St Albans Call for Sites 2021 - Site Identification Form

Your Details		
Name		
Company/Organisation		
Bidwells		
Address		
John Ormond House		
899 Silbury Boulevard		
Central Milton Keynes		
Postcode		
MK9 3XJ		
Telephone		
Email		
Your interest		
Site Owner		
Planning Consultant	X	
Registered Social Landlord		
Local Resident		
Developer		
Community		
Other		
Site address/location (Please provide a map showing the site boundary)		
Land at 82 Oaklands Lane, Smallford, St Albans		
Site location plan enclosed		
Site area (in hectares) - 0.12 hectares		

Coordinates	
Easting - 519172	
Northing - 207992	

Site Location Plan Attached

Yes

GIS mapping shapefile attached (in .shp file format)

No

Land ownership (please include contact details if known)

Land Owners:

Option Agreement: Troy Homes Limited. The Bachelor Wing, Warlies Park House, Horseshoe Hill, Upshire. Essex, EN9 3SL

Current land use - Residential

Suggested land use

- Housing
- Gypsies & Travellers
- Mixed Use (please specify)
- Employment
- Renewable and low carbon energy and heat
- Biodiversity Improvement / Offsetting
- Green Belt Compensatory Land
- Land for Tree Planting
- Other (please specify

Reasons for suggested development / land use

The site is considered suitable for development as there are no significant constraints to development. The site is in a sustainable location, in close proximity to the existing services and facilities. Furthermore, given the site is under the control of Troy Homes, who specialise in the delivery of small to medium sized developments, it is capable of being delivered as soon as planning permission is granted. We therefore consider that the site should be allocated for development.

Likely timescale for delivery of suggested development / land use

- 1-5 Years
- 6-10 Years
- 11-15 Years
- 15+ Years

Site Constraints Contamination/pollution issues (previous hazardous land uses) No Environmental issues (e.g. Tree Presentation Orders; SSSIs) No Flood Risk No Topography affecting site (land levels, slopes, ground conditions) No Utility Services (access to mains electricity, gas, water, drainage ect.) Yes – access to utility services are available. Legal issues (For example, restrictive covenants or ownership titles affecting the site) No Access. Is the site accessible from a public highway without the need to cross land in a different ownership to the site? Yes Other constraints affecting the site No

Planning Status

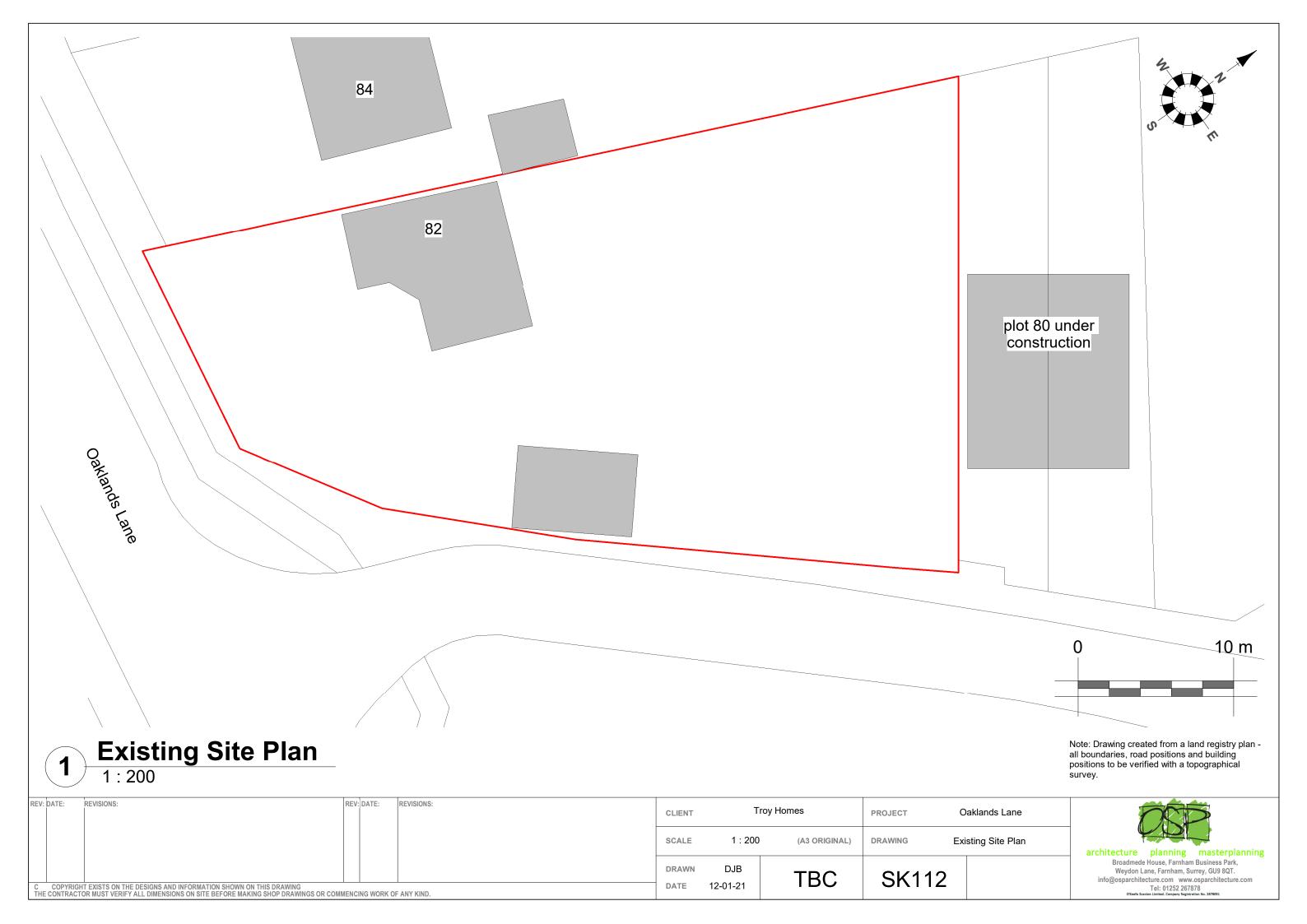
- Planning Permission Granted
- Planning Permission Refused
- Pending Decision
- Application Withdrawn
- Planning Permission Lapsed
- Pre-Application Advice
- Planning Permission Not Sought
- Other

Please include details of the above choice below (for example planning reference numbers and site history)

It is anticipated that a pre-application submission will be made shortly followed by the planning application.

Other comments

Please see covering letter.







