



For and on behalf of:
Moralis Group

ST ALBANS CITY & DISTRICT LOCAL PLAN EXAMINATION IN PUBLIC

Matter 2 – Housing Growth & Spatial Strategy

Hearing Statement

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1.0 INTRODUCTION

- 1.1 This response to Matter 2 of the Inspectors' MIQs in respect of the St Albans City & District Local Plan Examination has been prepared by the Research & Analysis team within DLP Planning Ltd. We have been instructed to appear at the Examination on behalf of Moralis Group.
- 1.2 Submissions were made on behalf of Moralis Group to the Regulation 19 consultation on the emerging Local Plan, objecting to the Submission Version of the Local Plan on several grounds, including its failure of the four tests of soundness in the NPPF, paragraph 35. This statement should be read in conjunction with those submissions.
- 1.3 The cumulative effect of the issues raised in our previous representations and our submitted hearing statements for Matters 1 to 3, are such that the Draft Local Plan should not be allowed to continue through the examination process in its current form.

2.0 MATTER 2 – HOUSING GROWTH AND SPATIAL STRATEGY

a) Issue 1 – Local Housing Need

Q1 - What is the plan period for the submitted St Albans Local Plan? Is this sufficiently clear to users of the Plan?

- 1.4 We understand the plan period to be 1 October 2024 to 31 March 2041 as set out in paragraph 1.5 of the plan (LPCD 02.01). This equates to a 16.5 year horizon which exceeds the minimum 15 year period required by paragraph 22 of The Framework.
- 1.5 We do however share others' confusion as to why the plan period starts midway through 2024 - this could be problematic when monitoring the performance of the plan and annual reporting, which typically tends to be conducted on annual basis 1 April to 31st March.

Q2 - What is the minimum number of new homes needed over the whole plan period as calculated using the standard method? Are the calculations accurate and do they reflect the methodology and advice in the PPG?

- 1.6 Using the previous standard methodology, the minimum Local Housing Need (LHN) figure in St Albans is 885 dpa resulting in a total need of 14,603 homes over the plan period.

Q3 - The PPG advises that there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method. Circumstances may include situations where there are growth strategies for an area, where strategic infrastructure improvements are proposed or where an authority is taking on unmet housing needs from elsewhere. Do any of these circumstances apply to St Albans?

- 1.7 Yes – as set out in our previous submissions on Matter 1, the Sustainability Appraisal (LPCD 03.01) of the plan identifies that there is a “high risk” of unmet needs arising in neighbouring authorities (principally Hertsmere and Three Rivers, but also some north London Boroughs). Box 5.1 (p16) of the SA asserts that in three Rivers this unmet need could easily be 7,000 homes in Three Rivers and 3,000 in Hertsmere.
- 1.8 Whilst agreement has ostensibly been reached with Hertsmere and Three Rivers under the Duty to Cooperate that no additional housing will be taken on in the St Albans plan to help meet this unmet need, there remains no clear strategy setting out how those needs will be met within the HMA. There is little certainty regarding the progress of the South West Herts Joint Spatial Plan (as acknowledged in the SA at paragraph 5.2.27) and therefore this leaves a vacuum where a significant number of homes will not be planned for.
- 1.9 The unmet needs arising from the London HMA are significant and we argue as a borough that is strategically well connected to London, St Albans should be looking to accommodate some of that need.
- 1.10 The case for an uplift beyond the standard method is further heightened when taking account the acute need for affordable housing in St Albans. The LNHA (HOU 02.01) calculates an affordable housing need in St Albans of 802 dwellings per annum. Table 7.54 helpfully sets

out what level of housing delivery would nominally be required to meet affordable housing need in full. In this case, Draft Policy HOU2 seeks 40% affordable housing on sites of 10+ or 0.5ha+ and therefore, according to Icen's assessment, a notional figure of 2,005 dwellings per annum would meet St Albans's affordable housing needs in full.

Table 7.54 Housing Provision notionally required to meet Affordable Housing in Full

Dwellings per annum	Total Annual Affordable Need	Delivery to Meet AHN in Full @ 35%	Delivery to Meet AHN in Full @ 40%	Standard Method Minimum LHN (dpa)
Dacorum	737	2,106	1,842	1,017
Hertsmere	590	1,685	1,474	726
St Albans	802	2,292	2,005	887
Three Rivers	527	1,505	1,317	637
Watford	668	1,909	1,670	778
SW Herts	3,324	9,496	8,309	4,046

Source: Icen

- 1.11 This was starkly highlighted by Inspector Michael Boniface in a joint appeal in 2023 at Chiswell Green reference APP/B1930/W/22/3313110 and APP/B1930/W/22/3312277.

"193. Over the nine-year period between 2013/14 and 2021/22, there was a shortfall against that need of 5,053 affordable dwellings, equivalent to 561 per annum.

194. In the first two years of the 2020 LHNA period since 2020/21, there has been an additional shortfall of 1,428 affordable dwellings, equivalent to 714 per annum.

