

## Pre application Advice Report

<b>St Albans City and District Pre Application Advice Report</b>	<b>Site address: Land Between Caravan Site and Watling Street, Park Street, St Albans</b>	<b>Ref No: PRE/2021/0120</b>
Description of your proposal: A residential-led scheme for up to 100 dwellings, including 40% affordable dwellings and 5% self-build dwellings, public open space and associated infrastructure.		
Summary of advice (correct at the time of giving advice): <ul style="list-style-type: none"> <li>• The proposed development is classified as inappropriate development in the Green Belt for which planning permission can only be granted if very special circumstances can be demonstrated. Additional work is required to demonstrate to the Council that very special circumstances exist in this case. The applicant is advised to undertake this additional work, guided by the advice contained in the entirety of this pre-application advice.</li> <li>• It is considered that there is further work to do in respect of the landscape and SUDs approach and consequentially the layout. This should be the subject of a further pre application meeting.</li> </ul>		
Issues you need to be aware of:  <b><u>Principle of Development</u></b> <ol style="list-style-type: none"> <li>1. The site is located within the Metropolitan Green Belt, and is classified as inappropriate development, where Policy 1 applies, stating: <i>“Within the Green belt, except for development in Green Belt settlements referred to in Policy 2 or in very special circumstances, permission will not be given for development...”</i></li> <li>2. Paragraph 144 of the NPPF 2019 clearly states the test for very special circumstances as follows:   <i>“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.”</i></li> <li>3. Any planning application should therefore explicitly address this test, considering:</li> </ol>		RAG rating  <b>RED</b>

- i. A full assessment of Green Belt harm (both definitional and other harm, - this should include an assessment of impact on openness as well as harm to Green Belt purposes);
  - ii. Any other harm resulting from the proposal, which could encompass any conflicts with policy, as well as any other impacts of the proposed development;
  - iii. Other considerations, which include the benefits arising from the proposed development.
4. Elements of this assessment were included in the pre application documentation, but 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, it is not possible for officers to reach a final planning judgement on the existence of otherwise of very special circumstances in this case. All of the written advice in this note is pertinent to the assessment against Policy 1 and paragraph 144 and the ultimate planning balance.
  5. As you will be aware, the site was assessed as part of a larger parcel of land in Part 1 of the 2013 SKM Green Belt Review (site GB28: Land North of How Wood). The site was considered to contribute significantly to maintaining the existing settlement pattern. It was not taken forward into Part 2 of the Study.
  6. In relation to the “other considerations” part of Paragraph 148 NPPF , any planning application should include full details, supported by evidence as appropriate, of the benefits considered to be associated with the proposed development. Again, it is noted that some work has been carried out in respect of this area, and this should be worked up to support any application. All material considerations in respect of the application can be considered as “other considerations” and therefore the rest of this note considers the key considerations that would be taken into account. It is not necessarily an exhaustive list.

#### St Stephen Neighbourhood Plan

7. St Stephen Neighbourhood Plan completed Regulation 16 consultation on 17 July 2021. This is the second round of formal consultation in the process. Next stages are to appoint an examiner, with referendum expected in May 2022.
8. Due to the Local Plan being withdrawn in November 2020, St Stephen Neighbourhood Plan is no longer proposing any site allocations. This was decided ahead of Regulation 14 (the first round of formal consultation in the process). Therefore no site allocations have undergone formal consultation.
9. The timing of any planning application submission will influence whether the policies in the emerging neighbourhood plan carry any material weight. At the current time, the policies carry very limited weight in the decision making

process.

### **Provision of Housing**

10. SADC currently has a housing land supply of 2.5 years from a base date 1 April 2020. It is acknowledged that 2.5 years is substantially below the required 5 years, and as such, and in the light of recent appeal decisions, substantial or very substantial weight in favour may be applied to the delivery of housing, depending on the precise circumstances of each case. Any application should evidence how the proposal will contribute to meeting housing need within the District, particularly in respect of affordable housing.

### **Provision of Affordable Housing**

11. The scheme including the provision of 40% affordable housing. The Council will expect to see a policy compliant affordable housing scheme which means a minimum of 35% affordable housing as outlined in the 2004 Affordable Housing SPG which applies to the consideration of major sites in the Green Belt.

