

ET Planning

St Albans City & District
Council's
Draft Local Plan 2041
(Stage 2) - Examination in
Public

Matter 2

Housing Growth and Spatial Strategy

Statement on behalf of BRiCS Development - Site Ref. WH- 25-21

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1. Introduction

- 1.1 This Statement is submitted on behalf of BRiCS Development Ltd (hereafter referred to as 'BRiCS' or 'the Applicant') in relation to Matter 2 (Housing Growth and Spatial Strategy) of Stage 2 of the St. Albans City and District Council's ('SACDC') Local Plan 2041 Examination. BRiCS have been promoting '**Land West of Lamer Lane, Wheathampstead**' – reference **WH- 25-21 (the 'Site')** throughout the plan-making process. The location of the Site is shown in Figure 1. The Site is in a highly sustainable location, located within convenient proximity to Wheathampstead. The Site is currently located within the Metropolitan Green Belt and is located adjacent to the existing settlement area of Wheathampstead.



Figure 1: Site Location Plan

- 1.2 The Site has been previously submitted to the Call for Sites consultations in 2016 and 2021, as well as the Wheathampstead Neighbourhood Plan in Autumn 2017. In September 2023, representations for the Site were made to the SALP Regulation 18 consultation, with Regulation 19 representations made in November 2024.
- 1.3 Our Regulation 19 representations provide further background to the Site and its credentials for development, points which are not repeated in this Statement.
- 1.4 The Site has undergone a masterplanning process, details of which were submitted in support of the Applicant's Regulation 19 representations. The outcome of this is that the Site is considered to have capacity for between 98 and 130 dwellings (depending on 30-40dph) alongside 1.3 acres of land dedicated to specialist care housing (Use Class C2). This means the Site could either meet SACDC's definition of a 'medium and small site (5-99 dwellings)' or the lower end of the spectrum of a 'large site (100-249 dwellings).
- 1.5 SACDC's Stage 2 Green Belt Review (June 2023) score for Land West of Lamer Lane (SA-43) confirms that the Site does not make a strong contribution to purposes a), b) and d) of the Green Belt. It is therefore considered the Site would be classed as 'Grey Belt', for the purposes of the new national planning guidance.
- 1.6 **The Site was only discounted as part of the SACDC's final sift of sites.** By way of background, 642 sites were submitted to SACDC for consideration (SADC/ED81 - Site Sifting Process Addendum). There were three sifts, which reduced the pool of sites down each time to a final sift of 109 sites. 'Land West of Lamer Lane' made it through to the final sift but was discounted at the last stage on Green Belt grounds.
- 1.7 As made clear in the Applicant's Regulation 19 representations, we consider that SACDC will need to make addition allocations in order for the Plan to be found sound. Given that the Site was discounted at the final sift and can meet the definition of 'Grey Belt', we consider that **'Land West of Lamer Lane' is ideally placed to be selected as an additional allocation, particularly as housing has been underprovided in**

Wheathampstead and the proposals include an element of specialist accommodation, which is not adequately met by the Draft Plan.

- 1.8 This Statement (Stage 2 - Matter 2) should be read alongside the Stage 2 - Matter 4 Hearing Statement submitted by ET Planning on behalf of BRiCS.

2. Response to Matter 2: Housing Growth and Spatial Strategy

Issue 2: Site Selection Methodology

6. "Natural England has confirmed that it is no longer pursuing an extension to the Chilterns National Landscape (formerly referred to as the AONB). The potential extension of the AONB had previously informed the Council's decision not to allocate certain sites for development. Through Examination Document SADC/ED80B it is now suggested that the sites should form part of the Local Plan to ensure that it is justified and sound".

Q1 - Why is it necessary for soundness to include allocations M14, M24 and M26 in the Plan? How would their allocation address specific soundness matters?

- 2.1 BRICS' Regulation 19 representations highlighted one of our main concerns with the SALP, relates to the weight given to proposed National Landscape boundary extension. This is set out in our representations from paragraph **4.1-4.7**.
- 2.2 By way of background, Policy NEB11 of the draft SALP had originally been drafted on the anticipation of an extension to the boundary of the Chilterns National Landscape into the District. In total, four sites (M12, M14, M24, M26) were deleted at Regulation 19 due to the then-anticipated Chilterns National Landscape boundary extension.
- 2.3 Natural England have now confirmed that they have stopped work on the Chilterns National Landscape boundary extension project (refer to Appendix 1). In response, SACDC intends to reinstate M14, M24, and M26 into the Draft Plan. Notably, allocations M24 (Site 3 in map extract below) and M26 (Site 4 in map extract below) relate to the two deleted proposed allocations in Wheathampstead.