195. The agreed approach is that any shortfall in delivery should be dealt with in the next five years.

196. When the 1,428 dwelling affordable housing shortfall which has accumulated since 2020/21 is factored into the need of 828 affordable dwellings per annum for the period 2020 to 2036, the number of affordable homes that the Council needs to deliver in the 5-year period from 2022/23 to 2026/27 is 5,570, or 1,114 per annum.

197. The Council's current supply figure for the next five years is, however, just 39 affordable dwellings per annum.

198. That means there will be a shortfall of 1,075 affordable dwellings per annum, and a total shortfall of 5,375 affordable dwellings over the next five years.

199. These conclusions are absolutely irrefutable. In St Albans, the delivery of affordable housing has collapsed. Worse still, in refusing permission for the Appeal application, 330 affordable homes in one quick hit, the Council has given up on even attempting to address this affordable housing emergency."

- 1.12 Whilst we accept that there are constraints that may prevent 2,005dpa being a realistic plan target for SADC the acute need for affordable housing - and historic shortfalls in affordable housing delivery - do provide good reasons for consideration of a housing figure that is higher than the standard method currently being planned for.

b) Issue 2 - The Housing Requirement

Q1 - What is the justification for a) the level of housing proposed in the first 5 years post adoption, and b) the significant uplift from 485 to 1,255 dwellings per annum thereafter? Are the figures justified?

- 1.13 We do not consider the stepped trajectory to be sound. For the first five years the LP makes no attempt to boost supply despite the severe shortfalls in housing delivery evidenced by the Council's failure to pass the Housing Delivery Test (HDT) in each of the last 5 years.
- 1.14 PPG Paragraph: 012 Reference ID: 68-021-20190722 requires that "*Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs.*"
- 1.15 We see no robust evidence to justify a stepped approach, beyond a statement at paragraph 3.27 of the Draft LP stating that it is to allow sufficient time for the significant uplift in housing delivery to be realistically delivered.
- 1.16 The stepped approach is a symptom of the Council's decision to rely on larger strategic sites to deliver a large proportion of their total housing requirement. We submit that if a different spatial strategy had been adopted by the Council, i.e. to allocate more small and medium sites that could be delivered in the first 5 years, this could increase the likelihood of delivery earlier in the plan period and avoid the need for a stepped approach, or at least such a marked step from 485dpa to 1,255dpa.

With regard to the trajectory provided in Table 3.2 of the DLP, we would have expected further information to be provided on the delivery expectations for each site. On the basis the Council has broken down supply into broad categories of site this evidence must be readily available and is necessary for all parties to properly consider whether the rate of delivery on each site is justified.

Q2 - In response to the Inspector's Initial Questions, the Council suggests that Policy SP3 should be modified to include a stepped requirement. Is this necessary for soundness, and if so, what should the housing requirement be?

- 1.17 If a stepped approach is accepted it would need to be included in strategic housing policy as per PPG Paragraph: 012 Reference ID: 68-021-20190722.

Q3 Is the housing requirement intended to be found in Policy SP1 or SP3?

- 1.18 No response

c) Issue 3 – Settlement Hierarchy

Q1 What is the justification for this approach given the period of time which has elapsed? Does the assessment adequately reflect the form, role and function of existing settlements in the area?

1.19 No response

Q2 Are the scores used in the settlement hierarchy assessment accurate and robust?

1.20 We question the robustness of the scoring criteria applied to 'Train Access Scores' on p48 of LPCD 13.01. Whilst both Bricket Wood and How Wood benefit from a railway station they have been allocated a nominal score of 1 compared to scores of 10 and 8 for St Albans and Harpenden respectively. We accept that both Bricket Wood and How Wood are not mainline stations, however they do provide frequent services into both St Albans and Watford, which are both regionally important centres for employment, retail and leisure.

1.21 Rail stations are a key component of sustainable travel and should be afforded a greater weight in the final scoring assessment. Under the current methodology settlements such as Wheathampstead and Redbourn, which do not benefit from any rail connectivity are above Bricket Wood and How Wood in the Settlement Hierarchy. Future residents in Wheathampstead and Redbourn have a similar level of services to Bricket Wood and How Wood but will be more reliant on use of private car particularly for employment opportunities.

Q3 How have the scores and baseline evidence been used to determine which settlements fall within the proposed tiers? Is the settlement hierarchy justified, effective and sound?

1.22 Given several of the plan's objectives relate to the need to prioritise and enable safe and attractive use of active and sustainable means of transport and reduce greenhouse gas emissions, it follows that those settlements that benefit from railway stations should be prioritised over those that don't.

1.23 The low scores afforded to Bricket Wood and How Wood have resulted in them being categorised in Tier 5, which does not reflect the excellent sustainable transport options available, not to mention their relative proximity to, and functional relationship with St Albans itself.

d) Issue 4 – Distribution of Housing Growth

Q1 - How does the distribution of housing growth compare with the settlement hierarchy over the plan period, taking into account completions, commitments and sites identified in the Local Plan? Does the spatial strategy reflect the size, role and function of settlements in Policy SP1?

