

# Examination of the St Albans City and District Local Plan - Matter Statement

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**Our ref** 60885/01/MS/BHy  
**Date** 15 April 2025  
**From** Lichfields on behalf of Legal & General

## Subject Matter 2 Housing Growth and Spatial Strategy

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### Context

- 1.1 This Matter Statement should be read alongside Legal & General's (L&G) representations to the Regulation 19 Consultation of the St Albans Local Plan, **representor ID 351**, specifically representations 351-1, 351-2 and 351-3. Both the Reg 19 representations and this Matter Statement are prepared by Lichfields on behalf of L&G in respect of L&G's site at North West Harpenden ('NWH').
- 1.2 NWH is identified in the Local Plan (LPCD 02.01) ("the plan") as a 'Broad Location' for a minimum of 293 homes, mixed-use residential, green infrastructure, transport infrastructure and other community infrastructure.
- 1.3 In February 2025, St Albans Council issued a resolution to grant (subject to S106) an outline application for up to 550 dwellings (including 130 Class C2 integrated retirement homes), affordable housing, early years setting, public open space, allotments and publicly accessible recreation space<sup>1</sup> at NWH. The site to which the application relates is larger than the site currently proposed for allocation in the plan.

## 2.0 Issue 2 – 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?**

- 2.1 **a)** The level of housing proposed in the first five years post adoption broadly follows anticipated supply (shown in Table 3.2 of the plan). This comprises estimated future completions from permissions (for all Years 1-5), and (in Years 4 and 5 only) completions from local plan site allocations (Hemel Garden Communities [HGC], Medium and Small sites of 5-99 homes, previously developed Green Belt sites and sits within urban settlements).
- 2.2 **b)** The uplift from Year 6 onwards is similarly based on expected delivery in those periods, with significant contribution coming from increased delivery at HGC, Broad Locations of 250+ homes (which are assumed to deliver 240 homes in total in Year 6 and 500 homes per

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<sup>1</sup> Application Ref 5/2023/0327

year thereafter) and Large sites of 99-250 homes. In Years 11-15 the trajectory falls slightly as Large sites, Medium and Small sites, PDL in the Green Belt and sites in the urban area are completed.

- 2.3 **Are the figures justified?** No. The PPG<sup>2</sup> sets out that a stepped requirement may be appropriate where there is to be a significant change in the housing requirement and/or where strategic sites are likely to come forward later in the plan period. The PPG does however note that authorities should not seek to unnecessarily delay meeting need and that the stepped requirements should ensure that needs are fully met in the plan period. This is in the context of NPPF para 60 (regarding the need to ‘significantly boost housing supply’) and para 75 (regarding housing supply and trajectory).
- 2.4 L&G’s representations to the Reg 19 Local Plan consultation (ID351) (para 3.4-18) set out our view, which (in summary) suggested that the use of a stepped trajectory may be justified, but that further evidence was needed on the assumptions for specific sites and typologies, particularly regarding the HGC.
- 2.5 Since those representations were prepared, the change in circumstances around NWH suggest that further work is still needed in order for the trajectory to be robust, and this has knock-on effects for whether a stepped trajectory is justified. L&G now considers that neither of the criteria regarding stepped trajectories that are set out in the PPG are met, and therefore the plan as submitted is unsound (having regard to NPPF para 35), but can be made sound through modifications.

*Is there a significant change in housing requirement (between the adopted and emerging)?*

- 2.6 The Local Plan (LPCD 02.01) 3.27 sets out that the housing requirement “*has been stepped in order to allow sufficient time for the significant uplift in housing delivery to be realistically delivered*”. Table 3.2 of the Local Plan shows a stepped housing requirement of **485** per year in Years 1-5 post-adoption (2026/27 to 2030/31), **1,255** per year in Years 6-10 (2021/31 to 2025/26) and **1,025** per year in Years 11-15 (2026/27 to 2040/41) – broadly following the trajectory, as set out above. This gives a total requirement of 14,603 homes, equivalent to 885 per year from 2025/26 to 2040/41; 885 being the Council’s housing need using the standard method.
- 2.7 In the case of St Albans, the latest plan requirement dates from the 1994 Local Plan which set out the objective to deliver 7,200 homes between 1986 and 2001, equivalent to 480 per annum<sup>3</sup>. Since this housing requirement time-expired in 2001 there has been no housing requirement for St Albans.
- 2.8 Our Reg 19 representations analysed recent delivery levels in St Albans (see para 2.16-2.18) and noted that absent a local plan, delivery over the last c.20 years in St Albans has been almost entirely a result of windfall (i.e. unplanned) development, and with virtually no Green Belt release. Yet, the district has still been able to maintain average delivery of around 400 homes per year since the mid-1990s and in recent years (particularly prior to