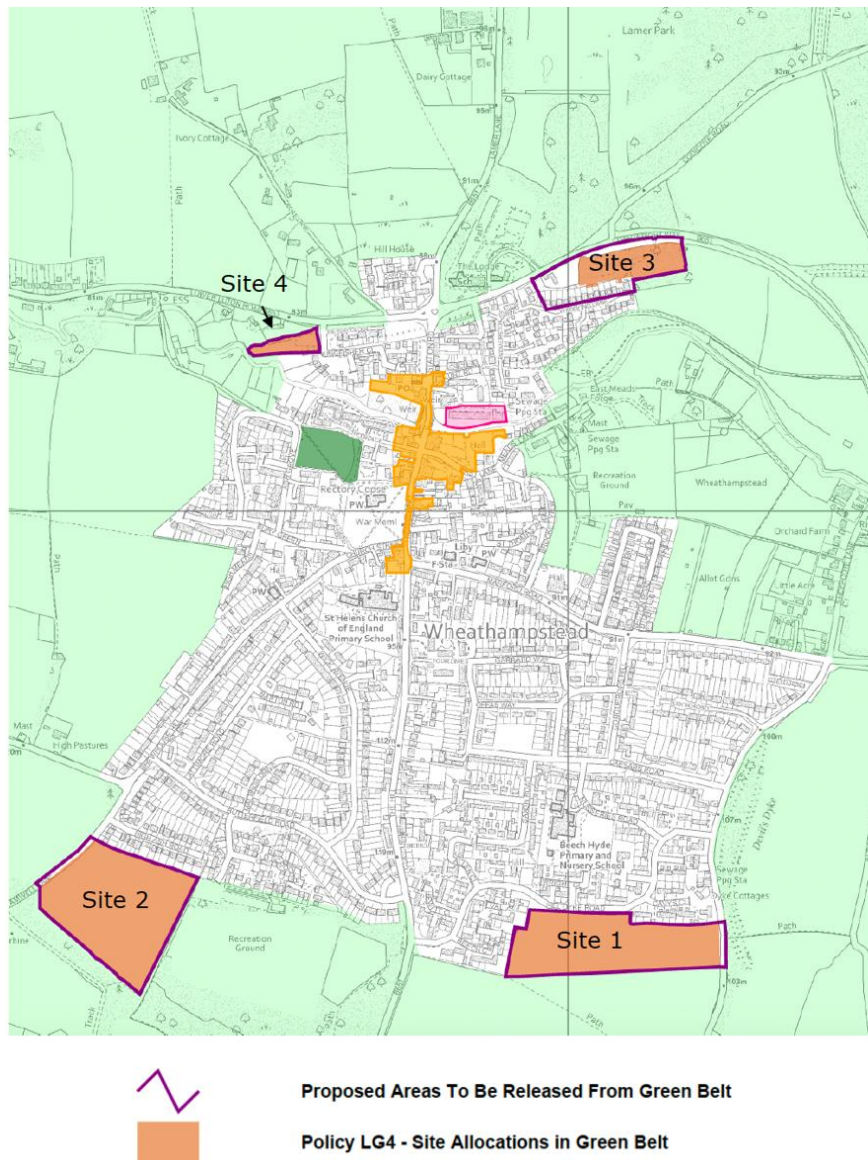


Figure 1. Regulation 18 Policy Map of Wheathampstead and Relevant Key
(sites annotated to match table. 2)

Figure 2: Regulation 18 Policy Map of Wheathampstead and Potential Allocations

- 2.4 In terms of the reinstatement of M24 and M26 (see paragraph 4.6 of Reg 18 representations), we support further growth in Wheathampstead (see 2.6) and, in particular, the growth of the settlement to the north given the location of its centre (see 2.8).
- 2.5 Whilst we support the reinstatement of M24 and M26, as a side note, it is apparent that site M24 is constrained by an area TPO and there is a strip of contaminated land running diagonally through the site (Local Plan Appendix 1 'Local Plan Sites', page 45). In comparison, 'Land West of Lamer Lane' is located a similar proximity to the centre of Wheathampstead and is not

affected by the same site-specific constraints.