Your ref: Our ref: DD: OPP-01153 Call for Sites

Date:

08/03/2021

Mr C Briggs
St Albans City and District Council
Planning Policy
Civic Centre
St Peters Street
St Albans
AL1 3JE

Sent via Email Only: planning.policy@stalbansgov.uk

Dear Chris,

LAND AT OAKLANDS LANE, SMALLFORD, ST ALBANS CALL FOR SITES SUBMISSION ON BEHALF OF TROY HOMES LTD

On behalf of our client, Troy Homes Limited we are delighted to submit this site for the St Albans City and District (SADC) Call for Sites.

Troy Homes is a quality house builder who specialise in small to medium sized developments across the South East of England. Troy Homes have a land interest in a site off Oaklands Lane, Smallford, St Albans which they are promoting for the development of six dwellings.

The site is considered suitable for development as there are no significant constraints to development. The site is in a sustainable location, in close proximity to the existing services and facilities. Furthermore, given the site is under the control of Troy Homes, who specialise in the delivery of small to medium sized developments, it is capable of being delivered as soon as planning permission is granted. We therefore consider that the site should be allocated for development.

Site Description

The site is located between No. 80 and No. 82 Oaklands Lane. A Site Location Plan has been enclosed with the submission along with an indicative site layout. The existing bungalow (No. 82 Oaklands Lane) will be removed and redeveloped to accommodate the proposed homes. It is worth noting that planning permission has been granted for the demolition of No. 80 Oaklands Lane and the construction of two 3-bedroom properties (LPA Ref: 5-2017/2208/MIND).

The site is approximately 0.12ha (0.29 acres) in size and is located to the north east of Oaklands Lane and is positioned between existing properties. There are a number of trees and existing hedging along the boundary of the site which will be kept where possible. Oaklands Lane is located to the south east and west and effectively forms two boundary sides. Residential properties are located on the remaining sides.

Smallford is located between St Albans and Hatfield and the village is washed over by Green Belt.





The site has good vehicle access and sufficient visibility splays can be demonstrated. Furthermore, the proposed development would accommodate all of the requisite parking to meet the requirements contained within the Revised Parking Policies and Standards policy document (2002).

Access to Services and Facilities

The site is well located to the existing services and facilities within Smallford and the wider area. There is a petrol filling station and shop, farm shop and bus stop within walking distance of the site. The Jove Gardens bus stop is located approximately 150 meters from the site and has half hourly bus services to Welwyn Garden City, St Albans and Hatfield. In addition, nearby services also go to Watford, Potters Bar and Hemel Hempstead. In terms of train links, the site is well located between the St Albans train station (4.6km west) and the Hatfield train station (6km east). Both stations have links to the wider train network.

Planning Policy Considerations

The new emerging Local Plan was recently withdrawn following it being found unsound due to the failure over the duty to cooperate. The Development Plan therefore comprises of the saved policies of the 1994 St Albans District Local Plan.

The Authority is currently facing a significant lack of supply of housing with the last published statement claiming a 1.9 years supply. As such, the Council cannot demonstrate a robust five-year housing land supply. It is therefore vital that smaller, more deliverable sites are identified to deliver much needed homes in the short-term.

Additional supplementary planning guidance of relevance comprise the following:

- Revised Parking Policies and Standards (2002)
- Roads in Hertfordshire Design Guide 3rd Edition
- Affordable Housing Supplementary Planning Guidance (2004)
- Design Advice Leaflet No. 1 'Design and Layout of New Housing'

The Saved Policies of the St Albans Local Plan does not have any development plan policies that relate to limited infilling in villages.

Given the lack of local planning policy, it therefore falls to the NPPF. The tests would be if it is appropriate development in the Green Belt and if the adverse impacts of the development would significantly and demonstrably outweigh the benefits.

The Court of Appeal judgement in the matter of Wood v Secretary of State for Communities and Local Government [2015] EWCA Civ 195 is relevant to this site. This judgement identified that 'limited infilling' is a standalone development exception and that the consideration for decision makers should be whether, as a matter of fact on the ground, a site appears to be in a village rather than being determined by the inclusion or otherwise of a site within a defined infilling boundary. Whilst Smallford does not have a defined infill boundary, this judgement is essential in determining how one should apply the test of what constitutes limited infilling e.g. an assessment of the context of the immediate surrounding development within the built-up fabric of the settlement.





Paragraph 89 of the NPPF explores the exemption criteria, the criteria of relevance to this site is the limited infilling of villages; and, the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In terms of potential harm to the Green Belt, the area does not contribute to the openness of the Green Belt furthermore the development constitutes 'limited infilling in villages'. As such the test of its impact on the openness would not apply.

Neighbourhood Plan

The Colney Heath Neighbourhood Plan is the emerging Neighbourhood Plan for the area. It would appear that they are looking to allocate sites, although the level of dwellings that they are looking to allocate is currently unknown.

The Neighbourhood Plan has undertaken a Call for Sites, and a total of 14 sites were submitted, in addition to one received after the deadline which was discounted. All of the proposed sites are within the Green Belt. This site was not submitted to the Neighbourhood Plan Call for Sites.

Design Considerations

The design of the development has been carefully considered to ensure that there is no adverse impact on the surrounding landscape including the views and vistas to and from the village. There is an existing bridleway that runs to the east of the site. Views from the bridleway back to the village have therefore been specifically considered. Similarly, the views from the village towards the mature trees are important and will be maintained where possible.

Given the proximity to the existing settlement, the impact on the existing levels of amenity that the surrounding residents currently enjoy have been carefully considered and maintained.

Saved Policy 5 New Housing Development in Specified Settlements states that 'Within existing residential areas, housing densities on development sites will generally be lower than in towns and proposals must be compatible with the maintenance and enhancement of the settlement's character.' It is further noted that 'Development on new greenfield sites should respect the density, scale and environmental quality of the character of the settlement to which they are related.'

Saved Policy 69 General Design and Layout states 'All development shall have an adequately high standard of design taking into account the following factors:

- (i) Context The scale and character of its surroundings in terms of height, size, scale, density") or plot to floorspace ratio;
- (ii) Materials Shall normally relate to adjoining buildings. Large isolated buildings in rural or settlement edge settings shall be clad in materials that take account of the general colour and tonal value of their background;'

Recent decisions have referenced the National Planning Policy Framework and its commitment in paragraph 122 to the efficient use of land. Given the sustainable location the proposed density is considered appropriate. The development will be of a high quality and provide much needed homes in a suitable and sustainable location.



Conclusion

The site forms part of the established linear form of development, with examples of other recent development in close proximity.

The design of the site has been carefully considered to ensure that it meets the required standards and would not result in any harm by way of highway safety, neighbour amenity, impact on services and facilities, landscaping, ecology etc.

