

Examination of the St Albans City and District Local Plan Matters, Issues and Questions for Stage 1

Matter 1: Legal Compliance

**On behalf of Bloor Homes and the Department for Health
and Social Care.**

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The Hearing Statements on behalf of Bloor Homes and the Department of Health and Social Care are made without prejudice to the promotion of the Broad Location Hemel Hempstead North.

Our criticisms and objections to the Plan are not aimed at the allocations per se, but at the Council’s approach to housing provision (i.e. the inadequate provision given the latest standard method figure, the track record of housing delivery, the acute affordability issues and the Green Belt review).

As noted in SADC/ED13, the Sof CG was submitted without prejudice to other matters that parties wish to raise during the examination.

1. Matter 1: Legal Compliance

Issue 1 – Duty to Cooperate

Housing

- Q1. How has the Council engaged constructively, actively and on an ongoing basis to maximise the effectiveness of the Plan in relation to potential unmet housing needs? Where is this evidenced?

At the time of the Reg 19 consultation in September 2024 no documentation (apart from DTC 01.01) had been prepared in terms of providing the evidence of any discussions that have taken place with neighbouring authorities or statutory consultees (although we understand that discussions had taken place with Dacorum BC in respect of HGC).

The Duty to Co-operate is a legal requirement on submission of the Plan. The lack of any evidence was an issue at the Reg 18 and Reg 19 stages of the Local Plan upon which we submitted representations.

Paragraph 24 of the NPPF (December 2023) states that local authorities and councils are under a duty to cooperate with each other and with other prescribed bodies on strategic matters that cross administrative boundaries. Furthermore, this duty to be effective requires on-going joint working between strategic policy making authorities and relevant bodies, this is considered to be integral to the production of a positively prepared and justified strategy. (my emphasis)

Paragraph 26 states:

“In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.”

Paragraph 27 states:

“In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency.” (my emphasis)

(my emphasis)

The Statements of Common Ground and evidence of the Duty to Cooperate should be produced by the time the Draft Plan is published so that it can provide stakeholders and the community with a transparent picture of how they have collaborated. The PPG on Plan Making states:

“Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working, and not deferred them to subsequent plan updates...”

Paragraph: 022 Reference ID: 61-022-20190315 Revision date: 15 03 2019

The only available document at the Reg 19 consultation stage was an overarching Statement of Common Ground (DTC 01.01) which is based on a template produced by the Planning Advisory Service. This SoCG acknowledges that more evidence is required and states:

“More detailed matters specific to SADC and individual Duty to Co-operate partner organisations will be covered by individual Statements of Common Ground between SADC and the relevant organisation.”

At Regulation 19 stage therefore, the Council appeared to have failed to demonstrate that it was fulfilling the Duty to Cooperate, this is one of the key issues the Inspector’s identified previously in their letter of 14th April 2020.

It is noted in the document *“New SADC Local Plan – Responding to Issues Raised by Inspectors in 2020 – Evidence Paper”* that reference was made to *“during Reg 19 DtC Councillor meetings are proposed for October 2024”*. However, this was during the Reg 19 consultation, so at the time of the Reg 19 consultation the outcome was unknown. Instead, the document simply advised that there, *“will update further at submission stage”*. Consequently, up until the time of the Submission of the Plan there is no transparency in the preparation of the Plan in respect of the legal Duty to Cooperate being fulfilled.

Without any evidence as to the discussions between the authorities as to their position with regard to housing supply against identified needs it is not possible to say whether or not the Council has met the Duty to Cooperate. The point is that the Duty to Co-operate is an ongoing integral part of plan preparation and should be publicly available throughout the plan making process it can be retrofitted to the Plan.

What is required and requested by Inspectors is that **the Council should clearly set out the timing and chronology of engagement, the main mechanisms used and what matters are outstanding, if any, and what the latest position is on these.**

The Duty to Co-operate Statement of Compliance [LPCD 06.01] was not published until the Plan was submitted to the Secretary of State on 29th November 2024, but it does not provide the information necessary to discharge the Duty to Co-operate.

As stated in our Reg 19 representations it is evident that the Council revised the LDS and brought forward the submission of the Plan from March 2025 to November 2024 being fully aware of the implications of the proposed changes to the NPPF and the Standard Method (members were advised of the implications at the Full Council meeting on 16th October 2024 which also approved the submission version of the Plan during the Reg 19 consultation) and therefore to take advantage of the proposed transition arrangements.

