

**St Albans City and District Council
Local Plan 2041**

Independent Examination

Written Statement relating to Matter 7 –
Residential Site Allocations (Site M7)

Hill Residential Ltd

October 2025

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1.0 Introduction

- 1.1 This examination statement is submitted on behalf of Hill Residential Ltd (Hill) in respect to Matter 7 of the St Albans City and District Council (SADC) Draft Local Plan 2041 examination process. The comments provided respond directly to the Planning Inspectors' questions set out in the *Matters, Issues and Questions for Stage 2* document (ED84). The responses should be read in conjunction with Hill's Regulation 19 representations (submission number: 350 LPCD 20.03 – Page 2597- 2653), copies of which can be re-provided on request.
- 1.2 In responding to the Inspectors' matters, issues and questions, due regard is had to the NPPF paragraph 35 in assessing the Plan's soundness.
- 1.3 Hill responded to the previous Stage 1 MIQs in April 2025, the Reg 19 Submission Draft Local Plan consultation in November 2024, the Reg 18 Draft Local Plan consultation in 2023 and the Call for Sites submission in 2021, which include submissions in relation to Matter 7 and the site allocation referenced under M7. The previous representations remain valid, unless specifically updated by this submission.
- 1.4 Hill is promoting land at Townsend Lane, Harpenden (the Site) on behalf of the landowner, Lawes Agricultural Trust (the Trust), for a sustainable and deliverable residential allocation within the emerging SADC Local Plan. The submission plan retains the draft residential allocation of the Site (ref. M7) which is strongly supported by Hill and the Trust. Harpenden is one of the district's largest settlements and we agree with the Council that the site is a suitable and sustainable opportunity for future residential development. It is directly adjacent to the existing settlement boundary, in close proximity to public transport connections and local services, unconstrained and lacking technical obstacles to delivery and is available for development now (subject to Green Belt release).
- 1.5 Hill is currently preparing a planning application for residential development at Site M7, which is due to be submitted in Q4 2025.

2.0 Matter 7: Residential Site Allocations

Issue 2 – Harpenden and Hatching Green Site Allocations

Policy M7 – Townsend Lane

Question 1 - 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 The principal justification for the proposed alteration to the Green Belt boundary is the need to deliver the housing requirements set out in the Plan, which seeks to meet the 'Standard Method' for housing in full.
- 2.2 It is clear that further significant shortfalls in housing supply would occur if Green Belt boundaries are not amended, which, along with worsening affordability issues, contribute to the justification to amend the Green Belt boundary.
- 2.3 The proposed boundary alteration is considered to be consistent with paragraph 148 e) and f) of the NPPF which states:

“When defining Green Belt boundaries, plans should:

e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and

f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent”.

- 2.4 SADC's Green Belt Review Report (2023) (ref. GB 02.02) sets out the approach to defining sub-area boundaries based on paragraph 143 of the NPPF (N.B The Green Belt Review Report refers to paragraph 143 based on the NPPF 2021, which is the same as NPPF paragraph 148 in the 2023 version). This is set out in section 4.3 of the report as follows:

“Step 2: Defining Sub-area Boundaries

Given the requirement through paragraph 143 of the NPPF for Green Belt boundaries to be defined ‘clearly, using physical features that are readily recognisable and likely to be permanent’, it therefore follows that sub-areas should be defined, to reflect these principles from the outset.

The Stage 2 sub-areas boundaries were defined in line with the general principles used to identify the Strategic Land Parcels in the Stage 1 GBR. However, as Stage 2 sub-areas are smaller than Stage 1 Parcels, a wider range of boundary features had to be used to delineate the sub-areas. In locations where readily recognisable and permanent boundary features were absent, sub-area boundaries had to be drawn along features which were readily recognisable, but not necessarily permanent. In some locations readily recognisable and permanent boundary features were present but a policy

constraint such as a flood zone was closer to the settlement edge and was therefore adopted as the boundary, as development could not take place in the area between the policy constraint and prominent boundary feature.

Permanent and readily recognisable boundary features (both man-made and natural) are listed in the first column of Table 4.2. The additional readily recognisable boundary features which are not necessarily permanent are listed in the second column of Table 4.2.