The site offers a sustainable and suitable site that is considered capable of delivering six dwellings now. The site is under the control of a specialist housebuilder and therefore the much needed housing can be delivered promptly after planning permission is secured.

We are very grateful for this opportunity to promote this site through the Call for Sites and would be most grateful if we could be included within future consultations. Should you have any questions or comments, please do not hesitate to contact myself or my colleague Robert Love.

Kind regards



Enclosures Site Location Plan

Proposed Site Plan

Call for Sites Form

Copy — Troy Homes



25 January to 5pm 8 March 2021 'Call for Sites 2021' Site Identification Form

St Albans City and District Council is in the process of preparing a new Local Plan 2020-2038. The 'Call for Sites' is an early opportunity for individuals, landowners and developers to suggest sites within the District for development over the next 15-20 years. The site suggestions received by us will be used to inform the preparation of the new Local Plan 2020-2038.

You are invited to put forward any new sites that you would like the Council to consider in its Housing Economic Land Availability Assessment (HELAA). These should be capable of delivering 5 or more dwellings, or economic development on sites of 0.25 hectares or more (or 500 square metres of floor space or more). The Council will take account of the Strategic Housing Land Availability Assessment (SHLAA) submissions previously received since 2009 and therefore there is no need to resubmit these unless circumstances have changed. Sites from previous SHLAAs will form part of the Council's assessment. Proposed land uses can include:

- Housing
- Gypsy & Traveller Housing
- Mixed Use
- Employment
- Renewable and low carbon energy and heat
- Biodiversity Improvement / Offsetting
- Green Belt Compensatory Land
- Land for Tree Planting
- Other

To enable sites to be mapped digitally, please provide GIS shapefiles of your site, where possible.

The consultation period runs for six weeks between Monday 25 January to 5pm on Monday 8 March 2021.

Unfortunately, we cannot treat any of the information you provide as confidential.

It is important to note that not all sites received through the 'Call for Sites' will be appropriate for consideration as part of the Housing Economic Land Availability Assessment (HELAA). As a general rule:

We encourage you to submit sites that are likely to become available for development or redevelopment between now and 2038.

Please do not submit sites that:

 Are already included as a housing allocation in the St Albans District Local Plan Review (November 1994) – i.e. sites that are listed in 'saved' Policies 4 and 5.

- Have already been submitted to the Council for consideration via previous 'Call for Sites' and Strategic Housing Land Availability Assessment (SHLAA) processes (unless information is updated/changed).
- Already have planning permission for development, unless a new and different proposal is likely in the future; or
- Are situated outside St Albans City and District's administrative area.

If you wish to update information about a site previously submitted please complete the form below.

Please return the <u>form and site location plan</u> to the Spatial Planning and Design Team. We strongly encourage digital submissions via our online portal.

By online consultation portal:

http://stalbans-consult.limehouse.co.uk/portal/

By e-mail to: planning.policy@stalbans.gov.uk

By post to: St Albans Council Offices, St Peters Street, St Albans, Hertfordshire, AL1 3JE

Due to COVID-19; offices being shut and officers working from home; submissions by post are discouraged.

Your Details	
Name	
Company/Organisation	Dalcour Maclaren
Address	4 Bredon Court Brockeridge Park Twyning Tewkesbury
Postcode	GL20 6FF
Telephone	
Email	EPTeam@dalcourmaclaren.com
Your interest	□Site Owner □Planning Consultant □Registered Social Landlord □Local Resident □Developer □Community □Other

Site Details				
Requirements: Delivers 5 or more dwellings or; Provides economic development on sites of 0.25 hectares or more (or 500 square metres of floor space or more) Site address/location) square	
Site address/location (Please provide a map showing the site boundary)	Affinity V	Vater, Roestock	(Lane	
Site area (in hectares)	1.2 ha.			
Coordinates	Easting 520966 Northing 520966, 205960			960
Site Location Plan Attached	□Yes □No			
GIS mapping shapefile attached (in .shp file format)	□Yes □No			
Landownership (please include contact details if known)	Affinity Water Limited			
Current land use	Disused	water storage		
Condition of current use (e.g. vacant, derelict)	Surplus	land		
Suggested land use	☐ Housing ☐ Gypsy & Travellers ☐ Mixed Use (please specify) ☐ Employment ☐ Renewable and low carbon energy and heat ☐ Biodiversity Improvement / Offsetting ☐ Green Belt Compensatory Land ☐ Land for Tree Planting ☐ Other (please specify)			
Reasons for suggested development / land use	Please see supporting information			

Likely timescale for	☐ 1-5 Years
delivery of suggested	☐ 6-10 Years
development / land	☐ 11-15 Years
use	☐ 15+ Years

Site Constraints	Contamination/pollution issues (previous hazardous land uses)	□ Yes □ No
	Environmental issues (e.g. Tree Presentation Orders; SSSIs)	□ Yes □ No
	Flood Risk	☐ Yes ☐ No
	Topography affecting site (land levels, slopes, ground conditions)	□ Yes <mark>□ No</mark>
	Utility Services (access to mains electricity, gas, water, drainage etc.)	□ Yes □ No
	Legal issues (For example, restrictive covenants or ownership titles affecting the site)	□ Yes □ No
	Access. Is the site accessible from a public highway without the need to cross land in a different ownership to the site?	☐ Yes☐ No (If no please provide details of how the site could be accessed. Without this information the site will not be considered to be deliverable).

	Other constraints affecting the site	☐ Yes (If yes, please specify)☐ No
Planning Status	☐ Planning Permission Granted ☐ Planning Permission Refused ☐ Pending Decision ☐ Application Withdrawn ☐ Planning Permission Lapsed ☐ Pre-Application Advice ☐ Planning Permission Not Sou ☐ Other Please include details of the about planning reference numbers and APP/B1930/W/15/3137409 Larger site area, please see supplements.	ght ove choice below (for example d site history)
Other comments		

Land at Roestock Lane, Colney Heath, St Albans, Hertfordshire



Our Ref: 193645 Your Ref:

8th March 2021

Spatial Planning Team St Albans City & District Council Civic Centre St Peters Street St Albans AL1 3JE

Planning.policy@stalbans.gov.uk



4 Bredon Court Brockeridge Park Twyning Tewkesbury GL20 6FF

M

Dear Sirs,

St Albans District Local Plan - Call for Potential Development Sites

We write on behalf of our client, Affinity Water Limited (AWL), regarding the current Call for Sites consultation on the St Albans District Council (SADC) website. AWL wish to put forward their Roestock site at Colney Heath as being suitable for allocation for residential development.

