

HEARING

STATEMENT

St Albans City and District Local Plan

Stage 2 Matter 7 – Residential Site Allocations

On behalf of Taylor Wimpey Strategic Land
(Land at Hill Dye Road, Wheathampstead)
(Respondent no.330)

October 2025

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1. INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf Taylor Wimpey Strategic Land (TWSL) in relation to Matter 7 (Residential Site Allocations) of the Matters, Issues and Questions published in respect of Stage 2 of the examination of the St Albans City and District Local Plan ('the Draft Local Plan' or 'DLP').
- 1.2 This Hearing Statement concerns Matter 7, Issue 4 (Wheathampstead Site Allocations) and specifically Policy M2 (Hill Dyke Road), only.
- 1.3 TWSL is promoting the residential development of Land at Hill Dyke Road, Wheathampstead ('the Site') through the plan-making process. The Site is proposed for allocation in the DLP (Allocation M2) for residential development.
- 1.4 Representations were made on the Regulation 19 Publication Draft Local Plan by TWSL and in respect of the Site (respondent no.330), through which changes to the plan were sought ('the Regulation 19 representations').
- 1.5 Our position is that the DLP is capable of being made sound, but that modifications are required to ensure this is the case.
- 1.6 Under the 2024 NPPF transitional arrangement, it is recognised that the DLP will be examined in relation to national policies contained in the December 2023 NPPF. Consequently, unless expressly stated otherwise, references to the NPPF are to the December 2023 NPPF.

2. ISSUE 4 – WHEATHAMPSTEAD SITE ALLOCATIONS

Policy M2 – Hill Dyke Road

Q1 What is the justification for the proposed alteration to the Green Belt boundary? Is the proposed boundary alteration consistent with paragraph 148 e) and f) of the Framework, which state that Plans should be able to demonstrate that boundaries will not need to be altered at the end of the Plan period, and, define boundaries clearly, using physical features that are readily recognisable and likely to be permanent?

- 2.1 As set out in our Regulation 19 representations, in addition to their patently being exceptional circumstances which justify alterations to the Green Belt at the District level, it is equally clear that there are exceptional circumstances at the site-specific level in respect of this Site. This together with the Site's ability to contribute to sustainable development and its deliverability justify its removal from the Green Belt and allocation for residential development.
- 2.2 Central to this matter is the Site's evident lack of contribution to the purposes of the Green Belt; together with which development of the Site would readily provide a new robust, defensible Green Belt boundary.
- 2.3 This matter is addressed in our Regulation 19 representations, at paragraphs 7.26 – 7.42 in particular, and the points raised within this section are not repeated here.
- 2.4 The Site is considered to be amongst the best-placed in the District to be released from the Green Belt in terms of the lack of harm this would cause to the purposes of the Green Belt. The Council identified it as one of the eight sites which contribute least to the purposes of the District through work undertaken in respect of its previous attempt to prepare a new Local Plan.
- 2.5 In addition to the Site's lack of contribution to the purposes of the Green Belt, our Regulation 19 representations also note how the Site is a sustainable and deliverable site to provide a proportionate number of new homes for Wheathampstead, in keeping with its character (at paragraphs 7.11 – 7.79).
- 2.6 We note that during the Stage 1 hearing sessions it was made clear to us that a) there are exceptional circumstances at the District level which justify alterations to the Green Belt: and b) there are questions over the ability of some of the non-Green Belt sites the DLP relies upon to deliver homes to provide as many homes as the submitted DLP had projected. In such circumstances, this further

confirms the need to make the relatively modest alterations to the Green Belt boundary through the DLP.

- 2.7 Separately, and whilst the DLP is being examined in relation to the December 2023 NPPF, in the context of the December 2024 NPPF (which would be material to the determination of a planning application for the Site, particularly so if this DLP was not to progress to adoption) the Site would patently meet the definition of grey belt. The Council's Green Belt assessment work (the St Albans Stage 2 Green Belt Review (2023))'s appraisal of the Site confirms it does not strongly contribute to the relevant purposes of the Green Belt in this respect.

Q2 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

- 2.8 Please see our response to Question 1, which also addresses this point.
- 2.9 We also note that, as confirmed in *Compton*¹ the test is whether the exceptional circumstances relied upon to justify the Site's release from the Green Belt are rational. As set out in our Regulation 19 representations, the exceptional circumstances relied upon in this issue are evidently far from irrational.

Q3 How have the effects of development on the setting and significance of the Devil's Dyke and Slad Scheduled Monument been taken into account in the allocation of the site, including any impacts on assets of archaeological significance?

- 2.10 We note that Policy M2 includes the following requirement in relation to development of the Site:

"The layout of development should minimise any harm to the setting and significance of the Devil's Dyke and the Slad Scheduled Monument; this may include a significant set back from the east boundary. Development proposals should also demonstrate how they will enhance the understanding and local interpretation of the Monument."

