

WRITTEN STATEMENT ON BEHALF CREST NICHOLSON

Regulation 19 Submission Number: 266

Inspector's Matter 1 – Legal Compliance

Issue 1 – Duty to Cooperate (Q1 & Q2)

- 1.1 Following the Regulation 19 consultation, St Albans District Council ('SADC') has published a Duty to Cooperate Compliance Statement (29 November 2024). SADC has also published a number of agreed Statements of Common Ground with neighbouring authorities and the County.
- 1.2 The cooperation between SADC, its neighbours and the County is set out in the published documents, with the chronology of activities/ meetings that underpin the latest Local Plan (Regulation 19 Publication, September 2024) set out at paragraphs 3.3 to 3.22 of the Duty to Cooperate Compliance Statement. This states that the Duty to Cooperate bodies do not disagree that SADC has met the Duty to Cooperate (para 3.22).
- 1.3 A key strategic, cross boundary issue for local planning authorities is delivery of housing and addressing unmet needs. This has seen SADC fail the Duty to Cooperate with two previous local plans. Whilst SADC's emerging Local Plan seeks to meet its housing needs in full, this does not remove the requirement to consider unmet needs from neighbouring areas. For SADC this specifically applies to the other South West Herts authorities, namely, Dacorum, Three Rivers, Hertsmere and Watford.
- 1.4 The Duty to Cooperate Compliance Statement and Statements of Common Ground with the other South West Herts authorities note that discussions on unmet housing need have taken place. There is limited detail on the nature of the discussions. That said, SADC and Dacorum (in its draft Local Plan submitted for examination in March 2025) are both now seeking to meet housing needs (calculated at the respective times) in full and so do not currently have unmet needs to export.
- 1.5 Three Rivers and Hertsmere have both undertaken Regulation 18 consultation on significantly lower housing numbers than the calculated requirements. However, the new NPPF (2024), against which both Three Rivers and Hertsmere's emerging local plans will be assessed, places a greater expectation on local authorities to meet their own housing needs, with amendment of Green Belt boundaries to facilitate this. This should work to reduce or even remove unmet needs.
- 1.6 The strategy in Three Rivers and Hertsmere continues to evolve and the scale of any unmet housing needs will not be known until further progress on the respective local plans has been made (early 2026 based on the latest LDSs).

- 1.7 SADC urgently needs a local plan in place and ought not be unduly delayed at this point when the scale of unmet need (if any) from its immediate neighbours will not be known for some time. The Joint Strategic Plan provides a framework for continued cooperation and consideration of unmet needs moving forward. Likewise, local government reorganisation, devolution and strategic planning are on the horizon and will provide further mechanisms for consideration of strategic matters.

Issue 3 – Sustainability Appraisal

- 1.8 The Sustainability Appraisal (September 2024: 'SA') considers four housing growth scenarios at Appendix III, the basis for which is explained in the 'Introduction' (**Q1**). These range from 300dpa as a 'no greenfield, no Green Belt' option to a 1,200dpa 'high growth' option. Commentary on the case for pursuing above and below local housing need is set out in Section 5. This puts forward arguments for and against both options which are considered to essentially '*cancel each other out*' (paragraph 5.2.28). The scenarios provide a reasonable range to test and are justified in the SA.
- 1.9 For affordable housing, the SA explains the 'complex' link between affordable and overall housing need and the risk of uplifting the housing requirement to account for affordable housing need for the market to fail to deliver (paragraph 5.2.21) (**Q2**). In the context of the housing requirement this Local Plan is predicated on (i.e. the standard method calculation at that time of 885dpa), an uplift to account for the full affordable need of 802dpa would have been significant. The 'high growth' scenario represented a notable increase above the local housing need figure, sufficient to test an option that could produce a higher quantum of affordable homes.
- 1.10 With reference to Harpenden, the justification for directing growth to this key town in the settlement hierarchy is set out in paragraph 5.4.53, noting the '*good local offer*' and fast and frequent rail services to key destinations. It is therefore reasonable to include growth at Harpenden in some form as a constant in the SA given the clear sustainability benefits (**Q3**).
- 1.11 The SA then considers the site options in each sub-area/ settlement. This summarises benefits and risks and includes comments on deliverability (**Q5**). An example is NE Harpenden. On deliverability, the SA notes as an issue that the site is being promoted as three separate sites, but that the promoters are collaborating (paragraph 5.4.64). Crest has control of the main part of the NE Harpenden site and confirms that it continues to work with the promoters of the other two parcels to facilitate delivery of the full allocation.
- 1.12 As to the consideration of other site options (**Q6**), these are very limited owing to, inter alia, high performing Green Belt, landscape, flooding and heritage constraints. Consideration is given to other site options throughout Section 5 of the SA, but the reality is that few alternatives exist and removal of any of the site options would make the preferred housing growth scenario unachievable.