The submission includes the following documents:

- Supporting letter
- Relevant appendices
- Completed form
- GIS shapefiles

Site description and background

The site is located on the south side of Roestock Lane, and forms part of the wider AWL site.





The site currently consists of redundant water storage tanks (covered) and associated equipment. It is located adjacent to dwellings to the south-west, with Affinity Water land to the north-east. The land to the north-west is operational land, including a pumping station, hardstanding and parking areas and dwellings within the company ownership, located along the access drive from Roestock Lane.

Site allocation

It is considered that the site would be suitable and capable of providing housing development that would contribute towards the District's housing needs.

The site would be able to provide approximately 1.2ha., equating to between 28-30 dwellings.

The area submitted is redundant for water purposes and as such represents surplus land available for allocation.

The site would be available for delivery within 4-8 years.

The site benefits from a number of features:

- ✓ Previously developed land
- ✓ Existing access on to Roestock Lane
- ✓ Location within existing village boundary, representing infill development
- ✓ Existing dwellings adjacent to the site (both within and outside the AWL ownership)
- ✓ Access to existing services and utilities
- ✓ Proximity to nearby services and amenities
- ✓ Variety of bus stops for local services within walking distance
- ✓ Proximity to A1 and wider links
- ✓ Approx. 10 minute journey by car to Hatfield; 40 minute journey by public transport
- ✓ Defined site boundaries
- ✓ Opportunity to provide affordable housing

Planning Considerations

A previous planning application for 30 dwellings was dismissed at appeal in 2016¹ on a number of grounds, inter alia the impact on the Green Belt by way of harm to openness and that the proposal would not be considered to be 'limited infill'.

The proposal dismissed at appeal differs significantly to the area as submitted in this call for sites submission, in that the developable area is reduced and is restricted to an infill area, and does not propose development to the north-east of the pumping station. This is also by virtue of the dwellings to the north-east, south-east and north-west as well as the pumping station building. Whilst the Inspector found that there was a distinction between Roestock and Bullen's Green, it

¹ APP/B1930/W/15/3137409

is submitted that this is only by virtue of the agricultural field to the north-east of the AWL site, and to the south-west of Roestock Gardens. The site as submitted would not encroach on this open land.

The designation of Green Belt land is fundamentally to prevent urban sprawl and to keep land permanently open. The Green Belt serves five purposes:

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

NPPF para.134

The development at this site for housing delivery would not conflict with these five purposes of the Green Belt.

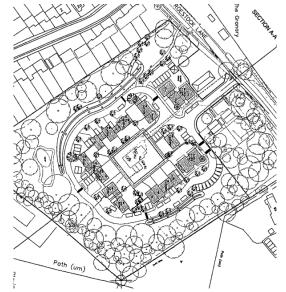
- a) The development would not represent unrestricted sprawl of large built-up areas as it would be located within the defined boundary of the existing site.
- b) The site is clearly delineated and would not result in the joining of Roestock and Bullen's Green;
- c) The site is not located in the countryside, rather represents limited infilling in a village;
- d) Development of this site would not harm the setting or special character of a historic town and;
- e) Reuse of the land represents the recycling of derelict/redundant land and as such is a sustainable method of providing land for housing and also fulfils the exceptions set out by the NPPF.

The NPPF also goes on to set out criteria where development in the Green Belt would be deemed to be acceptable. In this instance, (e) and (g) are deemed to be applicable:

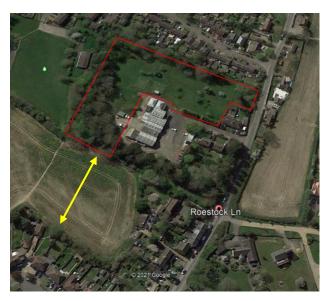
- e) limited infilling in villages;
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development;
 or not cause substantial harm to the openness of the Green Belt, where the development would
 re-use previously developed land and contribute to meeting an identified affordable housing need
 within the area of the local planning authority

NPPF para.145

The area submitted as part of the call for sites is illustrated below, alongside the dismissed scheme.



Layout of dismissed scheme, showing proposed development beyond pumping station



Site submission, showing reduced developable area and clear gap retained between Roestock and Bullen's Green

In addition to the opportunity to retain green areas for local areas of play, drainage or similar, this site would be able to continue to contribute to the gap between Roestock and Bullen's Green. Notwithstanding this, as seen from the road, the two settlements are joined by virtue of the development which is almost continuous along Roestock Lane. The proposed site would not contribute to this development along the road, nor would it encroach on to open countryside; it is simply making use of former operational land.

The Inspector at the 2016 appeal refers to the case of Timmins & Anor v Gedling Borough Council [2014] EWHC 654 (Admin) when considering openness and the absence of buildings. Whilst those conclusions in part applicable, the Inspector also acknowledges that that case is not directly comparable in terms of the development or site context at Roestock Lane. In addition to this, it is respectfully noted that in the instance of the 2016 appeal, the classification of the site as previously developed land is not disputed.

Whilst openness is one consideration, another is the concept of 'infilling'. We refer to the appeal at Marlow² which considers limited infill. Whilst the scale of development is smaller (for only one dwelling), the circumstances are similar in that the location is a rural village which is washed over by Green Belt. In this instance, the Inspector found that a development in a small gap in an otherwise built-up frontage within a village would fall within the exception category for limited

.

² APP/K0425/W/17/3188568

infilling in villages as identified by the NPPF. Whilst the proposed site would not fill a gap along a frontage, it is clear that the development of the submitted site would fall between developed areas within the village, essentially the pumping station and the dwellings along Hall Gardens.

We also refer to Wood v Secretary of State for Communities and Local Government and Gravesham Borough Council EWCA Civ. 195 at [12] where it was concluded that whether or not a proposed development constitutes limited infilling in a village for the purposes of paragraph 145 (then paragraph 89) is a question of planning judgement and the answer would be dependent on the assessment of the position on the ground.

Further recent appeal decisions support this stance, and in Lancashire³, the Inspector has confirmed that the idea of development of small gaps between existing buildings is not defined within any national policy or guidance. The Inspector goes on to say: "...there is nothing in paragraph 145...that states or implies that the exception can be met only through development of small gaps between existing buildings. The matter has to be assessed in the context of the site's location and the form of development proposed... Whether the proposal constitutes limited infilling is, therefore, a question of fact and planning judgement having regard to the nature and size of the proposed development, the location of the site and its relationship to existing development adjoining and adjacent to it."

It is submitted that the site represents a modest scale of development and is clearly defined within the existing gaps of the village and does not encroach upon the development boundary of the village.