Table 4.2 Boundary Features for Identifying Sub-areas

Permanent Man-made and Natural Features	Additional Boundary Feature
Motorways A and B Roads Railway lines Canals Rivers and waterbodies Natural ‘buffer’ features such as ridgelines	Unclassified public and private roads Smaller water features, including streams and other watercourses Prominent physical/topographical features, e.g. embankments Existing development with strongly established, regular or consistent boundaries Well-established woodland edges, tree belts and hedgerows

Sub-area boundaries were initially defined through desk-based assessments of publicly available data, including aerial photography, Ordnance Survey maps ‘birds eye’ views and Google Earth. Boundaries were adjusted as necessary, based on onsite observations during the site visits, to reflect the site characteristics as accurately as possible. This process of refinement accounted for the local context of the subarea and involved an element of professional judgement. Each sub-area was assigned a unique reference number, (Figure 4.6 and 4.7)”.

- 2.5 For draft allocated site M7 the sub-area which reflects the site is referred to under SA-16.
- 2.6 Potential Green Belt boundaries were considered in the Green Belt Review Annex Proforma Report (2023) (ref. GB 02.03). This sets out that the SA-16 sub-area is bounded by Townsend Lane to the north-west, by the regular backs of residential properties and gardens along Hartwell Gardens to the north-east (and south-west), by a mature hedgerow to the south-east and by Townsend Lane to the south-west. The inner boundary is north and east and the outer boundary is south and west.
- 2.7 Hill would also highlight that immediately to the north-western edge of the site lies a plant nursery, outdoor clothing and equipment shop, furniture supplier and dog grooming services. Beyond this is the Nickey Line and local primary and secondary schools of Roundwood.
- 2.8 Hill would reiterate that some of the details in terms of references to the cardinal directions within the report are still incorrect and need to be reviewed, for instance, Townsend Lane is to the north-west and north-east of the site, not the south west as referenced. Further it says the sub-area is bounded by the regular backs of residential properties and gardens along Hartwell Gardens to the north-east. This should say the south-west. Finally it says it is bounded by a mature hedgerow to the south-east, this should also say to the south-west. To

confirm, these clarifications do not ultimately affect the conclusions reached by the report and are highlighted only to ensure the description, relating to cardinal directions, is accurate.

- 2.9 The report also explains that the sub-area has an enclosed character due to the presence of built form on its north-western, north-eastern and south-eastern boundaries. It is enclosed to the north-east and south-east by mature trees and by regular lines of the back of residential properties and gardens, limiting views into the wider open countryside.
- 2.10 The report concludes that for SA-16, both the inner and outer boundary are readily recognisable and likely to be permanent. If the sub-area is released, the new inner Green Belt boundaries would meet the NPPF definition for readily recognisable and likely to be permanent boundaries.
- 2.11 There are effectively two new proposed Green Belt boundaries in the Plan in relation to site M7, which are:
- North western boundary – Townsend Lane (set behind a mature hedgerow)
 - South western boundary – mature and well-established hedgerow.
- 2.12 Hill would highlight that there are clear defensible boundaries to the edges of the site, which would form the Green Belt boundary in this location, contiguous with the urban edge to the east. The proposed Green Belt boundary alteration would present the opportunity for a 'strong green edge' to the western side of the site, adjoining the open countryside, which would strengthen the boundary between the settlement and the Green Belt.
- 2.13 Development proposals will retain the key vegetation structure on the site, which will be supplemented by additional planting and the site layout and design will also be sympathetic to and in-keeping with the surrounding context.
- 2.14 Overall, it is considered that the proposed boundary alteration will not need to be altered at the end of the Plan period, and Hill agree with the conclusions of the report for SA-16, in that it has clearly defined boundaries using physical features that are readily recognisable and likely to be permanent.

Question 2 - Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

- 2.15 Yes, it is considered that exceptional circumstances do exist to justify amending the Green Belt boundary in this location.
- 2.16 The strategic case to amend Green Belt boundaries is set out in SADC's answer to Stage 1 MIQs (Matter 3, Issue 3, Question 1) and is also addressed in the Green Belt and Exceptional Circumstances Evidence Paper (2024) (ref. GB 01.01).
- 2.17 Specifically, the Council set out the exceptional circumstances they consider to be justification for amending Green Belt boundaries. The Evidence Paper states that the Council has considered case law, including Calverton (2015), and that the local context in which conclusions have been reached regarding the 'Exceptional Circumstances' necessary to require release of Green Belt land in the District involves a variety of factors, including:

- The acuteness/intensity of the housing need.
- The inherent constraints on supply/availability of non-Green Belt land.
- The difficulties of delivering sustainable development without impinging on the Green Belt.
- The nature and extent of the harm to the Green Belt that would arise if the boundaries were to be altered as proposed.
- The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable practicable extent.