- 2.6 We feel that the Draft Plan does not go far enough in merely reinstating M24 and M26. Further allocations are required for Wheathampstead, which is a Tier 4 settlement. For comparison, Redbourn, which also a Tier 4 settlement, has been allocated strategic growth of c600 homes across the Plan period. A table showing the total number of allocated sites in Wheathampstead is set out below. A total of only 198 homes in Wheathampstead are proposed for allocation in the draft SALP.

Reference	Site Address	Capacity
M2 (Site 1)	Hill Dyke Road, Wheathampstead, AL4 8TR	85 units
M9 (Site 2)	Amwell Top Field, Wheathampstead, AL4 8DZ	60 units
M24 (Site 3)	South of Codicote Road, Wheathampstead, AL4 8GD	46 units
M26 (Site 4)	Highway Chipping Depot, Lower Luton Road, AL4 8JJ	7 units

Table 1: Proposed Allocations in Wheathampstead

- 2.7 We have commented at the Stage 1 Hearings that the proposed settlement hierarchy falsely gives the perception that SACDC are spreading development across a range of settlements when in fact the first 3 tiers of the settlement hierarchy only include one settlement per tier. Wheathampstead is therefore the fifth largest settlement within SACDC (which makes the Tier 4 categorisation slightly misleading). ET Planning on behalf of BRICS' emphasised this point at the Stage 1 Hearings, as set out in **paragraphs 2.2-2.5 of our representations.**

- 2.8 In spatial terms, the Settlement Hierarchy Report (Part 1 -June 2023) confirms that the High Street of Wheathampstead remains the centre of the settlement. It is clear that the High Street is skewed towards the north of the settlement and therefore the north of the settlement has the greatest capacity for growth - in terms of access to services and facilities and creating walkable neighbourhoods (it is noted that site **WH- 25-21** is

located within a 5 minute walk of Wheathampstead High Street).

- 2.9 In summary, Wheathampstead is taking substantially less growth than other Tier 4 settlements. BRiCS consider that it is necessary for the soundness of the SALP to reinstate allocations M24 and M26 in order to contribute towards proportionate growth at Wheathampstead. This is because Wheathampstead's capacity for growth was substantially reduced in the Regulation 19 SALP due to the proposed Chilterns National Landscape extension. However, this cap on growth has now been removed and therefore it is necessary to allocate a proportionate level of housing growth at Wheathampstead.

Issue 2: Site Selection Methodology

6. *"Natural England has confirmed that it is no longer pursuing an extension to the Chilterns National Landscape (formerly referred to as the AONB). The potential extension of the AONB had previously informed the Council's decision not to allocate certain sites for development. Through Examination Document SADC/ED80B it is now suggested that the sites should form part of the Local Plan to ensure that it is justified and sound".*

Q3 - If the sites are necessary, are they justified, effective and consistent with national planning policy?

- 2.10 It is evident that, following discussions at the Stage 1 Hearing sessions, SACDC accepted that the annual housing requirement should be applied across the full plan period from April 2024 to March 2041. It was also accepted that a recalibration of the stepped housing requirement was needed to reflect the most up-to-date position on predicted housing delivery and the forward trajectory.
- 2.11 It is recognised that supply has been restricted in recent years and that in order to increase supply SACDC need to amend Green Belt boundaries. Notably, SACDC are relying on large strategic sites to deliver housing at the back end of the Plan period. This means there will be a significant shortfall

in the first few years of the Plan.

2.12 In summary, BRiCS' view is that the reinstatement of allocations at Wheathampstead is justified, effective and consistent with national policy, however feel that the additional 53 units at Wheathampstead does not go far enough in accommodating a proportionate level of housing growth given Wheathampstead's placement in the settlement hierarchy (as the fifth largest settlement in the District).