Since the Local Plan was submitted, the Council on 23rd January 2025 provided a series of Statements of Common Ground with various parties, including neighbouring authorities, statutory consultees, and developers with draft allocations [(SADC.ED3 – ED27].

The various SoCGs with neighbouring authorities state:

“In view of the above, SADC consider that the area covered by this SoCG (principally the South West Hertfordshire local authorities and Hertfordshire; but also extending for some matters to include North Hertfordshire District, Welwyn Hatfield Borough, Central Bedfordshire, Buckinghamshire and Luton Borough) is the most appropriate strategic geography of the area.”

Whilst the Council have engaged with these stated authorities, as evidenced by the submitted SoCGs, the summary table included at the end of each SoCG confirms the extent of matters which have been subject to agreement.

It is noted that Welwyn Hatfield Borough Council, North Hertfordshire District Council, Buckinghamshire Council, and Central Bedfordshire Council, despite their proximity to St Albans, have not engaged in any discussion whatsoever on the potential to meet unmet needs. Where the Council has provided SoCGs with some of the neighbouring authorities (those within the SW Herts Housing Market Area and Luton BC), the information which has been provided is limited in most cases to a single, high-level paragraph which notes the neighbouring authority's agreement to the approach for meeting St Albans' own needs, and

does not provide any detail on how St Albans may be able to accommodate unmet needs from neighbouring authorities.

Further, as identified in the various summary matrixes at the end of each SoCG provided to the Examination (**SADC.ED3 – ED27**) the Council have not sought to engage with Central Bedfordshire Council, Luton BC, and Buckinghamshire Council on the approach to the Green Belt and whether exceptional circumstances existing to justify alterations to the boundaries.

The Council must provide further, detailed evidence as to when SADC has engaged with its neighbours with regard to housing needs during the period covered by this local plan and, if necessary, how any unmet needs could be addressed. The “retrospective” SoCGs provided to the Examination do not provide enough detail as to how unmet needs from neighbouring authorities (which are known to exist) can be met, with no evidence of discussions with some neighbouring authorities on this topic provided at all. Without this evidence the Plan is therefore not effective, neither is it consistent with national policy and as such does not satisfy the test of soundness.

The Sustainability Appraisal September 2024 [LPCD 03.01] identified that the SA should consider not only the implications of any unmet housing need that might be generated (by setting the housing requirement at a figure below defined need) but also any unmet need not provided for (noting that two or three neighbouring local authorities in South West Hertfordshire are proposing to generate significant unmet need). The SA acknowledged that the situation regarding unmet need had worsened since 2023 [paragraph 5.2.15]

At that time the implications of the draft NPPF and Standard Method were known and the SA identified that neighbouring authorities have seen a rise in LHN, with implications for planning for unmet need across the sub-region, the increase for St Albans was however the highest at 75%.

It is noted that the Council in response to the Inspectors initial questions [SADC/ED30] page 2, state that there is no unmet housing need that has been identified in the Housing Market Area for SADC and that this has been confirmed by all the constituent LPAs in the South West Herts Housing Market Area. Paragraph 1.2 then outlines the current position.

However, the position for Hertsmere BC Local Plan is incorrect as the latest published public consultation was in May 2024 “*Green, Sustainable Growth: towards 2040*”, which followed

the Reg 18 in Oct–Nov 2021. The May 2024 consultation proposed to accommodate just 75% of the Standard Method i.e. at that time just under 590 homes per year of 9,400 homes in the 16–year plan period. Whilst the Hertsmere Local Plan has not progressed since then, it will now have to take account of the latest Standard Method figure, i.e. 1,034 dpa (December 2024).

There is reference in the [LPCD 06.01] Appendix H page 47 to a meeting held on 1st November 2024 during the Reg 19 consultation between SACDC and HBC – but simple records each authority asked the other whether they could assist in meeting any unmet needs, there is no discussion of any quantum, and both authorities state that they do not have any capacity without using Green Belt land.

Similarly, the latest position for Three Rivers Council is not up to date. The Council refer to a draft Local Plan recommended to the Local Plan Sub Committee and Policy and Resources committed in May 2021 that met the TRDC’s standard method in full.

