



Marlborough House, 18 Upper Marlborough Road, AL1 3UT

Hearing Statement – Matter 3

Boyer

REPORT CONTROL

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1. INTRODUCTION

- 1.1 This Hearing Statement ('Statement') has been prepared by Boyer on behalf of our client, Telereal Trillium Group ('TTG'), in relation to the Examination in Public of the Draft St Albans Local Plan Regulation 19 Publication Version (September 2024) ('Draft Local Plan').
- 1.2 These representations refer to Marlborough House, 18 Upper Marlborough Road, St Albans, AL1 3UT ('the Site').
- 1.3 This Statement does not seek to rehearse the documents submitted on behalf of TTG as part of the Regulation 19 Stage consultation to St Albans City and District Council ('SACDC').
- 1.4 This Statement responds to Matter 3 (The Green Belt), in particular question 1.

2. RESPONSE TO MATTER 3 – THE GREEN BELT

Q1: Has the Council examined fully all other reasonable options for meeting housing needs as required by the Framework?

- 2.1 TTG do not consider that SACDC have fully examined for all other reasonable options for meeting housing needs, before seeking to release Green Belt land for residential allocation.
- 2.2 The Council's approach to meeting housing needs relies heavily on the release of significant areas of Green Belt land. The Draft Local Plan proposes to release approximately 802 hectares of Green Belt land for development, which will provide 9,750 homes. This represents 65% of the total housing allocated within the Draft Local Plan.
- 2.3 Paragraph 124 of the NPPF sets out that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land. Paragraph 147(a) requires councils to make as much use as possible of suitable brownfield sites and underutilised land before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries. Paragraph 147 of the NPPF also states that the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.
- 2.4 SACDC suggest they have adopted a brownfield-first approach, in accordance with the requirements set out within the NPPF. Indeed, paragraph 3.2 of the Draft Local Plan states: *'The Local Plan seeks to make the most efficient use of land in the District and has undertaken an extensive and rigorous search for Previously Developed Land (PDL) (also known as 'Brownfield land' in national policy) within existing built-up areas. The approach has been underlain by the concept of 'leaving no stone unturned' in the search for appropriate sites on brownfield land'.*
- 2.5 However, the release of significant Green Belt land proposed within the Draft Local Plan demonstrates that the SACDC are heavily reliant on Green Belt land to meet their housing need. TTG assert that this reliance on Green Belt land has been exacerbated by SACDC's failure to fully identify those brownfield sites that could accommodate residential development.
- 2.6 The Council carried out a study for the identification of potential sites on brownfield land through an Urban Capacity Study. These sites were identified through a desktop review of maps, aerial photographs and online street photography and in some cases site visits. Sources of sites included under-utilised sites such as garage blocks and car parks, vacant and derelict land and buildings, and public sector land.
- 2.7 At paragraph 5.11 of the Council's Urban Capacity Study SACDC state that any sites which are allocated employment land were excluded from the UCS. The exclusion of these sites contradicts the 'no stone left unturned' approach, and the Council's own evidence base which recommended that opportunities for the consolidation of existing employment floorspace should be explored. As a consequence it is contended that SACDC have failed to identify all

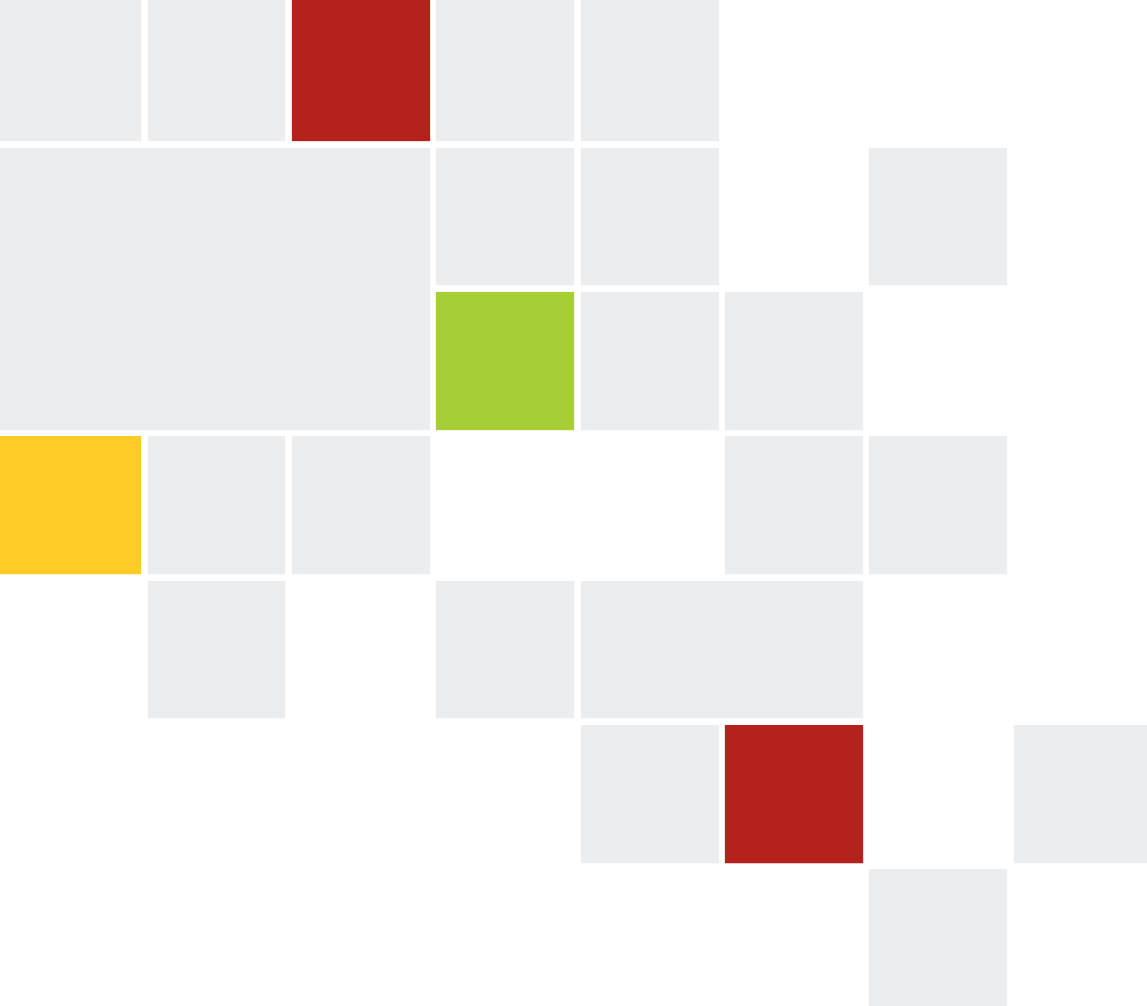
appropriate and deliverable brownfield sites for allocation, before seeking to release Green Belt land.