<sup>2</sup> Housing Supply and Delivery ID: 68-021-20190722

<sup>3</sup> City and District of St Albans Local Plan Review 1994 (adopted Nov 1994) Objectives 1.22 (3) Housing

the pandemic) housing growth reached a rolling average of around 450 dwellings per year. In two of the last five years, delivery has exceeded 500 per year (620 in 2018/19 and 510 in 2019/20).

- 2.9 Housing demand is exceptionally high in the district, with needs having gone unmet for decades, and the release of land for housing (through Green Belt release) can and will lead to a rapid increase in the rate of delivery compared with historic levels. In this context, the Council should ensure that it is allocating enough housing in the early years of the plan period to meet, as far as possible, it's housing need of 885 per annum. This includes not placing such reliance on the HGC sites and ensuring that other, smaller sites (which can deliver earlier) are identified.
- 2.10 Therefore, we do not consider that the difference between the emerging requirement (overall, 885 per year) and recent delivery levels (500+ dpa, when there has been no plan in place to release Green Belt) to be sufficient to justify the proposed stepped trajectory.

*Do strategic sites necessitate a stepped trajectory?*

- 2.11 The Council's trajectory does not suggest that the main strategic site – HGC (allocated for 4,300 homes in the plan period, to 2040/41) – has a particularly long lead-in time; the Council anticipate this will deliver 100 units by Year 4, rising thereafter with delivery being sustained at c.400-500 per year in Years 11-15. Our Reg 19 representations however suggested that the assumed trajectory for the HGC was likely to over-estimate what could be delivered in the plan period (see para 3.8-18); therefore, the step up to 1,255 per year in Years 6-10 may not be justified.
- 2.12 Our response to Matter 1 Issue 3 Q4 also raises concerns regarding the fact that the Council assumes HGC will deliver 4,300 units in the plan period and holds this constant across all its reasonable alternative scenarios tested within the Sustainability Appraisal (LPCD 03.02 Table A). This means alternative scenarios, where HGC delivers later and/or slower have not been tested, and therefore the Council has not explored whether smaller sites (such as its 'Broad Locations' or 'Large Sites') could support earlier housing delivery and negate the need for a stepped trajectory.
- 2.13 Our Reg 19 representations also noted that Council should reconsider its trajectories for Broad Locations to ensure that their full potential is identified. We note that Council currently assumes particularly long lead-in times for these other sites, including:
- 1 Broad Locations (250+ homes), which are not anticipated to start delivering until Year 6 (2031/32); and
  - 2 Large Sites (100-249 homes), which are not anticipated to start delivering until Year 7 (2033/34).
- 2.14 The Broad Locations (250+ homes) include NWH, which is allocated for 293 homes but for which an application has a resolution to grant permission (Feb 2025) on a larger site for up to 550 homes. Given this, the trajectory for Broad Locations is not accurate as it effectively assumes that NWH would not deliver anything until 2031/32; Lichfields' Start to Finish suggests that sites of between 500-999 units have an average planning to delivery period of

only 1.5 years<sup>4</sup> (i.e. period from the grant of a full application or reserved matters to first dwelling completion). Even with S106 to be finalised and reserved matters applications needed, the lead-in time assumed by the Council would appear too long.

2.15 Whilst we have not reviewed the lead-in assumptions for the other Broad Locations or Large Sites, it would be reasonable to assume that - as with NWH - progress on those sites is being twin-tracked with the preparation of the plan, such that applications can come forward and permission can be granted shortly after the plan is adopted (which the Council anticipated to be in March 2026<sup>5</sup>. Unless for site availability reasons, there is no reason to assume that sites would take 6-7 years after the adoption of the plan to begin delivering. Once the Council revisits its trajectory to more accurately reflect the lead-in times of these smaller sites, the need for a stepped trajectory might be negated.