- 2.11 Appendix B to our Regulation 19 representations comprised a Heritage Impact (HIA) of the Site and its proposed development, prepared by RPS.
- 2.12 The HIA identified the heritage assets (designated and non-designated) that could be impacted (directly or indirectly) by the proposed development of the Site. This found that the Devil's Dyke and

¹ *Compton PC v Guildford Borough Council & SSHCLG* [2019] EWHC 3242 (Admin)

Slad Scheduled Monument was the only heritage assets that had the potential to be affected by the development of the Site, and this was in terms of impact on the setting of the heritage asset.

- 2.13 The HIA includes identification of the significant of the Devil's Dyke and Slad Scheduled Monument (paragraphs 6.6 – 6.15) noting that its significance largely derives from its archaeological and historic interest.
- 2.14 The HIA assessed the degree to which the setting of the heritage Scheduled Monument contributed to its significance (paragraphs 6.16 – 6.19). This noted that the wider landscape is an important contributor to its understanding and appreciation; with rural landscape to the north, east and south making an important contribution in this respect. However, to the west lies modern development within Wheathampstead, largely screened from the Scheduled Monument by a tree belt. Whilst landscape views to the north, east and south of the heritage assets are important, the landscape and views to the west make a reduced contribution to the Scheduled Monument's significance. Furthermore (see paragraph 6.19), the land to the west's reduced contribution to the heritage asset's significance is particularly the case in respect of the Site, where the tree belt almost completely blocks inter-visibility, even when the screening effect of the trees and vegetation are at their least effective due to leaf loss.
- 2.15 The HIA goes on to assess the effect of the Site's proposed development on the Scheduled Monument (paragraph 6.20 – 6.21). In short, given the lack of contribution the Site makes to the setting of the heritage asset, any effect of the proposed development of the Site can be assessed as negligible.
- 2.16 At paragraph 6.22, the HIA suggests retention of the tree belt at the Site's eastern boundary and locating the proposed development's open space on this side of the Site, in order to further minimise the negligible impact the Site's development could have on the significance of the Schedule Monument.
- 2.17 In terms of potential direct impact on archaeological assets, the HIA notes that evaluation of the site by archaeological trial trenching and metal detecting in 2013 identified very few remains of archaeological interest. The HIA states:
- "...the potential for yet-to-be-discovered archaeological remains to be present on the site and at risk of harm from construction groundworks can be defined as negligible to low for all past periods of human activity."* [5.6]
- 2.18 The HIA goes on to conclude that no further archaeological mitigation should be required on the Site.

Q4 Is Policy M2 justified, effective and consistent with national planning policy? If not, what modifications are required to make the Plan sound?

2.19 As set out in our Regulation 19 representations we consider the policy requirements which accompany the proposed allocation of the Site are broadly sound and are capable of being made sound through relatively modest modifications.

2.20 We consider that modifications are required to Key Development Requirements 2, 3 and 4 of Policy M2, as per our Regulation 19 representations and set out for ease of reference in the below table. The below table also includes the relevant paragraphs within the Regulation 19 representations, in which the reasons for these suggested modifications are set out.

No.	DLP Policy Text	Suggested Policy Text	Relevant paragraphs in Regulation 19 representation
2	Contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA. Including but not limited to improvements to the B651 and connections to St Albans / Sandridge.	Proportionate contributions / enhancements to support relevant schemes in the LCWIP and GTPs as indicated in the TIA, insofar as are directly related to the development and necessary to make the development acceptable in planning terms. To potentially include, but not necessarily limited to, improvements to the B651 and connections to St Albans / Sandridge, subject to the outcome of the Transport Assessment to be undertaken and submitted alongside the planning application for development of the site.	8.8 – 8.11
3	Support for improvement of the Footpath across the Devil's Dyke to reduce recreational impact of walkers on the site.	Support for improvements to the existing footpath across the Devil's Dyke to mitigate potential ecological impacts of increased recreational disturbance on the Local Wildlife Site. Such improvements may include measures such as signposting with instructions to keep dogs on leads through the Devil's Dyke Local Wildlife Site, along with additional dog bins, or alternative measures which will appropriately mitigate the impact of potential additional dog walkers on the Local Wildlife Site.	8.12 – 8.15
4	The layout of development should minimise any harm to the setting and significance of the Devil's Dyke and the Slad Scheduled Monument; this may	The proposed development should be informed by a Heritage Impact Assessment, which seeks to ensure any harm to the significance of the Devil's	8.16 – 8.18

No.	DLP Policy Text	Suggested Policy Text	Relevant paragraphs in Regulation 19 representation
	include a significant set back from the east boundary. Development proposals should also demonstrate how they will enhance the understanding and local interpretation of the Monument.	Dyke and the Slad Scheduled Monument is minimised.	