



www.savenorthstalbansgreenbelt.org



Examination of the St Albans City and District Local Plan

Gee Smedley: Save North St Albans Green Belt

Date 15th April 2025

Response to Matters, Issues and Questions for Stage 1

Contents

Introduction	3
Matter 1 – Legal Compliance	3
Issue 2 – Public Consultation	3
Issue 3 – Sustainability Appraisal	3
Issue 5 – Strategic Flood Risk Assessment	4
Matter 2 – Housing Growth and Spatial Strategy	6
Issue 1 – Local Housing Need	6
Issue 4 – Distribution of Housing Growth	7
Issue 5 – Site Selection Methodology	8
Matter 3 – The Green Belt	10
Issue 1 – Principle of Green Belt Release	10
Issue 2 – Green Belt Review	10

Introduction

Save North St Albans Green Belt (operated by CLASH) was set up following the failure of the last Local Plan and in the face of mounting pressure from developers coming forward with speculative inappropriate development on Green Belt in North St Albans. CLASH has been a residents group since 2010.

We have attended in person or virtually every Planning Policy and & Climate Committee meeting since November 2022 to ensure we fully understand what process St Albans District Council (The Council) has followed, to deliver a Local Plan which will impact the area forever.

We hope that this process progresses to Stage 2 of the review so we can have independent clarity on the site by site selection proposed by The Council.

Two important pieces of evidence have arrived since the Regulation 19 consultation. A response from the Lead Local Flood Authority and a response from Active Travel England. These are attached.

Whilst we have not been invited to respond to Matter 1 (this may be due to our inexperience at the Regulation 19 stage and not fully complying with the structure of the responses), if permitted, we wish to raise the following points:

Matter 1 – Legal Compliance

Issue 2 – Public Consultation

Q2

Response: No. With only one site being removed from the Local Plan between Regulation 18 and Regulation 19, there is little to suggest that the evidence on highways, flood risk and ecological impact, has been considered when decision making.

We supplied expert Highways and Flood Risk evidence which as repeatedly been ignored or rejected with weak reasoning. In recent weeks, the Lead Local Flood Authority has stated that “There is no evidence for the Sequential Approach being undertaken properly.” As part of the response to the speculative application undertaken on North St Albans.

Issue 3 – Sustainability Appraisal

Q5

Response: We have been concerned about the deliverability of major large scale sites, known as “broad locations” given the failures in taking account of expert highway assessments and flood risk assessments.

Highways modelling: Our highways expert raised serious concerns at the approach and assumptions made in the modelling. We also have repeatedly raised concerns about the lack of deliverability of key elements of the LWCIP, which was repeatedly described as “high level.” Now that National Highways has expressed the same concerns, we cannot see how the Council can deliver on the highways case they have made, given modelling and assumptions as they are not sound.

Flood Risk Modelling: Our flood risk expert was clear that the flood risk assessments were not compliant with either NPPF or industry standard. Now that North St Albans has two live applications on it, we can see that the larger application has had a response from the Lead Local Flood Authority stating “There is no evidence for the Sequential Approach being undertaken properly.” As well as raising other serious technical concerns.

The technical document recently submitted for the Local Plan titled SADC ED64 Flood Risk Sequential Test and exception test, is flawed in the statements made in relation to B1 North St Albans.

B1	North St Albans, AL3 6DD	More vulnerable	100%					4%		The site is entirely in fluvial Flood Risk Zone 1. The Surface Water Flood Risk is a small proportion of the site. As such, there is no need to consider alternative sites in Flood Zone 1.	Passes the Sequential Test
C-166	SAN-24-21	Land east of Midlands Mainline, Sandridgebury				100% Flood		This is a low flood risk site but it is not recommended for further			

63

Proforma Site Reference	HELAA Reference	Site Address	Fluvial Flood Risk	Consideration for the Sequential Test
		Lane, AL3 6DD	Zone 1	consideration by the Green Belt Review Stage 2 Report.

Issue 5 – Strategic Flood Risk Assessment

Q1

Response: We consider that sites were not properly identified in the sequential testing methodology. Sequential testing should have happened at the start of the Local Plan process to screen the call for sites. Instead, it was undertaken at the end of the process to justify inclusion of sites and as noted in our response to Issue 3, Question 5 (pasted below) was not undertaken or presented correctly.

Flood Risk Modelling: Our flood risk expert was clear that the flood risk assessments were not compliant with either NPPF or industry standard. Now that North St Albans has two live applications on it, we can see that the larger application has had a response from the Lead Local Flood Authority stating, “There is no evidence for the Sequential Approach being undertaken properly.” As well as raising other serious technical concerns.