2.16 In summary, the plan as currently drafted is unsound; however, this can be addressed through modifications to the plan to include further evidence justifying the trajectory and appropriate amendments to the trajectory.

**Q2 In response to the Inspectors' 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?**

2.17 Yes – but only if the Inspectors consider that a stepped requirement is justified (noting our response to Q1 above), this amendment is necessary.

2.18 As submitted, the plan's references to its housing requirement are in SP1 and SP3; both policies refer to a total housing requirement of 14,604 dwellings in total or 885 per year.

2.19 PPG<sup>6</sup> states that where authorities have a stepped (rather than annual average) requirement, that *"five-year land supply is measured across the plan period against the specific stepped requirements for the particular 5-year period"*.

2.20 Because there is no stepped trajectory referred to within any policy (the stepped trajectory is only referred to in the supporting text at 3.27 and in Table 3.2), the implication would be that the Council must measure its five-year housing land supply against a figure of 885 per year. This would result in the Council being unable to demonstrate a five-year land supply in the early years of the plan being adopted, but be able to demonstrate (potentially a substantial) surplus from Years 6-10 onwards.

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

2.21 This is considered a question for the Council. The plan as drafted currently includes reference to the housing requirement in Policy SP1 A Spatial Strategy for St Albans District and SP3 Land and the Green Belt. This appears to be an unnecessary duplication, however provided the two housing requirements are the same this should not create an issue of inconsistency within the plan (and thus the potential for it to be unsound).

<sup>4</sup> Lichfields Start to Finish: How Quickly do Large Scale Housing Sites Deliver? Third Edition, available [here](#), Figure 3.1

<sup>5</sup> see Local Development Scheme [LPCD 09.01]

<sup>6</sup> Housing Supply and Delivery, ID: 68-026-20190722

## 3.0 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?**

- 3.1 No; the spatial strategy could better reflect the role and functions of settlements in Policy SP1 with regard to Tier 2 settlements.
- 3.2 The distribution of housing growth reflects the settlement hierarchy insofar as the majority of planned growth is in Hemel Hempstead and St Albans (Tier 1 settlements). Collectively, the seven 'Broad Locations' in these two towns account for nearly half of all growth as shown in Table 1. However, as noted in our response to Matter 1 Issue 3 Q4 (and in our Reg 19 representations) the amount of growth assumed at HGC is likely to be over-stated, and therefore the actual amount of growth in Tier 1 settlements, based on the current strategy, is likely to be less than 44%.
- 3.3 Further, we consider that the planned level of growth for Tier 2 settlements (comprising Harpenden) is not reflective of Harpenden's status in the hierarchy; the two Broad Locations account for just over 1,000 dwellings, or 7% of the total. This is a particularly low percentage given that Harpenden is the second largest settlement within St Albans District and has "*provision of employment and high order services such as secondary education, retail and leisure, offers bus route, cycle lane provision and connectivity by mainline train*" (LPCD 02.01 Table 1.3), and consequently leaves a significant amount of planned growth for settlements in Tiers 3 to 7 (small towns, large villages, medium villages, green belt villages and green belt hamlets).

Table 1 Current allocations (Broad Locations) for Tier 1 and 2 settlements

	Broad Location	Units	Total for Tier	% of total
Tier 1	HGC (4 sites H1-4)	4,300	6,353	44%
	North St Albans (B1)	1,097		
	East St Albans (B4)	472		
	Glinwell St Albans (B5)	484		
Tier 2	North East Harpenden (B2)	738	1,031	7%
	North West Harpenden (B7)	293		

Source: Lichfields based on LPCD 02.02

- 3.4 The importance of ensuring growth at Harpenden was also noted in the Officer's Report for NWH (appended to our Matter 3 response), which referred to the 'Harpenden Futures Study' ("the Study") that accompanied that application:

*"The Study concludes that without further housing growth, Harpenden's overall population would decline as a result of a rapid ageing and declining household size."*<sup>7</sup>