12. GL Hearn South West Herts – Local Housing Need Assessment (LHNA) (September 2020). The following table on page 141 of the LHNA sets out the required need for different sized homes.

- **Recommendation: The following mix of homes size by tenure is suggested as a strategic mix across the 2020-2036 period. As there are only modest changes at a local authority level this mix can be applied across the HMA and at a local level.**

Size	Market	Affordable Homes to Buy	Affordable Homes to Rent
1-bedroom	5%	25%	30%
2-bedrooms	20%	40%	35%
3-bedrooms	45%	25%	25%
4+-bedrooms	30%	10%	10%

- The mix identified above could inform strategic policies although a flexible approach should be adopted. In applying the mix to individual development sites, regard should be had to the nature of the site and character of the area, and to up-to-date evidence of need as well as the existing mix and turnover of properties at the local level. The Councils should also monitor the mix of housing delivered.
- It will ultimately be for the Council(s) to write into policy the approach which best meets their local circumstance. This could be, for example, a desire for further downsizing or a pragmatic approach to a constrained housing supply both of which would see a greater proportion of smaller homes being built.

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13. The LHNA does not recommend an affordable housing percentage, as it is up to the Council to decide upon, considering viability. Below sets out the range of affordable housing need.

**Table 37: Estimated Annual Level of Affordable/Social Rental Housing Need (2020-2036)**

	Dacorum	Hertsmere	St. Albans	Three Rivers	Watford	SW Herts
Current need (divided across 16 year period)	70	71	63	45	101	350
Newly forming households	570	380	486	360	448	2,243
Existing households falling into need	353	133	197	77	163	924
<b>Total Gross Need</b>	<b>993</b>	<b>585</b>	<b>745</b>	<b>483</b>	<b>712</b>	<b>3,517</b>
Supply	630	228	303	133	230	1,523
<b>Net Need</b>	<b>363</b>	<b>356</b>	<b>443</b>	<b>350</b>	<b>482</b>	<b>1,994</b>

Source: Census/CoRe/Projection Modelling and affordability analysis

5.99 For authorities with a plan period other than 2020-2036, the current need as stated in the final column of Table 33 should be divided by the number of years in the plan period. This will impact the total gross need, but the other numbers are calculated on a per annum basis so will not change.

**Table 42: Estimated Annual Need for Affordable Home Ownership (2020-2036)**

	Dacorum	Hertsmere	St. Albans	Three Rivers	Watford	SW Herts
Current need	25	18	34	14	26	118
Newly forming households	410	260	512	259	303	1,743
Existing households falling into need	76	55	103	41	79	355
Total Gross Need	511	333	649	315	408	2,217
Supply	263	186	265	153	156	1,023
Net Need	248	147	385	162	252	1,194

Source: Range of data sources as described

- 5.143 As per the analysis for affordable homes to buy, for those authorities whose plan period differs from the 2020 to 2036 period, the current need should be divided by the number of years in the plan period being used. This will also impact the calculation of the gross and net need. All the other factors are shown on a per annum basis.

14. However, since this study was undertaken the Government has introduced First Homes. First Homes is the Government’s priority intermediate home ownership product and is expected to make up **25% of the total affordable housing delivery**. It came into force in July 2021. The applicant will need to bear in mind the requirement to provide First Homes and that this will be the priority intermediate housing product and take priority over shared ownership.

15. In line with the PPG:

*“There should also be a requirement, within the agreement, that the home is marketed for at least 6 months in total and that all reasonable steps have been taken to sell the property (including, where appropriate, reducing the asking price).”*

Paragraph: 011 Reference ID: 70-011-20210524

16. It is considered that First Homes can make up or contribute to the 10% of the overall number of homes expected to be an affordable home ownership product on major developments as set out in the NPPF paragraph 65:

*“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.”*

### Self Build Homes

17. The proposal includes 5% self-build. The LHNA states that there are currently 450 registered on part 1 of the self and custom build register (see LHNA para 8.9). As of 2nd November 2020, the most up to date figure is 519. The PPG states that LPAs should use the demand data from the register in their area to understand and consider future need for custom and self-build housing in the area. Therefore the current data demonstrates that there is demand for self-build in the district which this proposal would assist in meeting. Positive weight would be attached to such provision.
18. To date the 104 applications for self-build / custom build have been approved. 23 of these were approved between the periods of 1st April 2019 - 1st March 2020. These figures will be updated before then end of the year as part of the AMR

### **Landscape and Trees (including LVIA)**

19. The proposed development retains almost all the existing trees and hedgerows within the site. Other trees and hedgerows beyond the boundaries help to provide screening and setting, although it must be noted this screening is outside of the applicant’s control and therefore limits the extent to which this can be relied upon. The local topography allows views into and across the site, particularly from the east and south.
20. The site is within Watling Chase Community Forest (WCCF), saved policy 143a applies and community forests are also supported in current national policy. Any scheme should support the objectives of WCCF and green infrastructure planning.
21. The setting is considered to be settlement edge as put forward, but the division between what appears open countryside and the adjacent residential development is very clearly Watling Street at the current time. The sense of this ‘edge’ with countryside beyond will be lost if the site is developed for housing, and therefore this impact will need to be fully considered and assessed.
22. The suggested layout is very broad brush but it does appear to encroach on the existing tree RPAs along the western boundary, full consideration of impact on existing trees must be considered as part of any planning

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application.

23. This part of the site is low lying and would be a natural choice for integration of landscape and environmental components - SuDS, green infrastructure and biodiversity gain. The suggested location of a large attenuation pond at the southern end may not be the most appropriate location as it would be set into the slope, involving serious earthworks and which could create problems with levels within the development (similar issues have been seen at the recent housing development on Sandpit Lane in St Albans). You are strongly advised to seek pre application advice from Hertfordshire Local Lead Flood Authority on this and any other matters relating to water and drainage, and to ensure that topography is fully considered at this outline stage to prevent future problems.

#### LVA

24. The Landscape Institute Guidelines for Landscape and Visual Impact Assessment v3 have been followed in the LVA report submitted and the approach seems thorough and reasonable
25. There doesn't appear to be a map showing viewpoints, grid references are given instead. A map should be provided with any LVUIA submitted with a planning application. There should be consideration of views from Greenwood Park to the west, there are open views towards the site from the higher ground there, though views into the site may be obscured by tree cover. Views from this area are across a tree'd landscape, and any intrusion of built development may have significant impacts.

#### **Layout**

26. A landscape led approach to the layout is strongly encouraged, and one which integrates SUDs with landscaping features, this will help to inform the optimum location for open space, SUDs features and other green and blue infrastructure. On site play and open space is encouraged in line with Policy 70 of the Local Plan.

27. A recent appeal at Smallford Works, which was for an outline application in the Green Belt, is pertinent to this proposed development. The appeal decision needs to be read as a whole, but of particular note are the following paragraphs:

*61. Whilst I do not doubt that the detailed submissions indicate the appellant has sought to demonstrate that a well-designed residential development can be achieved, even at that 'low' threshold as the appellant puts it, the quantum of development shown on the illustrative layout does not demonstrate to me that would be the case.*

*62. For these reasons, the proposal would cause significant harm to the character and appearance of the appeal site*

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*and area. It is clear that the Government has set a high design bar and in this particular context the proposal would not result in high quality design. The proposal would therefore conflict with Policies 1, 2, 69, 70 and 74 of the LP insofar as they require development to provide adequate space within developments for landscaping, have an adequately high standard of design having regard to the scale and character of its surroundings in terms of height, size, scale and density and massing and siting creates safe, attractive spaces. Further that development should not detract from the character and setting of settlements within the Green Belt and that new development integrates with the existing landscape.*

28. This appeal design highlights the importance of demonstrating and securing design quality in the overall planning balance.

29. Boundary treatment will be critical, given the site's location in green belt, and the approach to this will also influence the layout.

30. Turning to the approach to streets, whilst the constraints of the site are acknowledged it is important that these do not undermine the quality of the street environment. The relationship of dwellings to the street as well as each other should be carefully considered, with corner plots given special attention to ensure a high quality scheme.