2.18 As a result, it is set out at paragraph 7.3 that:

“The Council has concluded that ‘Exceptional Circumstances’ do exist and it is necessary to amend Green Belt boundaries as set out in the draft Local Plan and its Policies Map. This includes amendments to facilitate both primarily residential and primarily employment land. Further there are existing areas of significant built development created since the last Local Plan was adopted in 1994, identified in the Green Belt Review stage 2, where the Council has concluded that the necessary ‘Exceptional Circumstances’ exist to amend the green belt boundaries”.

2.19 In relation to the specific case in this location, Townsend Lane, Harpenden (M7) the specific localised Green Belt impacts are well understood because of the findings of the Green Belt Review Report (2023) (ref. GB 02.02) and the Green Belt Review Annex Proforma Report (2023) (GB 02.03). The Green Belt Review assessment of this site comprises a sub-area proforma assessment in this location under SA-16. Pages 92 to 95 of the Proforma Report, relating to sub area 16, states:

“Purpose Assessment – Summary:

Overall, the sub-area performs strongly against the purposes overall. The sub-area meets purpose 1 criteria (a) and performs strongly against purpose 1 criteria (b). The sub-area does not meet purpose 4, performs weakly against purpose 2 and performs strongly against purpose 3.

Wider Green Belt Impacts – Summary:

Overall, the sub-area plays an important role with respect to the strategic land parcel, however its release is unlikely to harm the performance of the wider Green Belt.

Sub-area category & recommendation:

The sub-area performs strongly against NPPF purposes but makes a less important contribution to the wider Green Belt. If the sub-area is released, the new inner Green Belt boundary would meet the NPPF definition for readily recognisable and likely to be permanent boundaries. Recommended for further consideration as RA-13”.

2.20 For this location, the site selection outcome is set out within the proforma assessments (Site Ref C-057 and HT-13-21) on pages 17-18 in the Green Belt Sites Recommended Medium & Small Site Proformas (2024) (ref. LPSS 02.06).

- 2.21 Overall, the site selection work concluded that site M7 was recommended to progress, and the exceptional circumstances are considered to exist to justify amending the Green Belt boundary in this location.
- 2.22 Hill strongly agrees that exceptional circumstances exist to justify amending the Green Belt boundary in this location and this is set out in further detail within their Reg 19 Submission in November 2024, Reg 18 submission in 2023 and Call for Sites submission in 2021 and is therefore not repeated here.
- 2.23 Although the assessment isn't repeated again here, as part of their Call for Sites 2021 submission, Hill's Briefing Note was clear that exceptional circumstances do exist to amend Green Belt boundaries in the district. It was also demonstrated that exceptional circumstances existed to remove land at Townsend Lane (site M7) from the Green Belt for high quality residential development. Given the context of the district and acute housing need as set out under Policy SP1, it is considered that the results of Hill's assessment of exceptional circumstances for Green Belt release hold good and should be read in conjunction with this representation.
- 2.24 Hill supports the case that exceptional circumstances exist to review the Green Belt, to meet housing need and to promote sustainable patterns of development (NPPF 147). Specifically, the amendments to the Green Belt at Townsend Lane Harpenden, and its proposed allocation referenced under site M7 is supported. It is considered that further significant shortfalls in housing supply would occur if Green Belt boundaries are not amended, which, along with worsening affordability issues, contribute to the exceptional circumstances required to amend green belt boundaries.
- 2.25 With regard to the site itself, a review and analysis of the Green Belt Review (2023) and its assessment of land at Townsend Lane (M7), referred to as SA-16, has already been covered in previous representations and is not repeated in detail here. Overall, Hill agree with the conclusion that site SA-16 doesn't affect the performance of the wider Green Belt and in dispute of the Review's sub-area assessment for the Site's contribution to purposes 1 and 3, concludes that the site assessed on its own merits makes limited or no contribution towards the purposes of checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap.
- 2.26 Hill consider that any limited localised harm can be mitigated through the creation of a high-quality new settlement edge, framed by green infrastructure and new boundary planting that can successfully assimilate the development with the surrounding countryside.
- 2.27 To summarise, Hill is supportive of the Council's decision to amend Green Belt boundaries and to allocate land at Townsend Lane (M7). The site offers an excellent opportunity to secure sustainable plan-led development and help meet housing need for the following reasons:
- The Site is suitable and available for development purposes, and delivery is fully achievable - Hill is preparing a planning application targeted for submission in Q4 2025, which, if approved, would allow delivery of new homes early in the plan period
 - The development of the Site would present the opportunity for a 'strong green edge' to the western side of the Site, adjoining the open countryside,