In contrast, the adjacent site at Roundhouse Farm, Colney Heath, has also been considered an application for residential development of up 100 dwellings. It is a cross boundary application with Welwyn Hatfield Borough Council (WHBC) and SADC.

The application in 2020 was refused by WHBC and was non-determined by SADC, due to its significant scale and location within the Green Belt.

Roundhouse Farm is currently in agricultural use, with open fields bounded by hedgerows. The AWL site at Roestock is previously developed land and remains clearly delineated and we have submitted is less likely to impact the openness of the Green Belt if residential development were to be constructed here.

_

³ APP/F2360/W/20/3244797

The proposed development at the AWL site as submitted would also be of a smaller scale development. The Roundhouse Farm development would result in the loss of the agricultural field located between the AWL land and the rear of dwellings at Roestock Gardens. It is submitted that this would represent a closing of the strategic gap in the Green Belt, which would not be the result of development at Roestock Lane.

Conclusion

In summary, the proposed site submission has taken into account the concerns of the previous Inspector and limits the proposed site to reflect surplus land and infill plot between the existing pumping station and dwellings.

The proposed site would constitute an appropriate development and re-use of previously developed land, providing a development that is of a scale suitable for the village. The provision of up to 30 dwellings would also enable the provision of affordable housing, thus contributing to this housing need as well.

The use of this land in the Green Belt would not inherently affect its openness or the reasons for including land within it and represents a sustainable option to re-use redundant land. We would be happy to work with you in the assessment of this site for inclusion in your strategic plan.

Please contact us if you require any further information.

Yours faithfully,



Appeal Decision

Site visit made on 16 February 2016

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 February 2016

Appeal Ref: APP/B1930/W/15/3137409 Roestock Depot, Roestock Lane, Colney Heath, St Albans, Hertfordshire, AL4 0QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Affinity Water Ltd against the decision of St Albans City & District Council.
- The application Ref 5/15/0784, dated 18 March 2015, was refused by notice dated 6 July 2015.
- The development proposed is demolition of existing buildings (retention of existing pumping station) and construction of 30 dwellings with associated works.

Decision

1. The appeal is dismissed.

Preliminary Matters

- 2. I have used the description of development contained in the appeal forms rather than the planning application as this more succinctly describes the proposal.
- 3. The application is submitted in outline with all matters reserved for subsequent consideration. I have considered the appeal on this basis.
- 4. Two additional drawings, an Indicative Layout 'D.01 Rev.J' and Location, Block and Section Plan 'D.02 Rev.C' were submitted in support of the appeal which did not form part of the original planning application. The Council has had the opportunity to comment on these drawings, which include minor alterations with respect to parking provision. I am also mindful that the drawings are indicative in nature and not definitive. I have taken the drawings into account in determining the appeal.
- 5. During the appeal process a legal agreement was submitted to secure the planning obligations sought by the Council and subject of refusal reasons 4 and 5 of the Council's decision. I consider this matter further below.

Main Issues

- 6. The main issues are:
 - (a) Whether the proposal is inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework and whether it would have a greater effect on the openness of the Green Belt;

- (b) Whether sufficient information has been provided to demonstrate that the development would not be at risk of flooding, or cause flooding elsewhere;
- (c) Whether sufficient parking would be provided within the development to avoid adverse impacts in the pubic highway and nuisance to neighbours';
- (d) If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development and the effect on openness

- 7. Policies 1 and 2 of the LP¹ restrict development in the Green Belt other than for specified purposes. This general approach to Green Belt protection is consistent with that of the National Planning Policy Framework (the Framework) but I note that greater scope for exceptions are set out at paragraph 89 of the Framework and this is an important material consideration.
- 8. Paragraph 79 of the Framework makes it clear that the Government attaches great importance to the Green Belt and the protection of its essential characteristics, those being openness and permanence. Paragraph 87 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New buildings are to be regarded as inappropriate development, subject to the express exceptions outlined in paragraph 89.
- 9. Amongst others, these exceptions include limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; and limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (except temporary buildings). However, the latter is subject to the caveat that development would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
- 10. Given the sites location in a gap between to distinctly separate built-up areas (Bullen's Green and Roestock) and the scale of the proposed development, which would not be flanked by existing built form on both sides for much of its depth, I do not consider that the development could be appropriately described as limited infilling in a village. This is notwithstanding the presence of houses either side of the site along the road frontage.
- 11. With regard to the second potential exception, there is agreement between the parties that much of the site constitutes previously developed land in the terms of the Framework. Given the presence of the existing buildings and associated infrastructure, I am satisfied that the site can be properly considered as such, including its curtilage. That said, the Framework is clear that this should not lead to an assumption that the whole of the curtilage should be developed². Having established this position, it is necessary to consider whether the

_

¹ City and District of St Albans District Local Plan Review (adopted 1994)

² Definition of 'Previously developed land' contained at Annex 2 of the Framework

- proposed redevelopment would have a greater impact on openness and the purposes of including land within the Green Belt.
- 12. The site comprises an operational pumping station which is attached to a substantial building accommodating offices and other uses in connection with the water company's undertakings. Other smaller buildings also occupy the site along with a large area of hard standing and grass covered reservoirs which protrude above ground level. The buildings are utilitarian in appearance with a combination of pitched and flat roof sections. The principal building and the covered reservoirs are located close to one another with large amounts of open space surrounding which is laid to grass and accommodates mature trees.
- 13. The existing buildings and structures on the site cover a footprint of 1,481 square metres and cumulatively amount to a volume of 6,830 cubic metres³. The buildings range between 5.4m and 7.5m in height according to the appellant. Although the proposal is submitted in outline form with all matters reserved, the appellant has provided a great deal of information, including the expected floor space and volume of the proposed buildings and I have had regard to this as the likely form that any subsequent detailed scheme might take. The proposed buildings would cover a floor space of 1,770 square metres and amount to a volume of 9,301 cubic metres⁴. It is also expected that the proposed buildings would be taller than even the highest parts of the existing building, some comprising 2.5 storeys⁵.
- 14. It is clear from the above that the proposed development would result in a significant increase in the footprint and volume of buildings within the site. It is also accepted by the appellant that the development would not be confined to areas of the site that are currently occupied by buildings and that the proposed development would necessarily extend into the currently open grassland within the site.
- 15. Removal of the large existing building (with the exception of the pumping station) would in itself be a benefit to openness. Furthermore, the siting and layout of new dwellings could facilitate spaces between and assist in creating a sense of openness, particularly in the context of the parkland design approach suggested, involving open front gardens and large areas of surrounding open space.
- 16. However, openness is epitomised by the absence of buildings and this was established in the case of Timmins & Anor v Gedling Borough Council [2014] EWHC 654 (Admin). Whilst this case is not comparable to the appeal scheme in terms of the development proposed or the site context, the concept of openness is not dependent on consideration of such matters and can be transferred to the current appeal.
- 17. The existing buildings on the site undoubtedly have an impact on openness but the likely increase in volume and spread of mass and bulk across the site into areas currently absent of buildings would result in a greater impact on openness. Therefore, the development would be at odds with the Green Belts essential characteristics, openness and permanence. Furthermore, it would be