<sup>7</sup> Officer's Report for NWH [5/2023/0327] para 8.3.30

- 3.5 The Study also noted that over the last 20 years household and dwelling growth in Harpenden had been below the average for St Albans, which had in turn been lower than the regional (East) and national (England) averages<sup>8</sup>. It also modelled several different scenarios for housing growth, noting that even if housing growth in Harpenden continued in line with recent trends (at around 50dpa) the population would not grow and would age rapidly; the conclusion being that a step-change in housing delivery was needed to ensure the town could grow sustainably. With the addition of NWH to its full extent, the town's population would likely continue to grow until 2030 and beyond, in particular with growth in the working age population being supported (in turn, supporting the local economy)<sup>9</sup>.
- 3.6 Amending NWH (B7) to enlarge the allocation and reflect the application for 550 units would secure 257 extra units in Harpenden, to a total of 1,288 units. Assuming these 257 are also additional to the overall housing requirement (which would go from 14,603 to 14,860), this would mean Harpenden now representing 9% of all growth. This would be a step towards the site allocations better reflecting the settlement hierarchy and ensuring growth is located in the most sustainable locations.
- 3.7 We also note that the focus of growth in Tier 1 settlements is reliant upon a significant amount of growth (4,300 units) at HGC. However, as we note in our response to Matter 1 Issue 3 Q4 (and our Reg 19 representations), this is considered an over-estimate of the likely amount of housing that can be delivered at HGC within the plan period. Further, the Council assumes this delivery across all its reasonable alternatives and does not test any alternative scenarios which have a lesser (or no) reliance on the HGC, and the knock-on impacts this would have on the need for delivery elsewhere whilst still ensuring that supply is focused on Tier 1 and 2 settlements. This, in our view, further highlights the importance of ensuring that all options for growth at Tier 1 and 2 settlements (including the larger NWH site) are fully explored.

**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?**

- 3.8 No, the approach is not sufficiently clear to users of the plan and it is not effective. This can be made sound through the modifications described below.
- 3.9 The justification for this reference is unclear. The term 'Broad Locations' is usually understood to refer to areas where growth has been identified for but where specific sites have not yet been identified. It is also possible for broad locations to be of any size (not just 250+ dwellings, as per the definition applied by the Council), so this could create confusion where broad locations may exist but are expected to yield fewer than 250 dwellings. The Council appears to be using the term 'Broad Locations' where we would normally expect to see 'Strategic Sites' – for example Policy SP1 states that "*Broad Locations are identified as large urban extensions of 250 or more homes or strategic scale employment...*". As such, HGC is also referred to as a 'Broad Location' in the plan (part 2, LPCD 02.02 Table A1.1), despite the fact that this comprises a series of clearly identified sites.

<sup>8</sup> See Harpenden Futures Study (Lichfields, February 2023), submitted with 5/2023/0327, Table 2.2 and Table 2.3

<sup>9</sup> See Harpenden Futures Study (Lichfields, February 2023), submitted with 5/2023/0327, para 3.11 onwards including Table 3.5



- 3.10 The presence of the ‘Broad Locations’ on the Policies Maps (LPCD 02.03 to 02.12) is also contrary to national policy, specifically NPPF para 23 which states:
- “Broad locations for development should be indicated on a key diagram, and land use designations and allocations identified on a policies map.”*
- 3.11 Because the ‘Broad Locations’ are in fact site allocations (because their boundary and land use is known) the phraseology used throughout the plan and maps should be amended. Should the Council consider that some of its ‘Broad Locations’ actually represent broad locations, they should be annotated on a separate key diagram as required by the NPPF.
- 3.12 We also note a lack of clarity around the use of the terms ‘small’, ‘medium’ and ‘large’ sites, and how these fit with ‘Broad Locations’. For the purposes of windfalls, the Council defines small as 1-4 units, medium as 5-9 and large as 10+ units (see HOU01.02 para 5.3). Within the plan, ‘large’ refers to sites of 100-249 homes, and ‘medium’ and ‘small’ are grouped together as sites of 5-99 homes (see LPCD02.02 Table 1), although ‘medium’ and ‘small’ are defined separately elsewhere in the plan (e.g. LPCD02.01 Policy SP1, which refers to 10-99 and 5-9 homes respectively). These definitions of small/medium/large applied in the plan are not consistent with more generally accepted definitions.
- 3.13 In order for the plan to be sufficiently clear to users, and to be effective (insofar as ensuring that specific site allocations are actually identified) we would suggest the following amendments to the site categories which are referred to in the plan, as per Table 2.