It should be noted that this is not latest position. The draft Regulation 18 plan failed to meet the target of 12,624 dwellings. Completions, commitments (approved planning permissions) and a windfall allowance were taken off this total leaving a residual target of 10,678. The draft Regulation 18 plan failed to meet this target and planned for 8,973 dwellings: 1,705 dwellings short. In December 2022 TRDC agreed a further Reg 18 consultation and this “*would be focussed on lower housing numbers than had been consulted on in the previous round of Regulation 18*” (para3.34 of the Three Rivers Sub Committee Report 4th February 2025). Paragraph 3.37 of the same report states that:

From 27 October to 10 December 2023 the Council consulted on a low housing growth option. This concluded its Regulation 18 stage consultations. This Green Belt constraint led approach to growth resulted in 4,852 homes being planned for in the Local Plan Regulation 18 Part 4 consultation. This was less than half the standard method target.

Paragraph 3.40 states:

At the July 2024 Local Plan Sub-Committee officers set out that even a ‘moderate growth’ approach meeting around 70% of the Government’s standard method target would be unlikely to be successful, and going below this would only increase the risk of the plan being found unsound at examination. At this meeting Members agreed to continue with the Green Belt constraint led approach (less than 50% of the standard method target) for the Regulation 19 Local Plan consultation

It should be noted that on 17th October 2024 the Three Rivers Sub Committee considered a report on implications of the proposed planning reform and the risks of continuing with the Reg 19 Local Plan. At that time the SM increased from 640 dpa to 739dpa. (the Council were proposing a housing target of 270dpa which had been consulted on in the Reg 18 Plan in 2021. This figure could be reduced to 200dpa because of the implications of SANG requirements). The Reg 19 Plan was consequently delayed.

There is still uncertainty regarding the housing figure in the Three Rivers Local Plan and this is certainly not reflected in the Statement of Common Ground or SACDC's response to the Inspectors questions.

Q2. What evidence can the Council point to which documents how and when it has engaged on cross-boundary issues, such as potential unmet housing needs, and what progress was made in cooperating to address these matters?

This is a matter for the Council to explain.

The only document that refers to unmet need in any detail is the SA [LPCD 03.01] in Box 5.1 on page 16, where reference is made to the South West Herts JSP and that this Plan will deal with any unmet needs. The SA states that:

“JSP will likely prove well place to deal with unmet housing need. However, this does not mean that the St Albans Local Plan can be prepared blind to known or potential unmet housing need from elsewhere, particularly that arising from adjacent or otherwise well -linked neighbouring authorities”

The SA outlines the risk of relying on the SW Herts JSP facing unforeseen issues as it is prepared voluntarily and there are examples of JSPs failing elsewhere. Indeed, there has been no progress since the vision and objectives were endorsed in 2023. From recent communication with the lead officer, it is understood that there is only a team of one and awaiting the legislation on Strategic Development Strategies to be published and the likely impact of any local government reorganisation.

The Duty to Co-operate Compliance Statement [LPCD 06.01] November 2024 states in paragraph 3.2:

There has also been full and explicit discussion of the potential for neighbouring authorities to accommodate St Alban's housing needs outside of the Green Belt. This was explicitly part of Councillor DtC meetings with all neighbouring and nearby authorities in 2021, in 2023 at Regulation 18 stage and in 2024 at Regulation 19 stage.

Firstly, it is not clear where the evidence can be found that is referred to. Secondly, there would be very little scope to accommodate any of St Albans housing needs outside the Green Belt as neighbouring authorities are faced with the same issue as they are largely covered by Green Belt. Furthermore, there appears to have been no discussion of St Albans assisting in meeting any unmet needs from other authorities – yet this is a live issue as documented in Box 1 of the SA [LPCDO3.01] e.g. particularly for those authorities who have not yet reached Reg 19 and are faced with higher housing figures under the new Standard Method (they would have been aware in July 2024 of the proposed changes to the SM yet no reference is made to this issue in the Statement of Compliance of the Statements of Common Ground. The Sof CG with the authorities have only been produced around or since the submission of the Plan).

Q3. What is the latest position regarding the South West Hertfordshire Joint Strategic Plan?

This is a matter for the Council

Q4. Has work on the South West Hertfordshire Joint Strategic Plan identified any issues which are pertinent to the examination of the St Albans Local Plan? If so, is this consistent with paragraph 35 of the Framework, which states that in order to be effective, Plans should be based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred?

This is a matter for the Council

Employment

Q5. How much employment land does the Plan provide for and how does this compare to the identified needs?

No comment.

Q6. How has the Council engaged constructively, actively and on an ongoing basis to maximise the effectiveness of the Plan in relation to employment land requirements? Where is this evidenced?

No comment.

Highways

Q7. If National Highways had raised concerns regarding the impacts of Local Plan growth in response to the consultation, what were the reasons for seeking to address these concerns between January and February 2025, after submission of the Local Plan for examination? Does this point to constructive, active and on-going engagement in the preparation of the Plan?

