

HEARING

STATEMENT

St Albans City and District Local Plan (Stage 2)

Matter 1 – Legal Compliance

On behalf of
Pigeon Capital Management 4 Limited
(Land off Sandpit Lane, St Albans)
(Respondent no.364)

September 2025

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1. INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf Pigeon Capital Management 4 Limited (PCM4L) in response to questions set out in Matter 1 (Legal Compliance) of the **Stage 2** Matters, Issues and Questions published in respect of the examination of the St Albans City and District Local Plan ('the Draft Local Plan' or 'DLP').
- 1.2 This Hearing Statement includes responses to specific questions under Issue1 (Sustainability Appraisal) and Issue 2 (Strategic Flood Risk Assessment).
- 1.3 PCM4L is promoting Land off Sandpit Lane ('the Site') through the plan-making process for a high quality, landscape and design-led sustainable scheme for approximately 200 new homes, strategic landscaping and open space.
- 1.4 The Site forms the land referenced 774 in the Council's Call for Sites; and SAN-03-21 in the Council's Housing and Economic Land Availability Assessment (HELAA) (2021/22).
- 1.5 The Site is not proposed to be allocated in the DLP.
- 1.6 Representations ('the Regulation 19 representations') were made on the Regulation 19 Publication Draft Local Plan by PCM4L and in respect of the Site (respondent no.364), through which changes to the plan were sought.
- 1.7 Hearing Statements were subsequently submitted in response to the Stage 1 Matters, Issues and Questions in support of the Stage 1 Hearing Sessions which took place between April and May 2025.
- 1.8 Matters raised within this Hearing Statement seek to avoid repeating points already made in the representations on the Regulation 19 iteration of the DLP and Stage 1 Hearing Statements, unless they expressly relate to the Matters, Issues and Questions published.
- 1.9 Our position is that the DLP is capable of being made sound, but that modifications are required to ensure this is the case.
- 1.10 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 in this Hearing Statement refer to the December 2023 NPPF.

2. ISSUE 1 – SUSTAINABILITY APPRAISAL

Question 1

In response to the Stage 1 hearing sessions, the Council produced new information which has been subject to public consultation (Examination Documents SADC/ED76-SADC/ED81B). Amongst other things, that information included 'suggested' changes to the Plan. Changes include both the addition of new sites and the deletion/modification of existing ones.

Q1 Has the Council updated the SA to reflect the suggested changes? Does the SA assess the proposed changes and compare these against all reasonable alternatives?

- 2.1 PCM4L notes the Council's updated position following Natural England's decision in May 2025 to withdraw funding for the Chilterns National Landscape boundary extension project. As confirmed in the Council's July 2025 position statement, sites M12, M14, M24 and M26 were removed at Regulation 18 stage solely on the basis of the proposed designation. With the extension no longer proceeding, the Council now considers that three of these sites (M14, M24 and M26) should be reintroduced into the Plan, as there is no longer any justification for their exclusion
- 2.2 We accept that this is a logical response, as the removal of the sites was not originally related to planning merits but to an external process that has now ceased. However, the inclusion and re-assessment of these sites within the Sustainability Appraisal raises questions as to justification and scope. Local Plans are not obliged to reassess all reasonable alternatives each time external circumstances change, and in our view any further SA review should be proportionate and undertaken in the context of the wider housing trajectory.
- 2.3 If a further SA review is pursued, we suggest it should extend beyond the reinstatement of the three Chilterns sites to reflect the recalibrated stepped housing requirement and other recent changes, such as the effect of the Flood Risk Addendum. This would provide an opportunity to revisit omission sites that may offer a better fit with the District's spatial strategy and capacity to deliver early in the Plan period.
- 2.4 In this context, we maintain that additional allocations should first be sought in the most sustainable locations in the District, namely within and around St Albans. Sites such as Land off Sandpit Lane are sequentially preferable, unconstrained, and capable of contributing to the five-year supply. Allocating such sites alongside any reinstated Chilterns sites would ensure the Plan is more resilient and effective in meeting needs while maintaining a consistent and transparent approach to site selection.

- 2.5 The reinstatement of sites M14, M24 and M26 is a justified adjustment following the cancellation of the Chilterns extension project. However, to make the Plan sound, any associated Sustainability Appraisal work should also be used as an opportunity to test other omission sites in St Albans, ensuring that additional deliverable capacity is identified where necessary to meet the recalibrated housing requirement and maintain a robust supply.