Table 2 Suggested amendments to site categories for the purpose of clarity and effectiveness

Current category	Suggested Change	Explanation/reasoning
Hemel Garden Communities - Broad Locations	Strategic Site - Hemel Garden Community	Clarity that this is the main allocation in the plan and is based on a site for which the boundary(ies) is known
Broad Locations - 250+ homes	Broad Locations	Amend so that this category only includes areas for which specific sites are not known, and move to a ‘key diagram’ map.
Large sites - 100-249 homes	Large Sites - 250+ homes	Amend to include all sites of 250+ units which have a known site boundary and clearer use of the term ‘large’. Incorporate sites in categories 5, 6, 7 and 8 which are 250+ units.
Medium and Small Sites - 5-99 homes	Medium sites - 50-249 homes	Amend to include all sites of 50-249 units which have a known site boundary and clearer use of the term ‘medium. Incorporate sites in categories 5, 6, 7 and 8 which fit this criteria (this would also include 2 of the 3 PDL sites in the GB which are for 58 and 64 units).
	Small sites - <49 homes	Amend to include all sites of <49 units which have a known site boundary and clearer use of the term ‘medium. Incorporate sites in categories 5, 6, 7 and 8 which fit this criteria.

Source: Lichfields based on LPCD02.02 Table A1.1

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

- 3.14 See our response to Q1 above which considers that the role of Harpenden in the settlement hierarchy is underplayed based on its allocated sites, which at present only account for 7% of all sites in the district. The Council can address this by incorporating the larger site at NWH within the allocation such that Harpenden would then account for 9% of all growth.

**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?**

- 3.15 No; whilst the plan refers to this requirement of national policy within the supporting text (LPCD 02.01) there is nothing within the plan itself<sup>10</sup>, nor in the Housing Land Supply Topic Paper<sup>11</sup> to show that this has actually been achieved.
- 3.16 To identify at least 10% of its housing requirement from sites of <1 ha, the Council should be able to demonstrate that at least 1,460 units come from such sites. However, based on the plan (and evidence) as drafted, we do not know whether this is the case. The plan<sup>12</sup> refers to Category 4 Sites ‘Medium and Small 5-99 homes’ as providing 856 homes across 19 sites, but it is not set out how many of these sites are <1ha. Similarly, it is possible that sites of <1ha are found within Categories 6 and 7 (which collectively provide 903 units across 57 sites) but again this is not set out.
- 3.17 If the Council has identified that 10% of its requirement currently comes from sites of <1ha, this can be addressed via the preparation of an addendum to the Topic Paper to clarify this. If this is not the case, the plan will need to be modified to include a greater number of sites of <1ha in order to be sound (consistent with national policy).

**Q5 How did the classification of land as Green Belt and the availability of land within the urban area determine the spatial strategy and distribution of housing growth?**

- 3.18 This is considered a question for the Council.

## 4.0 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?**

- 4.1 This is considered a question for the Council.

<sup>10</sup> LPCD 02.01 or 02.02

<sup>11</sup> HOU 01.02

<sup>12</sup> LPCD 02.02 Table A1.1



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

- 4.2 This is considered a question for the Council. However, we highlight that the larger NWH site (which forms the basis of the application that received a resolution to grant in February 2025, and was also the extent of the site submitted to the HELAA, as shown in LPSS 02.04 Site Ref M-006 HELAA Ref HT-07-21, is almost entirely contained within the 400m buffer zone (as shown in the pro-forma). Therefore, the adoption of a smaller allocation (as identified in the plan) would not be justified purely on the basis of the larger site being beyond the buffer zone.

**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?**

- 4.3 This is considered a question for the Council.

**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?**

- 4.4 This is considered a question for the Council.

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

- 4.5 This is considered a question for the 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?**

- 4.6 This is considered a question for the Council.

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

- 4.7 This is considered a question for the Council.

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

- 4.8 Any comments L&G has on the site selection process relate specifically to the consideration of Green Belt matters and are therefore covered in our response to Matter 3.