1.24 Both Bricket Wood and How Wood are recognised in the evidence base as sustainable

locations, with a good level of services and good public transport option (bus, rail) as well as excellent links to the strategic road network (M1/North Orbital/M25). We therefore submit that they could reasonably accommodate more strategic scale growth than has been identified in the draft plan as submitted.

Q2 What is the justification for referring to sites over 250 dwellings as ‘broad locations’ when they are identified in Part B of the Plan? Is this approach sufficiently clear to users of the Plan and is it effective?

- 1.25 We would agree that this is confusing. Where clear site boundaries have been identified, there is no need to refer to them as broad locations. This ambiguity gives less confidence in their ability to deliver the levels of development expected and within required timescales.

Q3 How does the distribution of sites by size reflect the settlement hierarchy? For example, are all the ‘broad locations’ within Tiers 1-3?

- 1.26 The distribution of sites larger strategic sites and ‘broad locations’ does not follow the Council’s own Settlement hierarchy. For example, the West of Redbourn ‘broad location’ is within Tier 4. This is at odds with the Spatial Strategy set out in policy SP1.
- 1.27 As above, we submit that Bricket Wood and How Wood are underscored in the Settlement Hierarchy Assessment and should be identified as Tier 4 and should be allocated a greater scale of growth commensurate to their relative sustainability, which is comparable to both Redbourn and Wheathampstead.

Q4 - Has the Council identified land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, as required by paragraph 70 of the Framework?

- 1.28 For Council.

e) Issue 5 – Site Selection Methodology

Q1 - What were the reasons for discounting sites at the initial assessment stage? Was this done on a consistent and transparent basis?

- 1.29 The Council applied a crude approach to site assessments based on a red line only. In the case of our client’s site (C-249 - Land at Lye Lane, Bricket Wood) only a certain portion of the site is realistically developable and some of the constraints identified (such as woodland or non -designated biodiversity) can be avoided via the a sensitively designed masterplan.

Q2 - Were all sites beyond the ‘buffers’ discounted at this stage? Is this a justified and effective approach to site selection?

- 1.30 For Council. We have raised concerns with the extent of the buffers in our Matter 3 statement.

Q3 What was the justification for using distances when determining accessibility? How were other factors taken into account such as the ability to access services and facilities by walking, cycling and public transport?

1.31 The methodology, as set out in LPSS 02.02, appears to use an 'as the crow flies' measurement to determine accessibility. We agree that a more robust approach would be to calculate reasonable travel times/distances taking account of most logical transport/walking routes and availability of public transport services.

1.32 ***Q4 As part of this process, how did the Council consider the necessary infrastructure requirements of proposed sites, such as the need for highway improvement works or new and improved services, such as education and health?***

1.33 As our client's site was discounted for further consideration following the Stage 2 Green Belt Review, no consideration was given in LP22 02.11 to the potential contributions it could make towards infrastructure deficiencies. This is particularly relevant to larger sites, such as Land south of Lye Lane, which have scope to provide a significant amount of development that could potentially support local infrastructure improvements. For instance Table 35 of the Infrastructure Delivery Plan (INF 12.02) suggests there is a deficiency of allotment space within Bricket Wood & How Wood against national standards.

Q5 How did the Council consider the viability and deliverability of sites, especially where new or upgraded strategic infrastructure is required?

1.34 For Council

Q6 What was the justification for this approach, and why did it differ from potentially sustainable development proposals in other Tiers of the hierarchy?

1.35 For Council

Q7 Following the completion of the proformas, how did the Council decide which sites to allocate?

1.36 For Council

Q8 Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?

1.37 Paragraph 1.27 of LPSS 02.02 suggests that the Council introduced a series of additional 'bespoke constraints' to their assessment. This included 'Existing woodland' and 'Biodiversity'.

- 1.38 There appears to be little or no justification for providing a further layer of constraint beyond the conventional constraints such as TPO, ancient woodland, priority habitat etc.
- 1.39 In relation to the 'Existing woodland' bespoke criterion, Table 2 suggests that any site that contains any non-designated woodland would automatically record a score of 'weak' against that criterion in the assessment. Similarly, any site containing non-designated biodiversity; established trees, hedgerows, bushes, or other features such as a pond, wildflower meadow, watercourse would automatically be scored as 'weak'.
- 1.40 This approach is inherently flawed as it makes no qualitative or quantitative assessment as to how such features could be avoided, mitigated or enhanced as part of a development proposal. The terms used are also very vague – for instance no definition is provided to suggest what constitutes a “*woodland*” or an area of “*biodiversity value*” which leads the assessment open to a high degree of subjectivity and artificially suppresses the amount of sites taken forward for further consideration.

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