- 1.1 Furthermore, SACDC's decision to exclude allocated employment land does not align with national planning policy. Paragraph 86(e) of the NPPF sets out that planning policies should be flexible enough to accommodate needs not anticipated in the plan, and should allow for new and flexible working practices and spaces to enable a rapid response to changes in economic circumstances.
- 1.2 The South West Hertfordshire Economic Study 2024 prepared by Hatch establishes that there is currently an oversupply of office space, as evidenced by the fact there is currently 124,000sq.m of vacant office space in the South West Herts functional economic market area and an vacancy rate of 11.2%. As of July 2023, there was 162,000sq.m of available office space in South West Herts, of which 124,000sq.m was vacant. This includes a high level of availability in the locations in highest demand, including central Watford and St Albans.
- 2.8 SADC also state that they proactively contacted relevant landowners in 2022, 2023, and 2024 to enquire as to the landowner's interest in bringing their site forward for development. This led to the allocation of 54 sites in the Plan, delivering 860 residential units. The Council provide site UC2 as an example of this - Civic Close Car Park Bricket Road, St Albans, with a proposed indicative use of 57 residential units. The Civic Close Car Park site is a Council owned site located nearby to Marlborough House.
- 2.9 Marlborough House represents an unconstrained deliverable and available brownfield site, sustainably located within St Albans City Centre. However, the Council did not identify the Site within the Urban Capacity Study nor has the Site been allocated for residential development, despite TTG making representations to the Regulation 18 and 19 consultations on the Draft Local Plan in September 2023 and November 2024 to promote Marlborough House for residential allocation.
- 2.10 Furthermore, a Full Planning Application was submitted for the residential redevelopment of Marlborough House on 27th November 2023. Officers recommended this application for approval at Planning Committee. Whilst Members ultimately voted to refuse permission on 25th November 2024 on the basis of design and heritage grounds, the principle of residential development was supported by Officers and as such, SACDC were aware of the Site and should have sought to allocate the Site for housing.
- 2.11 Given the Council's failure to allocate Marlborough House, which is a brownfield site suitable for residential development, questions must be raised about the robustness of the Council's approach to identifying all brownfield sites.
- 2.12 In the context of the significant housing need, and the Council's insistence that the housing needs can only be met through the allocation of green belt sites, it is critical that the Council have examined all other reasonable options for meeting housing need.
- 2.13 On the basis of the Council's failure to identify all available brownfield sites (such as Marlborough House), it is contended that the Council's approach to identifying sites is flawed

and is inconsistent with the provisions of paragraphs 124 and 147 of the NPPF. It is therefore concluded that the Draft Local Plan is neither justified or consistent with national policy and must therefore be unsound.

3. CONCLUSION

- 3.1 TTG contend that SACDC have not fulfilled their duty to exhaust all reasonable alternatives before proposing to release Green Belt land for housing development. In particular, the Council's approach fails to accord with national policy, including paragraphs 124 and 147 of the NPPF which emphasise the need to make as much use as possible of previously developed (brownfield) and underutilised land prior to altering Green Belt boundaries.
- 3.2 The Council are proposing to meet their housing needs through a substantial proposed Green Belt release of approximately 802 hectares, despite failing to identify all those brownfield sites that can contribute towards meeting housing need, as required by the NPPF.
- 3.3 Despite SACDC's assertion that they undertook an extensive and rigorous search for brownfield sites, the omission of sites such as Marlborough House, which represents an available, unconstrained, and sustainable brownfield site in St Albans City Centre, undermines the credibility of their assessment.
- 3.4 We trust that our comments are of assistance and that the Inspectors will be give due consideration to the recommendations that have been made.



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