Street Conservation Area, which is similarly separated from it by the railway line and intervening built form.
- 6.74 The Archaeological Desk Based Assessment which accompanies the planning application confirms that the site has a low potential for the presence of archaeological remains dating to all periods, with no evidence to indicate that remains which would preclude development are present on site.

Contamination

- 6.75 The application is accompanied by a Phase 1 Desktop Study and confirms that the site would unlikely be classified as Contaminated Land under Part 2A of the Environmental Protection Act 1990. The overall risk from land contamination on the site is considered to be medium to low, however it is considered that any further ground investigations required can be secured by a planning condition.

Developer Contributions

- 6.76 Draft Heads of Terms for the s106 Agreement associated with this outline planning application are set out in paragraph 3.18 of this Statement and set out the applicant's commitment to providing 40% affordable housing and 5% self-build and custom build plots, as well as other proportionate financial contributions which it is understood through pre-application discussions will be required to mitigate the impact of the proposed development.
- 6.77 It is anticipated that the details of the s106 agreement can be agreed with Officers in parallel with the consideration of the planning application, and that the content may differ to the draft Heads of Terms included within this Statement, which the applicant reserves the right to amend these prior to the determination of the planning application.

Economic Benefits

- 6.78 In addition to those discussed above, the development would deliver significant economic benefits, in accordance with the presumption in favour of sustainable development, as set out below.
- 6.79 The delivery of up to 95 dwellings would generate the following economic benefits:
- the injection of £18 million¹ of private sector investment into Park Street;
 - supporting the employment of 294 people, including 3 apprentices, graduates or trainees²;
 - helping to deliver a significant boost to the local economy and wider area by generating a first occupation expenditure on goods and services;
 - increased local spending from new residents once the proposed development is fully constructed and occupied, some of which will be retained by businesses within the local area, supporting further local employment;
 - the delivery of Council Tax receipts to once the development is occupied; and
 - support for the vitality and viability of Park Street generally.

¹ Figure provided by Scott Properties.

² Figures taken from the HBF Housing Calculator.

- 6.80 It is considered that these represent a considerable benefit of the proposed development, which should be afforded **moderate weight** in the planning balance.

Other Matters

- 6.81 Policy 102 of the Local Plan concerns the loss of agricultural land, stating that development resulting in the loss of high-quality agricultural land classified as being Grade 1, 2 or 3a will normally be refused, unless there is an overriding need for the development and there is no alternative land of a lower quality which could be reasonably be used. Figure 12 of the Local Plan identifies the site as likely Grade 3, however does not differentiate between Grade 3a and Grade 3b. It is therefore considered that the proposed development would not result in the loss of the best and most versatile agricultural land.
- 6.82 A Utilities Assessment has been undertaken for the site and confirms that connection points for water, electricity and telecoms are available within the vicinity of the site. Pre-application enquiries have also taken place with UKPN and have confirmed that capacity is available for the proposed development within the existing network without any major reinforcement work. The Assessment undertakes a risk assessment based on the projected costs for development, and all utility supplies into the site are anticipated to have a low cost, thereby confirming that development of the site would be viable and achievable.
- 6.83 Whilst the application is submitted in outline form, the proposed development will promote energy efficient construction and use of resources. This is described more fully in the accompanying Design and Access Statement, which sets out numerous features which could be incorporated to achieve this. Suggestions include water conservation features, the use of responsibly sourced materials and energy efficient lighting and appliances. Construction will also comply with prevailing Building Regulations and policy in relation to energy efficiency and reducing carbon emissions. This approach contributes to the environmental objective of achieving sustainable development, as prescribed in the NPPF, through the mitigation and adaptation to climate change and movement to a low carbon economy.

7. Planning Balance and Conclusions

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a significant material consideration.
- 7.2 This planning application seeks outline permission (with all matters reserved except access) for up to 95 dwellings, including 40% affordable dwellings and 5% self-build and custom build dwellings, public open space, landscaping and associated infrastructure on land West of Watling Street, Park Street.
- 7.3 In accordance with paragraph 148 of the NPPF, the proposed development would cause harm to the Green Belt by reason of inappropriateness, and other harm by reason of loss of openness and permanence, which must be given **substantial weight**.
- 7.4 The Green Belt Appraisal accompanying the planning application demonstrates that the site makes little to no contribution towards the purposes of the Green Belt. Whilst the development will result in the loss of spatial openness, the site is visually very well contained and relates more positively to the existing settlement edge than the open countryside.
- 7.5 Section 6 of this Statement provides a detailed assessment of the proposed development, and through this and the technical evidence supporting this application, it has been demonstrated that the development would not result in any other harm.
- 7.6 In relation to 'other considerations' which weigh in favour of the proposals, it is considered that the following are relevant:

The provision of Market Housing: the Council's current 2.2 year housing land supply is significantly below the required provision, and the recently published HDT 2021 results show the Council delivered 60% of the housing requirement over the previous three years. With limited opportunities for this situation to improve within the short to medium term, as noted within the Colney Heath appeal decision, the delivery of 95 dwellings within the next five years will provide a significant contribution towards the shortfall, and should be afforded **very substantial weight**.

The provision of Affordable Housing: the proposed development includes the provision of 40% affordable housing compared to the 35% required by current policy. The Colney Heath appeal decision noted serious shortcomings in the past delivery trends of affordable housing, identifying a shortfall of around 4,000 dwellings, with a requirement for 1,185 dwellings per annum if to be addressed within the next five years. As such, the provision of affordable housing should be afforded **very substantial weight**.

The provision of Self-build and Custom Housebuilding Plots: the Council has failed to meet its statutory duty in granting sufficient permission for self-build and custom housebuilding plots for three consecutive years, with an impending requirement to grant a minimum of 87 permissions by 30 October 2022. The provision of 5% self-build and custom build plots should therefore be afforded **substantial weight**.

The commitment to achieving a Net Biodiversity Gain: whilst there is no current statutory basis for requiring a 10% biodiversity net gain, the Ecological Impact Assessment accompanying this application demonstrates that the site can achieve this, and if developed in accordance with the accompanying Illustrative Layout Plan, could potentially achieve a net gain of 29.72% for habitat units. The commitment to achieve a minimum 10%

biodiversity net gain is considered to represent a significant benefit of the proposals and should be afforded **substantial weight**.

The site's sustainable location: the site is located on the edge of Park Street, within close proximity to a number of services and facilities, including schools and public transport links. Three bus stops are located close to the site's eastern boundary with Park Street, and the train station is c.320m to the south. As such, the suitability and sustainability of the site should be afforded **moderate weight**.

The provision of economic benefits: the delivery of up to 95 dwellings would generate direct and indirect economic benefits through the provision of employment during the construction phases, operational expenditure from future residents and direct revenue to the Council through the s106 contributions and Council Tax receipts. It is considered that these benefits should be afforded **moderate weight**.

- 7.7 Based on the above, it is considered that the 'other considerations' (the benefits) clearly outweigh the harm to the Green Belt and any other harm, and thereby in accordance with paragraph 148, it has been demonstrated that very special circumstances exist. On the whole, the development complies with the relevant policies of the Local Plan, the emerging St Stephen Parish Neighbourhood Plan and the NPPF, therefore planning permission should be granted without delay.