³ Paragraph 4 of Appellant's Statement and Table contained at Appendix 4 of Statement

⁴ Paragraph 12 of the Appellant's Statement

⁵ Paragraph 37 of the Appellant's Statement

- in conflict with its defined purposes, specifically to assist in safeguarding the countryside from encroachment.
- 18. For the reasons set out above, the development would be in conflict with the development plan and the Framework. The development does not fall within the exceptions outlined in the Framework and the proposal would be inappropriate development in the Green Belt, which is by definition, harmful. I attach substantial weight to this harm.
- 19. I have had regard to the extant use on the site and the past intensity of such use, including the potential for large numbers of staff and associated vehicles. However, the hard standing/parking area is located directly in front of the existing building and close to the front of the site, as would any parked vehicles be. As such, they would be well related to the built form of the site and surrounding area and the large areas of open space surrounding would remain unaffected. Therefore, I attach this matter little weight. For the same reason, I attach the potential for an intensified use on the site little weight. Whilst some expansion might be possible under permitted development rights, the existing buildings are referred to as redundant and I am not persuaded that such intensification or expansion is a likely prospect on the site.

Flooding

- 20. The site is located in Flood Zone 1 (lowest risk) as defined by the Environment Agency and a Flood Risk Assessment and Drainage Strategy (FRA) (June 2015) accompanies the application. The Council, in consultation with the County Council as Lead Local Flood Authority (LLFA), raised a number of concerns in relation to the FRA in terms of the level of detail provided and the reliability of the document in reaching a conclusion on flood risk though no concerns are raised to the principle of redevelopment.
- 21. The appeal submissions include a response⁶ to the objections raised which seeks to address the concerns. Neither the Council nor the LLFA have provided further comment in relation to this information and so I can only assume that there is no outstanding dispute in relation to this matter. The appellant suggests that a condition could be attached to any planning permission granted which requires detailed information in this respect, including a drainage scheme which would likely be dependent on the eventual scheme proposed through any reserved matters submissions in any case. Based on the information before me, I am satisfied that this matter could be appropriately dealt with by condition in the event that planning permission was granted. As such, I find no conflict with Policies 84 and 84a of the LP, which seek to avoid flooding and ensure appropriate drainage; or the objectives of the Framework. This is a neutral matter in my considerations.

Parking

22. The proposed development initially involved the provision of 59 parking spaces but this has since been increased to 66 spaces in light of the Council's concern that the level of parking proposed would be insufficient. Furthermore, the appellant states that the number of spaces could be increased to 80 spaces in order to meet the Council's requirement and this could be secured by condition, involving only a modest increase in the amount of hard standing necessary.

⁶ Appendix 17 of the Appellant's Statement

- 23. The Council relies upon Policy 40 of the LP and its Revised Policies and Standards (2002) which set maximum parking requirements. The Council suggests that these maximum figures should be delivered in this case given the rural and relatively unsustainable location in terms of access to services and facilities. However, the Revised Standards are expressed as maximum requirements with flexibility for lower levels of parking and it seems that the Council's primary concern in this case is for overspill into the surrounding highway network that might cause a nuisance to neighbours'. There is no evidence before me to support such a concern.
- 24. I have limited information before me as to the level of services and facilities available in the vicinity of the site though the Council notes the presence of a bus service. It seems to me that there is more than sufficient space within the site to provide an appropriate level of parking and that this would be best considered at the reserved matters stage in the context of the detailed house types and layout. Given that the Council's parking requirements are expressed as maxima, the appellant's undertaking to increase the level of parking on the site and the clear ability to do so, I cannot identify any conflict with the development plan at the current stage. The plans before me, including in respect of parking provision are indicative and this is a matter that should be dealt with at a later stage. I am not persuaded that the development would result in additional parking in the public highway or cause nuisance to neighbours'. This is a neutral matter in my considerations.

Other considerations

- 25. The appellant has included a great deal of information regarding the effect of the development on the character and appearance of the area, including a Written Statement dealing with landscape and visual matters (October 2015). This is not a matter which is raised by the Council in any detail and did not form part of the refusal reasons, notwithstanding that some concern is raised regarding the visual amenity of the Green Belt.
- 26. Matters of character and appearance are distinct from considerations in respect of openness and I have concluded on the latter above, having had regard to the appellant's statement. Although the development would clearly encroach into the countryside by virtue of its expansion beyond the existing built form on the site, I have no reason to disagree that replacement of the existing building and redevelopment of the site would not be harmful to landscape character in the longer term, subject to appropriate landscape mitigation. Some landscape and visual impacts would result but these, overall, would be neutral in my considerations.
- 27. It is also accepted by the Council that it cannot currently demonstrate a deliverable five year housing land supply in accordance with paragraph 47 of the Framework. As such, there is a general need to increase the availability of housing sites in the Borough in order to meet the Framework's objective to boost significantly the supply of housing.
- 28. There is dispute between the parties as to the magnitude of the lack of supply and the scale of the deficit is material, but Planning Practice Guidance (PPG) is clear that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the very special circumstances necessary to

justify inappropriate development in the Green Belt⁷. Even if I were to accept the appellant's position that there is a substantial deficit in housing supply, this matter would only attract moderate weight, bearing in mind the very limited contribution that would be made by the 30 units proposed. This is notwithstanding that the site has been identified by the Council, including in its SHLAA, as contributing towards its housing supply as there is no reason why an alternative and suitable form of development should not come forward.

- 29. Furthermore, despite the lack of a demonstrable five year housing land supply, I do not consider that the Framework's presumption in favour of sustainable development is engaged in this case. Paragraph 14 of the Framework is clear that planning permission should not be granted where specific policies of the Framework indicate that development should be restricted. One example of such a policy is land designated as Green Belt⁸. The site is located in Green Belt and I have identified substantial harm in these regards.
- 30. The submitted legal agreement would secure the provision of affordable housing that would contribute towards the identified need in the area. This weighs in favour of the development and is a matter to which I attach moderate weight, given the small contribution that would be made by the 11 affordable units proposed.
- 31. I have had regard to the other potential benefits of the development identified by the appellant including the provision of jobs in the construction industry and for local suppliers, support of strong vibrant communities through the influx of additional population and the provision of open space and I attribute these benefits limited weight.