No comment

Gypsy and Traveller Accommodation

- Q8. As part of the Plan's preparation, how has the Council engaged with neighbouring local planning authorities to consider the accommodation needs of gypsies and travellers and travelling showpeople?**

No comment.

Conclusion

- Q9. Has the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to the advice contained in the Framework and the PPG?**

The Duty to Co-operate is a legal requirement on submission of the Plan. It is a fundamental premise (as set out in the 2004 Act and the 2012 Regulations) that the duty is conducted on an ongoing basis throughout the preparation of the Plan.

The only available document at the Reg 19 consultation stage was an overarching Statement of Common Ground (DTC 01.01). This SoCG acknowledged that more evidence is required.

At Regulation 19 stage therefore, the Council failed to demonstrate that it was fulfilling the Duty to Cooperate.

It is considered that given the absence of any documents demonstrating how the Duty to Co-operate has been met up until the point of submission of the Plan, then the Council have not complied with the 2012 Regulations.

As referred to earlier in response to Question 1 the NPPF at paragraphs 24, 26 and 27 provide the key guidance that for the duty to be effective requires on-going joint working between strategic policy making authorities and relevant bodies, which is considered to be integral to the production of a positively prepared and justified strategy. Documentation such as SoCG should be prepared and maintained, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency." (my emphasis)

This has not been the case, the only available document at the Reg 19 consultation was a Statement of Common Ground template, which actually acknowledged that more detailed matters would be covered in due course as Statements of Common Ground were prepared.

However, this post dated the Reg 19 consultation, so stakeholders and the community were not provided with a transparent picture of how the authority had collaborated.

The Duty to Co-operate Compliance Statement was not produced until the Plan was submitted to the Secretary of State on 29th November 2024.. Such evidence cannot be “retrofitted” to the Plan.

We set out in our Reg 19 representations this very concern, that in order for the Council to make the submission in advance of the publication of the new NPPF and to take advantage of any transition arrangements, that the evidence will need to have been prepared to provide transparency in accordance with paragraph 27 of the NPPF. This has not been the case.

Issue 2 – Public Consultation

Q1. Has public consultation been carried out in accordance with the Council’s Statement of Community Involvement, the Framework, the PPG and the requirements of the 2004 Act and 2012 Regulations?

Consultation on the Reg 19 Local Plan took place from 26th September until 8th November. However, during the consultation the on 16th October the Full Council approved the Submission of the draft Local Plan. Consequently, representations that were made during the Reg 19 consultation which closed on 8th November would not have been considered by the officers or indeed the Council.

The report to the Full Council on 16th October recommended that the Plan be approved for Submission to the Secretary of State. The Council justified their approach on the basis that in their opinion there were “no showstoppers or red flags” that fundamentally altered the progress towards the preparation of the Reg 19 Local Plan. In the Council’s view the comments made at the Reg 18 stage were effectively identifying areas of work that need to be completed between Reg 18 and Reg 19.

Whilst that technical work may well have been completed (and here we make no comments on that technical work) the fact remains that concerns were raised then about the lack of any evidence base of any discussions that had taken place with neighbouring authorities or statutory consultees. Pegasus submitted representations to the Reg 18 Local Plan consultation to that effect on 22nd September 2023.

This issue was not rectified prior to the Reg 19 Local Plan consultation in September 2024. As referred to above for the duty to co-operate to be effective requires ongoing joint working between the strategic plan making authorities and relevant bodies which is considered to be integral to the production of a positively prepared and justified strategy.

At the time of the Reg 18 Local Plan as set out in our submissions there were significant concerns about the levels of unmet need in adjacent authorities and the Sustainability Appraisal 2023 (Box 5.2) [LPCD 03 03] alluded to the possibility that the “*SW Herts Joint Strategic Plan (JSP) will likely prove well placed to deal with unmet housing need.*” This is a concern that needs are deferred, particularly when members have already expressed in view in Committee meetings (notably 10th July 2023) that they are expecting the housing requirement to change and anticipating that any revision to the Standard Method will result in a reduced housing requirement.

The SA also acknowledged that there is a risk of the JSP failing, particularly as it is a voluntary arrangement (and there are examples of others failing elsewhere when faced with challenging issues). The SA states that “*addressing unmet housing needs as close to the source as possible, and in a timely fashion, is a key issue for any local plan.*”

Given the absence of any evidence at the Reg 19 consultation or any Statements of Common Ground it is not clear whether there are issues of unmet need arising from neighbouring authorities.