2.13 It is also clear due the need to recalibrate the stepped housing requirement, there is more of a onus on needing to allocate sites to deliver housing in the first few years of the Plan period. This therefore means there is a need for additional sites to come forward to meet the required delivery trajectory in the short-term. BRiCS' consider that Wheathampstead and 'Land West of Lamer Lane' is strategically placed to meet this need.

Issue 2: Site Selection Methodology

6. *"Natural England has confirmed that it is no longer pursuing an extension to the Chilterns National Landscape (formerly referred to as the AONB). The potential extension of the AONB had previously informed the Council's decision not to allocate certain sites for development. Through Examination Document SADC/ED80B it is now suggested that the sites should form part of the Local Plan to ensure that it is justified and sound".*

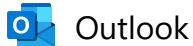
Q5 - What the consequences for allocating the sites on housing land supply, and conversely, the deletion and/or modification of sites subject to flooding?

2.14 It is noted that the capacity of a number of allocated sites has been reduced in the SALP, since the Regulation 19 SALP, due to additional flood risk work undertaken by SACDC (as set out in Examination Document SADCED77).

2.15 Table 1 of SADCED77 provides details of allocated sites which are impacted

by surface water flooding. SACDC have adjusted these sites capacities relative to the extent of flood risk, which has resulted in the net loss of 28 fewer homes delivered from these sites. Similarly to the above, Table 2 of SADCED77 provides details of allocated sites impacted by groundwater flooding. The net loss of units across the proposed allocations as a whole resulted in 12 fewer homes being delivered. Lastly, in relation to fluvial flooding, SADCED77 confirms that there will be a net loss of 41 homes being delivered within the SALP.

- 2.16 The reduction in dwellings due to flood risk matters from the Regulation 19 SALP therefore equates to 81 dwellings in total, with these numbers not being adequately replaced in the current draft Plan. Due to the reasons highlighted in this Statement, including but not limited to, the current housing predicament in SACDC, the recalibration of the stepped housing requirement and the reliance on large strategic sites, BRiCS consider that it is necessary to allocate more small-medium scale housing sites that can help to offset this reduction and meet local housing needs in the first few years of the Plan.



EXTERNAL Supplementary information: National Landscapes Boundary Review Project Frequently Asked Questions.

From SM-NE-ChilternsAONBboundaryreview (NE) <ChilternsAONBboundaryreview@naturalengland.org.uk>

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Supplementary information: National Landscapes Boundary Review Project Frequently Asked Questions

Dear Stakeholder

We are writing as a follow up to our email of 9th May in which we explained that Natural England has had to take the hard decision to stop work on the Chilterns National Landscape boundary extension project. In our previous email we said that we would provide more information about that decision as soon as it became available.

We have put together the following set of Frequently Asked Questions which we hope will address any questions that you may have about this decision. Please do contact us if you or members of your team have any questions or would like to discuss this further. For queries, please use this mailbox: landscapedesignations@naturalengland.org.uk.

Yours Sincerely,

The Chilterns Boundary Review Project Team

Natural England's Landscape Designation Programme, Update June 2025

Supplementary Information: Frequently Asked Questions

Q1. What is a National Landscape / Area of Outstanding Natural Beauty (AONB)?

An Area of Outstanding Natural Beauty (AONB) is land protected by the Countryside and Rights of Way Act 2000 (CROW Act). It protects the land to conserve and enhance its natural beauty.

AONBs have recently been rebranded as National Landscapes and are now commonly known as such, however, the legislation has not been amended so when referring to the legislation, they are still referred to as AONB. This document will refer to these areas as National Landscapes except where the question is in relation to the legislation.

Q2. What is Natural England's role regarding the designation of National Landscapes /AONBs?

Natural England is Government's Statutory Advisor on landscapes in England, with wide ranging landscape duties and powers, including in relation to landscape designations. Natural England has the power, under S.82 of the *Countryside and Rights of Way (CROW) Act 2000*, to consider whether to assess and designate AONB or vary the boundary of existing ones. Natural England will prioritise proposals by considering if:

- evidence suggests the land might meet the natural beauty criterion
- there's local authority agreement that designation is appropriate
- it has the available resource to evaluate the proposal
- it's more important than other corporate priorities

Whilst there may be certain parts of the designation process with which partners and stakeholders can assist, the statutory designation process, in England, cannot be completed by any organisation other than Natural England.

Q3. What decision has Natural England made regarding its Landscape Designation Programme?