3. ISSUE 2 – STRATEGIC FLOOD RISK ASSESSMENT

Question 1

At the Stage 1 hearings, the Council committed to providing further clarity regarding site allocations and flooding. The Flood Risk Addendum – July 2025 (Examination Document SADC/ED77) reassesses sites subject to flooding. In summary, it proposes the deletion and/or modification of 9 allocated sites.

How does the additional evidence consider surface water flood risks?

- 3.1 The Council's Flood Risk Addendum (July 2025) identifies a total loss of 41 dwellings across relevant sites due to surface water and groundwater flood risks. We welcome this recognition of the implications of flood risk for housing delivery and acknowledges the value of the Addendum in updating the evidence base. However, we consider that the approach adopted may still understate the scale of potential housing loss. A more cautious and evidence-led methodology would ensure that the Plan provides a realistic picture of housing capacity and maintains necessary flexibility in the land supply.
- 3.2 At Stage 1, we highlighted that sequentially preferable sites in Flood Zone 1 — such as Land off Sandpit Lane — are available, deliverable, and unconstrained by flood risk (Matter 1, Issue 5, paras 3.1–3.3). Against this background, we suggest that further refinements to the Addendum would strengthen the Plan. For larger sites, the Addendum often assumes that land subject to flooding can simply be set aside for open space or non-residential uses, with minimal impact on overall housing numbers. In practice, however, flood-prone land can fragment developable areas, disrupt layouts, and compromise the delivery of safe access and egress. Recognising these constraints at the plan-making stage would give greater confidence in the housing trajectory.
- 3.3 Similarly, the treatment of gross-to-net ratios risks overstating capacity where flood-prone land overlaps with areas already assumed to be set aside for infrastructure or open space. Without clearer treatment of these overlaps, there is a risk that the net developable area is exaggerated. The threshold applied to small sites also merits review. At present, reductions are only applied where more than 10 per cent of a site is affected by surface water flooding. Yet in many cases, even more limited areas of flood risk can compromise viability, particularly where critical access points or infrastructure are affected. A lower threshold, or site-specific consideration in all such cases, would provide greater robustness.

- 3.4 There is also an issue of data quality. The Addendum relies on nationally modelled information to identify groundwater flood risk. This approach may understate local conditions in some instances, and without site-specific monitoring or investigation there is a risk that sites are carried forward into the housing trajectory where risks are more significant than assumed. Finally, there is a strong reliance on design-based mitigation such as SuDS or ground raising. While these measures can be appropriate in some contexts, they are not universally applicable, particularly on constrained brownfield sites where space or viability considerations may limit their effectiveness.
- 3.5 In our view, refinements to the methodology would strengthen confidence in the evidence base and help ensure that the Plan is resilient. This could include requiring site-specific surface water and groundwater assessments at the allocation stage, adopting a lower threshold for assessing flood risk on small sites, and clarifying how overlaps with infrastructure and open space are treated in capacity assumptions. Taken together, such amendments would provide a more realistic picture of the contribution that sites can make to the housing supply.
- 3.6 These refinements would not undermine the overall strategy of the Plan but would help ensure that the housing trajectory is based on realistic and deliverable assumptions. Where losses to supply are greater than currently assumed, additional sustainable sites in sequentially preferable locations such as St Albans — including Land off Sandpit Lane — could be brought forward to maintain flexibility and resilience. In this way, the Plan would remain effective in meeting identified housing needs while providing greater certainty that flood risk is properly accounted for.

Question 2

Are the suggested changes necessary to make the submitted Plan sound?

PCML4 considers that the changes set out in the Flood Risk Addendum are necessary steps towards making the Plan sound, as they acknowledge that certain sites cannot realistically deliver the housing numbers previously assumed. However, our view is that the Addendum may still understate the true extent of housing loss, particularly on sites where flood-prone areas affect layouts, access, or infrastructure. To ensure the Plan is robust and effective, further refinements to the methodology would be beneficial, with any additional losses offset by the allocation of sequentially preferable and deliverable sites in St Albans. This approach would strengthen confidence in the evidence base while ensuring that the housing requirement can still be met in full.