The Council were aware of the implications of the proposed changes to the standard method increasing from 885 dpa to 1,544 dpa at the time. Paragraph 3.16 of the report to Full Council:

The NPPF changes proposed are significant in their impact on St Albans District, particularly in terms of increasing the required housing figure by 75% to 1,544 homes per annum.

On the basis of the figures then this would be an additional 660 dwellings per annum.

Paragraph 3.18 states:

As the draft new NPPF stands today, and with the acknowledged uncertainty about a number of factors, this would mean an extra 11,220 homes in the District to 2041, all in the Green Belt.

It is clear that the Council wished to submit the Plan as soon as possible to take advantage of any transition arrangements which at that time assumed to be one month from the

publication date of the new NPPF which was anticipated to be before the end of 2025; and therefore, submit the Plan based on the figure of 885dpa.

Q2. How has the Council taken into account representations made in response to public consultation?

As stated above the Council decided to approve (at Full Council on 16th October) the Plan for submission during the Reg 19 public consultation.

Paragraph 3.27 of the report to Full Council stated that:

...it is important to note that if Full Council does approve the Submission of the draft Local Plan, any subsequent changes made by PP&C at their meeting on 28th November (beyond a minor change), would need to be reconsidered at Full Council. At PP&C's meeting on 28 November, they will be considering the Regulation 19 Publication responses. Officers would then submit the Local Plan as unamended (if Council approves the recommendation at paragraph 1.1), unless PP&C considers that there is some overwhelming 'showstopper' based on the outputs of Regulation 19, i.e., new information that requires the content of the Local Plan to be further considered by Full Council, at a later meeting.

The minutes of the Full Council meeting on 16th October record that the Plan was approved for submission.

Issue 3 – Sustainability Appraisal

Q1. The SA tests a range of housing growth options in Table A, from 300 dwellings per annum to 1,200 dwellings per annum. What are the figures based on and do they represent an appropriate range of reasonable alternatives to the submitted Plan? How does the SA consider the potential for wider unmet housing needs?

The legal requirement of the SA is to examine all reasonable alternatives. The PPG paragraph: O18 Reference ID: 11-O18-2014O306 provides guidance on how the SA should assess alternatives and identify likely significant effects.

The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:

- outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental,***

economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004;

- ***as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;***
- ***provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.***

Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.

The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.”

Section 5.2 of the SA [LPCD 03.01] explores the factors which have a bearing on the definition of reasonable alternatives.

Paragraph 11 of the NPPF December 2023 state:

“strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, a well as any needs that cannot be met within neighbouring areas ⁶, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or***

¹ 6 As established through statements of common ground (see paragraph 27).

² 7 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The SA finds at paragraph 5.2.8 that:

"When affordable housing provision is overlaid... it is clear that there is a very substantial need for affordable housing... [and] there would be clear adverse consequences on affordable delivery from reducing overall housing need below the standard method levels... We do not therefore find that the evidence points towards... deviation from the standard method as a means of assessing housing need." (my emphasis)

The SA also acknowledges that the Green Belt is seen as a constraint

Paragraph 5.2.15 states that there is a strong argument for ruling out very low growth, and provides the reasons, yet the SA continues to assess a low figure of 300 dpa. which is significantly below the Standard Method at the time i.e. 885 dpa and the proposed Standard Method in July 2024

Q2. Do any of the spatial options test a scale of housing growth that would enable affordable housing needs to be met in full? If not, what are the reasons why?

The SA at paragraph 5.2.20 states that the LHNA 2024 identifies a need for 802 affordable homes per annum, over 16½ years 13,233.

Appendix III outlines the spatial options tested – these are set out in Table A and range from 300dpa to 1,200 dpa. Even though the SA was undertaken and published in September 2024 is did not consider a higher figure in line with the proposed SM at the time in July 2024.

Given the level of affordable housing need (the highest affordability in the East of England) and the lack of delivery in terms of the track record of the Council as evidenced in the HDT (as set out in our Reg 19 reps) and the latest Standard Method, it is considered that the housing requirement should be increased, there are additional sites that can be included in the plan which would ensure delivery is maintained and contribute to delivering much needed affordable housing, particularly those sites that can be considered as grey belt where the golden rules apply.

Q3. How does the SA consider different spatial options for housing and employment growth over the plan period and test reasonable alternative strategies?

We have set out in some detail in our Reg 19 representations our concerns about the Site Selection process.