Given the pressures on public finances, Defra has had to make difficult decisions about funding. It was not affordable to continue Defra funding to Natural England to continue

the new National Landscapes designations programme in 25/26. Consequently, the funding for this work is limited, and Natural England have had to make the decision to stop work on some of the planned programme.

Natural England had previously announced, in June 2021, a programme of four landscape designation projects, including two new potential National Landscapes (known at the time as AONB) in the Yorkshire Wolds and Cheshire Sandstone Ridge, and two extensions to existing National Landscapes, in the Surrey Hills and Chilterns.

Natural England will be continuing with the potential new Yorkshire Wolds National Landscape project and potential extension to the Surrey Hills National Landscape. The Surrey Hills and Yorkshire Wolds work is further advanced, and in both cases an extensive statutory (and public) consultation has taken place, meaning the proposed areas for designation are well established in the public domain. It was therefore considered, in order to make best use of the public funds available, to progress the two most advanced projects to completion.

This has unfortunately meant stopping work on the Chilterns National Landscape boundary extension project, and the potential new National Landscape in Cheshire. These projects had not yet reached the stage of sharing proposed areas for statutory (and public) consultation.

Q4. How will this decision impact Natural England's work on protected landscapes going forward?

We will consider any future landscape designations work in line with our new Strategy in due course. We fully recognise the continuing importance and required focus of National Landscapes in enhancing access to landscapes and supporting domestic and global targets, such as the Environment Act and 30by30 biodiversity commitments. We are continuing support for the Protected Landscapes Partnership, the National Landscapes Association and the individual National Landscapes in this regard.

Q5. For the stopped projects, will the evidence which has been collated as part of the work to date be shared so others can use it?

Natural England recognises the value of the work which has been completed to date for both of these projects. Each has reached a stage where much of the technical assessment has been completed. Some of this evidence base may be relevant to LPA's in developing local plans and determining applications. Natural England hopes to publish the relevant information on NE's 'Access to Evidence' page in due course, so the evidence base which has been gathered can be shared.

Q6. Does NE not have to proceed to designate these areas given the stage they have reached?

Whilst Natural England is disappointed not to continue the projects, we are under no obligation to designate these landscapes. When considering proposals Natural England must also consider available resource to evaluate the proposal and other corporate priorities. Although the technical reports have been concluded, there are still a number of stages to go in the designation process for both of these projects, including a statutory (and public) consultation. In order to make best use of limited public funds the difficult decision has been made to stop work on these projects.

Q7. Do Local Planning Authorities (LPAs) have to consult on development proposals in the Chilterns and Cheshire Sandstone Ridge proposal areas?

No, LPAs do not have to consult Natural England on development proposals in these areas. Furthermore, LPAs are not legally required to consult Natural England on development proposals within or affecting existing

AONBs under the Town and Country Planning (Development Management Procedure) Order. In both instances it is for LPAs to determine whether to consult with Natural England.

However, in consideration of the evidence gathered to date for the purpose of assessing these areas, Natural England noted, and would continue to note that, Natural England considers the Cheshire Sandstone Ridge and the Chilterns to be a valued landscape under paragraph 187 of the National Planning Policy Framework. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies.

Q8. How should the areas identified for consideration as National Landscape, but not now being taken forward, be taken into account in the Planning process?

Natural England is stopping work on the formal designation of these areas, but the landscape designation technical assessments have been completed. As noted above, during the assessment of the candidate areas Natural England made reference to these areas in its advice on Local Plan consultations and planning application consultations. Natural England acknowledged that we consider these areas to be valuable landscapes for planning purposes and that LPAs may give weight to this as a material consideration in determining applications and making planning policies that relate to the candidate areas. This position remains unaltered by the decision on re-prioritisation of the designation programme due to resource.

However, the areas are not National Landscapes, have no legal designated status and policies specifically applicable to statutory designated landscapes will not be applicable. Ultimately, it is for LPAs to determine the material consideration and weight to be given to them in each case.

As noted above, NE hopes to publish the landscape designation technical assessments on its 'Access to Evidence' Page which will enable LPAs to use that information in accordance with the terms of the Open Government Licence.

The existing boundary for the Chilterns National Landscape is unaffected and remains in place.

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