Conclusion

- 32. I have identified that the proposed scheme would constitute inappropriate development in the Green Belt for the purposes of the Framework and would harm openness. I have considered the grounds presented in support of the development but together they do not outweigh the harm the scheme would cause. Consequently, the very special circumstances necessary to justify the development have not been demonstrated.
- 33. In light of the above, I conclude that the appeal should be dismissed.

Michael Boniface

INSPECTOR

⁷ Planning Practice guidance Reference ID: 3-034-20141006

⁸ Footnote 9 of the Framework

St Albans Call for Sites March 2021

Radio Casa, Oaklands Lane, Smallford, St Albans

On behalf of Mr and Mrs Barba we submit the site known as Radio Casa Oaklands Lane. The site extends to 0.38 hectares. It is shown edged red on the attached plan and falls within a planning permission for 28 dwellings.

The former Radio Nursery and the adjoining Chester Nursery (now Jove Gardens) are housing development sites. Jove Gardens has been built and the site of Radio Nursery, work is soon to commence by Stonebond. A Review of Smallford having regard to these developments demonstrates that Radio Casa along with these developments now falls within the settlement edge, wherein new development should be permitted.

Smallford is a settlement which either has or is in close proximity to many facilities, which include employment opportunities, it is at cross roads for public transport routes, retail, pub, childrens nursery, petrol filing station etc. The Council has accepted in Appeals that the location is sustainable. Given its close proximity to both the boundary of the City and Hatfield, together with its public transport links and cycleway connections to centres/railway stations, it is a more sustainable location than other larger settlements in the district and developments which have recently been granted on the edge of the City, where public transport links are remote as are other facilities.

A development access to the site is preserved in an agreement relating to Radio Nursery development site as seen on the attached layout.

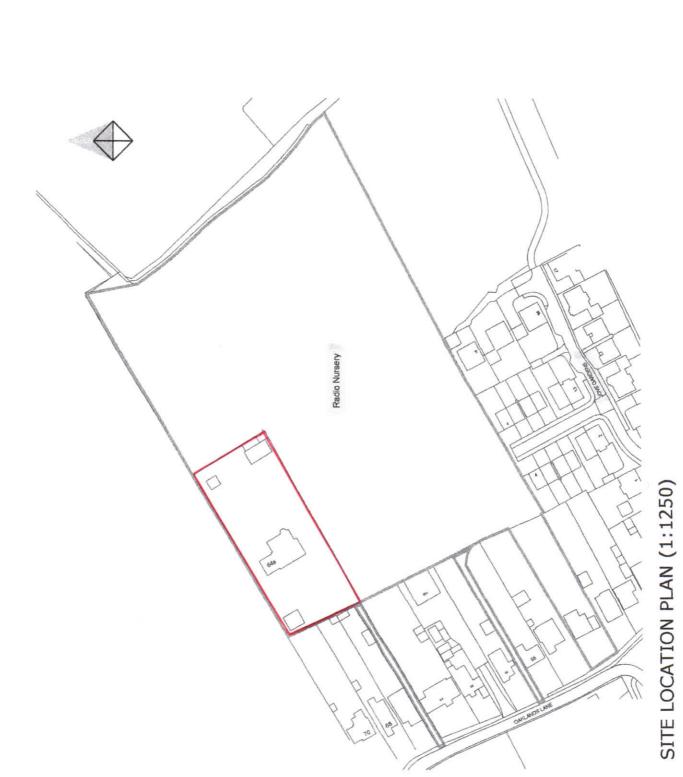
The size of the Radio Casa site and the ability to connect to estate roads and services from the adjoining development means it would be very suitable for small /medium enterprise housebuilders.

The identification of the site for housing would be best achieved by identifying Smallford as a settlement, wherein development would be permitted and drawing rational and logical settlement boundaries which have regard to the existing built form, consented developments and where appropriate a rounding off.

Derek Bromley

Bidwells, John Ormond House, 899 Silbury Boulevard, Milton Keynes, MK9 3XJ

Email



NOTES

PLANNING



OAKBRIDGE BESPOKE HOMES LTD THE PRIORY, HIGH STREET REDBOURN, LAS 7LZ 01582 784499

PROPOSED DEVELOPMENT AT: RADIO NURSERIES ST ALBANS

SITE LOCATION PLAN

0	7-2018
Name N	IWC
	-
	4 4









HELAA Reference (Internal use only)

25 January to 5pm 8 March 2021 'Call for Sites 2021' Site Identification Form

St Albans City and District Council is in the process of preparing a new Local Plan 2020-2038. The 'Call for Sites' is an early opportunity for individuals, landowners and developers to suggest sites within the District for development over the next 15-20 years. The site suggestions received by us will be used to inform the preparation of the new Local Plan 2020-2038.

You are invited to put forward any new sites that you would like the Council to consider in its Housing Economic Land Availability Assessment (HELAA). These should be capable of delivering 5 or more dwellings, or economic development on sites of 0.25 hectares or more (or 500 square metres of floor space or more). The Council will take account of the Strategic Housing Land Availability Assessment (SHLAA) submissions previously received since 2009 and therefore there is no need to resubmit these unless circumstances have changed. Sites from previous SHLAAs will form part of the Council's assessment. Proposed land uses can include:

- Housing
- Gypsy & Traveller Housing
- Mixed Use
- Employment
- Renewable and low carbon energy and heat
- Biodiversity Improvement / Offsetting
- Green Belt Compensatory Land
- Land for Tree Planting
- Other

To enable sites to be mapped digitally, please provide GIS shapefiles of your site, where possible.

The consultation period runs for six weeks between Monday 25 January to 5pm on Monday 8 March 2021.

Unfortunately, we cannot treat any of the information you provide as confidential.

It is important to note that not all sites received through the 'Call for Sites' will be appropriate for consideration as part of the Housing Economic Land Availability Assessment (HELAA). As a general rule:

We encourage you to submit sites that are likely to become available for development or redevelopment between now and 2038.

Please do not submit sites that:

 Are already included as a housing allocation in the St Albans District Local Plan Review (November 1994) – i.e. sites that are listed in 'saved' Policies 4 and 5.

- Have already been submitted to the Council for consideration via previous 'Call for Sites' and Strategic Housing Land Availability Assessment (SHLAA) processes (unless information is updated/changed).
- Already have planning permission for development, unless a new and different proposal is likely in the future; or
- Are situated outside St Albans City and District's administrative area.

If you wish to update information about a site previously submitted please complete the form below.

Please return the <u>form and site location plan</u> to the Spatial Planning and Design Team. We strongly encourage digital submissions via our online portal.

