

ST ALBANS LOCAL PLAN HEARING STATEMENT

STAGE 2, MATTER 3 – GREEN BELT

STONEBOND PROPERTIES

Issue 1 – Green Belt Review

7. Following the Stage 1 hearings, the Council published and consulted on new evidence relating to the alteration of Green Belt boundaries. In particular, this considered how previously developed land was considered in the site selection process.

Q1 - With reference to paragraph 146a of the Framework, has the Council adequately demonstrated that the strategy makes as much use as possible of suitable brownfield sites and underutilised land?

No – Stonebond do not consider that the Council has adequately demonstrated that they have made as much use as possible of suitable brownfield sites and underutilised land.

As set out in our response to the Additional Sites consultation, the Council appear to have ruled out a number of brownfield (or part brownfield sites) outside the 350m/400m Green Belt buffers without carrying out a proper assessment of such sites.

The Council appear to rely on an unpublished 'informal officer review' of such sites. If this review did take place, the approach was based on assessment against paragraph 154 g of the NPPF and whether the sites were capable of accommodating 5 or more dwellings. It is unclear how this approach is helpful and consistent with national policy.

Additionally, the approach has not been applied rigorously, with sites that are capable of accommodating more than 5 units on brownfield land ruled out without more detailed consideration. This the case for Stonebond's site to the rear of Notcutts Garden Centre. In this case, applying the Council criteria rigorously would have identified that there was brownfield land that could accommodate more than 5 dwellings within the site boundary, therefore passing the Council's own informal assessment criteria.

Whilst this land would not be developable in isolation, a more nuanced assessment would have identified that the remainder of the site is 'underutilised' vacant land in the context of NPPF paragraph 146a and would make a logical residential allocation. We would expect to see some form of recognition of this level of assessment in any evidence base to justify the selection/non-selection of sites.

As is discussed further in relation to Q2 below, we would also have expected an officer assessment to have also looked at the relationship of sites outside the buffer zones to public transport – an equal requirement of paragraph 147 of the NPPF (December 2023) to brownfield land.

Whilst identifying a lack of brownfield land generally is the first step in justifying the exceptional circumstances for reviewing Green Belt boundaries, once the need to review boundaries has been identified, it is brownfield sites and sites well served by public transport which should be considered first. This step simply hasn't happened which remains a failing in the soundness of the approach of the Council.

Q2 - Does the additional evidence adequately demonstrate that the Plan is consistent with paragraph 147 of the Framework, which states that plans should give first consideration to land which has been previously-developed and/or is well-served by public transport?

No – the additional evidence is focused on seeking to justify the approach to identifying (or not) suitable brownfield development sites. There is no reference to the addressing the lack of consideration of how well sites are served by public transport. This remains a significant omission in the Council's evidence base.

As was discussed at the Stage 1 hearings, the Council's reliance on using Green Belt buffers to identify sustainable sites cannot be considered consistent with NPPF paragraph 147 which explicitly requires consideration of how well a site is served by public transport. Proximity to the edge of a settlement does not provide the Council with the evidential basis that is needed to meet the requirement. The rationale for ruling sites out due to their location outside a Green Belt buffer is set out at paragraph 1.14 of the Local Plan Site Selection Proforma Methodology Paper (LPSS 02.02) where it states:

Green Belt Sites identified in the HELAA but outside of the GBR buffers were not considered to be suitable due to their less sustainable location and because development on such sites would create holes in the Green Belt, leading to fragmentation.

Nothing in the additional evidence is provided which amends this position. Whilst there is merit in the buffer approach to identify potential sites on the edge of a settlement that may make a limited contribution to the purposes of the Green Belt, the approach in isolation cannot be said to satisfy paragraph 147 of the NPPF.

Indeed, in our Matter 2 statement, we have identified that the Council have ruled out a separate Stonebond site (site M12, Land off the Slype, Gustard Wood) on the basis that the site is unsustainable despite the fact the site lies within a 250m Green Belt buffer.

This implies that the approach of the Council may not be fit for purpose to identify sustainable sites, let alone sites well served by public transport. In the same way that the approach of the Council can rule a site out of allocation despite being within a Green Belt buffer, why can the process not consider sites outside of buffers which are clearly well related to public transport routes, such as Stonebond's Notcutts site, which lies on the main public transport route between St Albans and Hatfield? This is a clear failing of the site allocation process.

Q3 - Does the evidence demonstrate that, at a strategic level, exceptional circumstances exist to alter Green Belt boundaries?

As noted in our Matter 2 statement, Stonebond consider that subject to a review of the approach to identifying brownfield and underutilised sites for allocation, the lack of alternatives, the previous shortfall in delivery, the significant ongoing housing need and affordability challenges providing the necessary justification to alter Green Belt boundaries.

Stonebond consider that additional sites are necessary generally to meet the minimum housing needs of the area. The allocation of the sites identified is justified and consistent with national policy – but as noted under Q1, the sites (and others in the draft Plan) have not been assessed and identified on a consistent basis.

8. The application of some Green Belt policies (such as Policy LG8) rely on the Council's proposed boundaries to Green Belt settlements as shown on the policies map.

Q4 - What is the justification for defining boundaries for those settlements that remain washed over by the Green Belt? Are the boundaries justified and effective?

It is for the Council to set out why the settlement boundary approach is necessary. However, Stonebond do not consider that there is a need to define settlement boundaries on the proposals maps for settlements washed over by the Green Belt.

Settlements should either be inset from the Green Belt, where it is not considered that the land needs to be kept permanently open (NPPF December 2024, paragraph 148 b) or simply washed over, where it is considered that there is a need to keep the land permanently open.

Within those areas that it is considered need to be kept permanently open, there should be no distinction between built areas and these areas of wider Green Belt, as is proposed by the Council's application of settlement boundaries. The exceptions policy in NPPF (December 2024) paragraph 154/155 can be applied to manage any development proposals in the Green Belt – whether this be within the built 'settlement' areas or the wider Green Belt. For the Council to seek to limit the areas where the NPPF exceptions can apply, as is the case in policies LG7 and LG8, is unnecessary and seeks to unduly restrict development that could be appropriate development in the Green Belt.

Notwithstanding this point, if the identification of Green Belt settlement boundaries is found to be a sound approach, the comments made by Stonebond in the Stage 1 hearing sessions (see our Matter 3 Hearing Statement, Question 8) about the lack of justification for the boundaries remain valid. In the case of Smallford, Stonebond do not consider that the evidence base justifies the need for the area to remain permanently open. In summary:

- The full extent of the built-up area of the settlement has not been identified, with urbanised areas lying outside the settlement boundary.
- Proper consideration has not been given to recent developments and their impact on the character and openness of the settlement.
- An inconsistent approach has been taken to the application of the criteria in the Green Belt Washed Over Villages Assessment, with Smallford not containing any key open spaces which, in part, the assessment uses to justify the need to protect the openness of the settlement by washing it over. If applied correctly and consistently, the assessment would conclude that Smallford should be inset from the Green Belt as it is unnecessary to keep the area permanently open.

In addition, the point was also made at Stage 1 that the proposed allocation of Glinwell will change the character of the area and effectively merge Smallford with the urban area of St Albans. This, combined with the points above about openness, indicate that the settlement of Smallford should be inset and potentially seen as contiguous with the inset boundary of St Albans.

To make the plan sound, Stonebond believe the settlement boundary should be amended to include the full extent of built form in the area and the settlement inset from the Green Belt.