which would strengthen the boundary between the settlement and the Green Belt

- Development of this section of land from Green Belt would not harm the purposes of the wider Green Belt given its visual containment and the fact that it is developed on three sides
- The Site assessed on its own merits makes a limited or no contribution towards checking sprawl, preventing merging, recycling urban land, preserving setting or maintaining local gap
- The Site itself is not subject to physical or environmental constraints that would affect development

- 2.28 The above, on their own, represent the exceptional circumstances that exist which justify the council's proposal to amend the boundary and remove the site from the Green Belt.

Question 3 - What effect will development have on the Chilterns Beechwoods Special Area of Conservation SAC and how will any adverse impacts on the integrity of the site be avoided and/or mitigated?

- 2.29 The Habitats Regulations Assessment (HRA, 2024) (LPCD 04.01) sets out that the Test of Likely Significant Effects identified nine allocations for residential development that are located within the 12.6km core recreational Zone of Influence (ZOI) buffer for the Chilterns Beechwoods SAC (which includes the M7 site allocation at Townsend Lane).
- 2.30 The HRA stipulates that development of these sites could provide a linking impact pathway to Chilterns Beechwoods SAC via increased recreational pressure (in combination) as a result of increased population living in the new dwellings provided by the LP (which, for example, has the potential to lead to trampling, erosion, vandalism and nutrient enrichment from dog waste). The HRA states that this could result in a Likely Significant Effect upon the SAC in combination. As a result, these sites (including M7) require mitigation. Although the proposed development at M7 is not fully located within the ZOI (with the eastern section falling outside), it does still partly fall within the 12.6km ZOI where recreational disturbance can occur.
- 2.31 The HRA also sets out in 'Table 3: LP Site Allocation Test of Likely Significant Effects' 'HRA Implications' that the M7 allocation has the 'Potential for Likely Significant Effect'. It also states that any adverse impacts on the integrity of the site can be avoided and/or mitigated by adherence to the Council's Mitigation Strategy.
- 2.32 The Mitigation Strategy comprises of two elements, a Strategic Access Management and Monitoring Strategy (SAMMS) and Suitable Alternative Natural Greenspace (SANG) strategy. The SAMMS requires developer contributions per net new dwelling to enable interventions within the Ashridge Estate. The SA (Box 9.1) sets this out as £829 per dwelling. A second element in the Mitigation Strategy will be the identification and/ or creation of SANG, to provide alternative natural greenspace for recreation and divert recreational activities, drawing people away from using the SAC. It is noted that the Council's approach in this regard is supported by Natural England.
- 2.33 The M7 allocation states that: '*Most of the site lies within the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI).*

Appropriate contributions must be made towards the Strategic Access Management and Monitoring Strategy (SAMMS). Development proposals will also need to make provision for a new Suitable Alternative Natural Greenspace (SANG), or alternatively contribute towards the maintenance of a suitable SANG project elsewhere.'

2.34 Owing to the proximity of the Site to the SAC and that it mostly falls within ZOI, the development will comply with the Strategic Access Management and Monitoring Strategy ("SAMMS") as required, which is set out by Natural England and the partner authorities and works to improve site management through access management and engagement work. The strategy aims to mitigate potential recreational disturbance on the SAC from new residential developments in-combination. The development will comply with what is required, including any necessary financial contribution in accordance with the applicable tariff, to address and mitigate potential disturbance. Any contribution required will be secured through a Section 106 agreement before the development commences.