By online consultation portal:

http://stalbans-consult.limehouse.co.uk/portal/

By e-mail to: planning.policy@stalbans.gov.uk

By post to: St Albans Council Offices, St Peters Street, St Albans, Hertfordshire, AL1 3JE

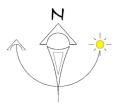
Due to COVID-19; offices being shut and officers working from home; submissions by post are discouraged.

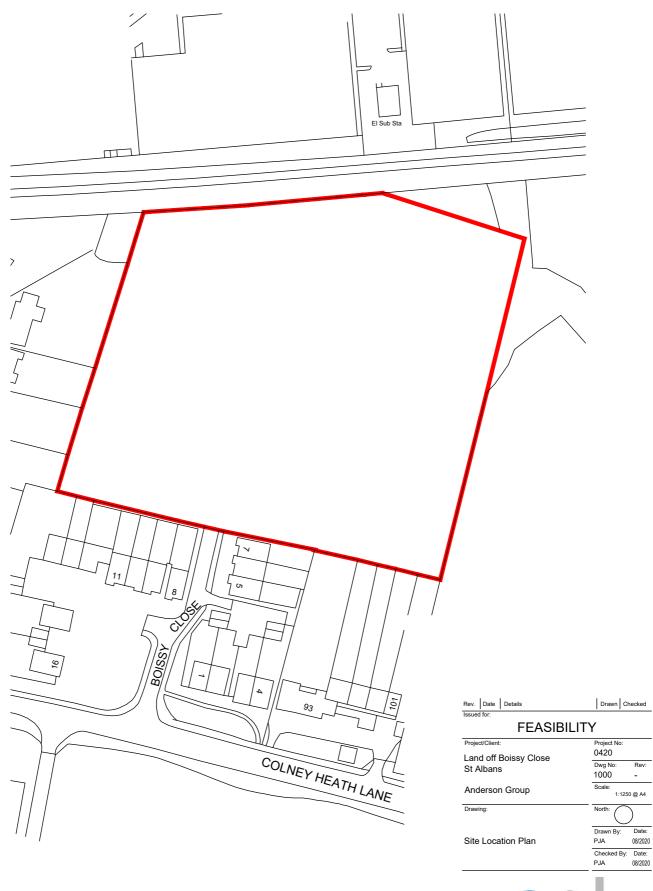
Your Details		
Name	Anderson Group on behalf of the landowner	
Company/Organisation	Anderson Group	
Address	Springfield Lodge, Colchester Rd, Chelmsford	
Postcode	CM2 5PW	
Telephone	01245 399999	
Email		
Your interest	□Site Owner □Planning Consultant □Registered Social Landlord □Local Resident □Developer □Community □Other	

Site Details				
 Requirements: Delivers 5 or more of the provides economic metres of floor space 	developr	nent on sites	of 0.25 hectares or more (or 500 square	
Site address/location (Please provide a map showing the site boundary)	Land to Albans,	the north of AL4 0UE	Boissy Close, Colney Heath Lane, St	
Site area (in hectares)	1.43 he	1.43 hectares		
Coordinates	Easting	518478	Northing 206899	
Site Location Plan Attached	□Yes □No			
GIS mapping shapefile attached (in .shp file format)	□Yes □No			
Landownership (please include contact details if known)				
Current land use	No curr	ent use. Vaca	ant grassland	
Condition of current use (e.g. vacant, derelict)	Vacant			
Suggested land use	☐ Mixed☐ Empl☐ Rene☐ Biodi☐ Gree☐ Land	y & Traveller d Use (please oyment ewable and loversity Impro	e specify) w carbon energy and heat vement / Offsetting ensatory Land hting	
Reasons for suggested development / land use	residenti within th inherent and affo	al use would e confines of ly sustainable rdable housir	enclosed and its repurposing for a constitute the logical infill of vacant land the St Albans conurbation. It is an elocation which can provide new market ag, together with a generous area of the for recreation and public enjoyment.	

Likely timescale for delivery of suggested	□ 1-5 Years □ 6-10 Years		
development / land use	☐ 11-15 Years ☐ 15+ Years		
Site Constraints	Contamination/pollution issues (previous hazardous land uses)	☐ Yes ☐ No	
	Environmental issues (e.g. Tree Presentation Orders; SSSIs)	☐ Yes ☑ No	
	Flood Risk	☐ Yes ☑ No	
	Topography affecting site (land levels, slopes, ground conditions)	☐ Yes ☑ No	
	Utility Services (access to mains electricity, gas, water, drainage etc.)	☑ Yes □ No	
	Legal issues (For example, restrictive covenants or ownership titles affecting the site)	☐ Yes ☑ No	
	Access. Is the site accessible from a public highway without the need to cross land in a different ownership to the site?	☐ Yes☐ No (If no please provide details of how the site could be accessed. Without this information the site will not be considered to be deliverable).	

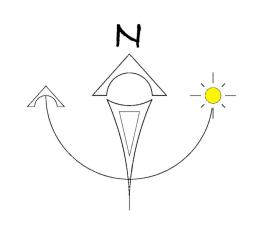
	Other constraints affecting the site	☐ Yes (If yes, please specify)☐ No The current Green Belt designation is the only substantive impediment to developing this land.
Planning Status	☐ Planning Permission Granted	
-	☐ Planning Permission Refused	
	☐ Pending Decision	
	☐ Application Withdrawn	
	☐ Planning Permission Lapsed	
	☐ Pre-Application Advice	
	☐ Planning Permission Not Sou	ght
	Other	abaica balaw (for average
	Please include details of the abordanning reference numbers and	` '
	Preapplication engagement has and drainage.	been undertaken on highways
Other comments	In the previous SHLAA exercise was suitable as a candidate for continues to be no legal or phys this site and the Anderson Group forward a high-quality scheme oterm.	Green Belt release. There ical impediments to delivering premains on standby to bring
	This land is of sufficient scale to incorporate the very highest sus efficiency ratings – including thresource heat pumps and solar parainwater harvesting measures, environmental impacts of bringir Local Plan to provide a valuable land supply requirements.	tainability measures and energy bugh the use of air or ground-inelling. This, together with would minimise the new













Rev. Date Details	Drawn Ch	necked
FEASIBILITY		
Project/Client: Land off Boissy Close St Albans	Project No: 0420	
	Dwg No: 1002	Rev:
Anderson Group	Scale: 1:1000 @ A2/ 1:2000 @ A4	
Drawing:	North:	
Indicative Site Layout	Drawn By: PJA	Date: 08/2020
	Checked By: PJA	Date: 08/2020