The lack of a SA for the sites results in a less than transparent site selection process results in the fact that there is no clear audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites

Whilst it is acknowledged that the SA findings are not the only factors to be taken into account by a local planning authority when selecting options to take forward in a plan; factors such as public opinion, deliverability and conformity with national policy are also to be taken into account by plan-makers when selecting options for their plan.

As the SA is an integral part of plan preparation, the process needs to be transparent in order for the plan to be justified and found sound as set out in paragraph 35 of the NPPF (2023).

Our objection to the Site Options is that the SA has failed to consider the options for Harper Green, despite submissions which clearly explained that there are two options, and that the scheme could vary between 400 – 1,400 dwellings.

The GB assessment has been constrained by what appears to be arbitrary buffers, this has resulted in only those sub-areas that fell entirely or partially within the settlement buffer, or immediately adjacent to other areas /sites entirely or partially within the settlement buffer being taken forward.

Q4. What is the justification for treating the Hemel Garden Communities ('HGC') "as a constant" in paragraph 5.4.23 of the SA? What alternatives to the HGC have been considered as part of the plan-making process?

No comment.

Q5. How does the SA take into account deliverability, especially around larger, strategic sites when assessing the submitted Plan against reasonable alternatives?

This is a matter for the Council.

Q6. How were reasonable alternative site options defined and considered as part of the SA process? Does the SA adequately test a suitable range of reasonable alternatives to the sites allocated in the Plan, including for housing and employment sites?

We set out in our representations to the Reg 19 Plan that paragraph 4.17 of the SA states that individual site options are not considered to be reasonable alternatives, instead a package of sites to meet needs and wider objectives is assessed.

Consequently, there is no audit trail of all the reasonable alternative site options considered and the Council's reasons for either including or excluding the sites. Whilst it is acknowledged

that the SA findings are not the only factors to be taken into account by a local planning authority when selecting options to take forward in a plan; factors such as public opinion, deliverability and conformity with national policy are also to be taken into account by plan-makers when selecting options for their plan.

As the SA is an integral part of plan preparation this assessment should be undertaken, the process needs to be transparent in order for the plan to be justified and found sound as set out in paragraph 35 of the NPPF (2023).

In our Reg reps we provided evidence Appendix 1: Economic Overview and Housing Need (attached to our representations) provides a clear rationale for the St Albans Local Plan Review to go beyond the capped housing requirement (885) identified by the standard method for determining local housing need. An increase above the capped method would not only be more consistent with national policy and guidance, (in terms of significantly boosting the supply of housing); but would also assist in remedying the acute issues of affordability, affordable housing need, ageing population and economic growth with St Albans. Furthermore, given the evidence, It is therefore not unreasonable that the housing target in St Albans should be more in line with the proposed standard method figure of 1,544 dpa.

Issue 4 – Climate Change

- Q1. Is it sufficiently clear what is required of proposals for new development under Policies SP2, CE1 and CE2?**

No comments.

- Q2. Does the Plan (taken as a whole) include policies designed to secure that the development and use of land in the area contributes to the mitigation of, and adaptation to, climate change? If so, how?**

No comments.

Issue 5 – Strategic Flood Risk Assessment

- Q1. Where sites were identified in areas at risk of flooding as part of the sequential test, what was the reason for taking them forward to be assessed against the exceptions test? Are there reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding?**

No comments.

Issue 6 – Public Sector Equality Duty

- Q1. In what ways does the Plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?**

No comments.

- Q2. What are the identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period? What are these needs based on and how have they been calculated?**

No comments.

- Q3. Does the Plan make suitable and effective provision to meet identified needs? Will needs be met in full?**

No comments.

Issue 7 – Habitats Regulations Assessment

- Q1. Which allocations in the Plan fall within the Zone of Influence and will therefore require the provision of mitigation? How was this taken into account as part of the site selection process?**

No comments.

- Q2. Is it sufficiently clear to users of the Plan when, where and how the necessary mitigation will be provided?**

No comments.

- Q3. How will the provision of mitigation affect the deliverability and viability of sites, especially strategic-scale allocations in the Plan?**

No comments.

- Q4. Will the mitigation strategies be effective in ensuring that the policies and allocations in the Plan will avoid significant adverse impacts on the integrity of relevant European sites?**

No comments.



Issue 8 – Other Legal Requirements

- Q1. Where the Local Plan contains a policy that is intended to supersede another policy in the adopted development plan, does it state that fact and identify the superseded policy?

No comments.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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