31. It is noted that the layout supplied was one put together as part of a call for sites exercise and is therefore very high level. Given the commentary on the open space and SUDs locations above, it is recommended that the masterplan is revised and brought to a future pre application meeting for further discussion.

**Amenity (of residents and neighbours), including parking**

32. The amenity of existing and proposed residents will need to be fully considered as part of the detailed layout proposal and the appropriate stage. On plan, there would not appear to be any obvious amenity issues that could not be overcome by way of good design.

33. In terms of parking, it is noted that the site is close to Park Street station but also that there is a limited train service from that station. Watling Street is however served by existing bus routes. Any deviation from policy compliant levels of parking provision would need to be fully justified with evidence to demonstrate that there will not be a detrimental impact on surrounding streets, to the detriment of the amenity of existing occupiers.

**Impact on Social infrastructure**

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34. Please note the request for contributions towards leisure services. Note that at the application stage, the precise contribution may be influenced by the nature of on-site provision of relevant facilities such as play and open space.

35. Please note the consultation response from Hertfordshire Growth and Infrastructure Unit, attached.

36. In addition, we would normally expect contributions to be sought from the NHS Clinical Commissioning Group.

**Other matters**

37. Land contamination: a phase 1 desk top study should be included with any application for planning permission

38. Ecology and biodiversity: In general terms, biodiversity enhancements are encouraged and would count as a benefit of the scheme if these can be secured as part of any planning permission. At application stage Hertfordshire Ecology would be consulted. #

39. Archaeology: for resourcing reasons we have been unable to obtain the views of our District Archaeologist. A Desk Based Study is recommended for inclusion with any planning application.

40. Secure by Design – Please note the comments from the Architectural Liaison Officer at Hertfordshire Constabulary.

**Consultation responses**

41. The following consultation responses have been received and are included with this pre application advice:

- i. St Albans Community Services
- ii. St Albans Environmental Compliance
- iii. St Albans recycling and waste
- iv. Hertfordshire Growth and Infrastructure Unit
- v. Hertfordshire Constabulary
- vi. Thames Water
- vii. British Pipeline Agency Limited

42. The following consultation responses are still awaited and will be forwarded on receipt:

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|---|--|
| <ol style="list-style-type: none"><li>i. Affinity Water</li><li>ii. NHS Clinical Commissioning Group</li><li>iii. HSE</li></ol> |  |
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Recommendations to improve your proposal:

- As set out in this note.

Information that will be required to accompany your planning application: – in addition to the mandatory needs and requirements for submission of a planning application via the Planning Portal; the list below identifies the supporting information that is considered to be a local validation requirement for your project. An application will not be validated if it is not accompanied by the required information.

- Affordable Housing Statement
- Archaeological Desk Based Assessment
- Design and Access Statement
- Preliminary Ecological Appraisal
- Foul Sewage and Utilities Assessment
- Landscape strategy including landscape drawings, to be agreed in advance.
- Landscape and Visual Impact Assessment
- Tree survey
- Supporting Planning Statement
- Phase 1 Desk Based Assessment (Ground conditions)
- Flood Risk Assessment
- Drainage and SUDs Strategy

- Transport Statement, subject to views of the Highway Authority
- Parking Strategy
- Draft s106 Heads of Terms (can form an appendix to Planning Statement)
- Whilst parameter plans are not required for validation, their preparation and submission is encouraged.

Our RAG assessment prioritises issues for you:

Red: issues/policies that could result in a refusal if not addressed fully

Amber: issues/policies which require you to provide further information or clarification

Green: issues/policies that are resolved by your proposal

### **Important Note**

*An application for pre-application advice does not confirm that a development will be permitted or that planning permission will be granted. The advice given is officer advice, provided in good faith at this point in time, given the nature of the legislation existing today and based on the facts provided by you in writing in your request and at the pre-application meeting. It is therefore given without prejudice, is not binding in any way on the Council and does not form a judgement of whether any subsequent application will be approved or refused.*

*If you require formal confirmation that the works or development constitutes a permitted development or does not require planning permission you will need to apply for a lawful development certificate. Further information on lawful development certificates is available on the planning portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk).*