2.35 With regard to SANG, paragraph 6.1.22 of the HRA states that it is not known if the applicants for M7, M16 and P3 are currently looking for a SANG solution for their sites. However, it is indicated that there is likely to be excess capacity within the Hemel Garden Communities SANG, and this is anticipated to be the primary SANG to support the St Albans District Local Plan. A suitable contribution towards the maintenance of the HGC SANG can be provided as required, where there is likely to be excess capacity to accommodate the requirements of the M7 site. As set out in Hill's previous submissions, these contributions will need to be considered as part of the site's overall viability to ensure sustainable sites are not overly burdened or hindered from coming forward.

2.36 The HRA concludes at paragraph 7.1.5 that:

'The Local Plan contains suitable policy wording to ensure that any allocations and any windfall development that falls within the 12.6km core recreational ZOI does not result in a likely significant effect and also adheres to the forthcoming Mitigation Strategy.'

Following an analysis of the current position relating to the availability, deliverability and timing of SANG provision in relation to the expected delivery time frames for residential development, it was concluded that, whilst not all allocations have a SANG strategy identified, those without a SANG solution in place are not to be occupied until at least year 6 of the Local Plan. The Council has confirmed that they are confident that appropriate SANG solutions will be delivered for all of the relevant sites within the Local Plan. This confidence is in part demonstrated by the Council's commitment to the Chilterns Beechwoods SAC Mitigation Strategy as agreed in the Council's Policy Committee March 2023. It is considered that with the Chilterns Beechwood SAC Mitigation Strategy in place, and the Council's confidence to deliver SANG in a timely fashion, (acknowledging the excess SANG capacity at Hemel Garden Communities), that no adverse effects on the integrity of the Chilterns Beechwoods SAC would result'.

2.37 Taking the above into account, it is considered that the potential effects of the development at M7 on the CBSAC have been suitably considered in the HRA and in the Plan, and that they will be appropriately mitigated as a result, through

provision of appropriate contributions towards SAMMS and maintenance of the HCG SANG, as set out in the Plan.

- 2.38 The HRA (September 2024) confirms that the above is appropriate mitigation to avoid any likely significant effect on the nearby SAC due to recreational pressure, in isolation and in combination. Therefore, the development will not have an impact on the SAC as all impacts have been assessed and will be mitigated.

Question 4 - Is Policy M7 justified, effective and consistent with national planning policy? If not, what modifications are required to make the Plan sound?

- 2.39 Hill strongly supports draft Site Allocation M7 as it allocates development at a deliverable, unconstrained and sustainable location for new development.
- 2.40 Paragraph 70 of the NPPF highlights the importance of small and medium sized sites which can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. Medium sites such as M7 have the potential to be quicker to assemble and built out than the Broad Locations. This site contributes to the supply and mix of sites, in accordance with the overarching spatial strategy. It is available now and therefore able to deliver much needed housing, early in the plan period, to help provide resilience for the borough moving forward in terms of its housing land supply position, in accordance with NPPF paragraph 69, which requires policies to identify a five year supply of specific, deliverable sites.
- 2.41 As such, draft Site Allocation M7 is an effective and sustainable location for new development and is consistent with national planning policy.
- 2.42 To facilitate the timely delivery of the development at M7, Hill wish to highlight the below comments/requested amendments. In order to ensure the policy wording is sufficiently clear and to enable the effective funding and delivery of measures to support active travel necessary to support the development, key development requirement 1 should be amended to state:

‘Proposals must include improvements via delivery or contributions to the local walking and cycling route network, and access to the nearby Nickey Line must be facilitated for cyclists and walkers to enable sustainable transport connectivity’.

- 2.43 This will align and be consistent with similar changes made to a number of other local plan allocations as part of the main modifications published in the ‘Local Plan Part B with Proposed Main Modifications’ document (ref. SADC/ED85B).
- 2.44 With regard to key development requirement 3, as set out in Hill’s previous submissions and above in response to Question 3, whilst Hill recognise the need to mitigate adverse impacts on the Chilterns Beechwoods Special Area of Conservation, the need to make such contributions via SAMMS and towards the maintenance of SANG must also be considered as part of the site’s overall viability to ensure it is not overly burdened or hindered from coming forward as a highly sustainable site.

- 2.45 The above amendments to the wording of draft Site Allocation M7 would improve clarity and ensure the policy is justified and effective to enable the timely delivery of the site.

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