The technical document recently submitted for the Local Plan titled SADC ED64 Flood Risk Sequential Test and exception test, is flawed in the statements made in relation to B1 North St Albans.

B1	North St Albans, AL3 6DD	More vulnerable	100%					4%		The site is entirely in fluvial Flood Risk Zone 1. The Surface Water Flood Risk is a small proportion of the site. As such, there is no need to consider alternative sites in Flood Zone 1.	Passes the Sequential Test
----	--------------------------	-----------------	------	--	--	--	--	----	--	---	----------------------------

C-166	SAN-24-21	Land east of Midlands Mainline, Sandridgebury	100% Flood	This is a low flood risk site but it is not recommended for further
-------	-----------	---	------------	---

63



Proforma Site Reference	HELAA Reference	Site Address	Fluvial Flood Risk	Consideration for the Sequential Test
		Lane, AL3 6DD	Zone 1	consideration by the Green Belt Review Stage 2 Report.

Matter 2 – Housing Growth and Spatial Strategy

Issue 1 – Local Housing Need

Q2

Response: St Albans District Council's document "St Albans Council Housing Test Action Plan" dated Dec 2021 page 8, shows that since the period April 2012/13 completions averaged 412 dwellings per annum and the average affordable delivery was 75 per annum – more than twice the average that Inspectors Masters considered in the Bullens Green Lane, Colney Heath Appeal. In the Inspector's report, the delivery for affordable housing over the period from April 2012/13 was given as 254 dwellings, when in actual fact the affordable dwellings delivery was 677. St Albans Council are aware of huge discrepancy as a formal complaint was made to the Council's Chief Executive Officer about this matter. No comprehensive response has ever been received to this complaint. We have lost faith in the accuracy of St Albans Council housing data.

Furthermore, the start of this Local Plan process saw the Leader of the Council write to the Secretary of State asking for clarity on the issue of housing need after the Council conducted it's own analysis using more up to date population forecasts. The Secretary of State confirmed that the Standard Method was only a starting point.

We are hugely concerned that this process of real housing need was never integrated into the Local Plan process. There was no justification for why it was dropped as a method to better understand a better local housing need situation.

In addition: The NPPF (Dec 2023) and NPPG are explicit that the use of the standard method for strategic policy making is not mandatory. In fact RACHEL MACLEAN MP, Minister of State for Housing and Planning in 2023, said in writing to Gareth Bacon MP, President of London Green Belt Council, in relation to St Albans: "that the housing need figure has always been a starting point, not a mandatory target". Our assessment is that SACD is treating the housing need figure derived from 2014 projections as mandatory for delivery.

We have supplied copies of those letters: the key takeaway is that the more closely defined housing need falls dramatically.

ONS household projection	Base year	Time period for household projection calculation	Households projected
2014-based	2021	2021-2031	637
2016-based	2021	2021-2031	436
2018-based	2021	2021-2031	223

Issue 4 – Distribution of Housing Growth

Q1

Response: We assert that the lack of proper assessment of the evidence base, specifically on highways and flood risk would equate to this question going unanswered in this Local Plan process.

Q2

Response: It concerns us that no broad location has been adequately assessed, and The Council have sought to prioritise land in the call for sites from entities they refer to as “strategic partners”, even when the deliverability of those sites is highly risky. It is also unclear to us why broad location B1 is the only broad location to change the red line of development, splitting the site into two parcels. The land now owned by Cala Homes and land promoted by Hallam Land Management for St Albans School. It is unclear why neither party is present at these hearings.

Q5

Response: We do not believe The Council has discharged it's duty effectively in the exploration of this matter. The Officer has been noted in public meeting on September 12th 2024, to call the Brownfield Register a “damp squib” [Agenda for Planning Policy & Climate Committee on Thursday, 12th September, 2024, 7.00 pm | St Albans City and District Council](#) (the video has been removed from the website). The register has not been kept up to date for many years and urban area regeneration is being delivered via windfall sites alone.

The Council has a huge social housing portfolio of 4,800 dwellings and amongst these has swathes of under-utilised flat roof garages (less than 50% utilisation). The current political administration stopped the conversion of these flat roof garage complexes. These could deliver even more social housing in the St Albans area, which delivers social housing to those in need from across Hertfordshire using the Joint Housing Protocol, specifically from the area of Watford through the interconnection of the Watford Borough Council and The Council's housing teams. In March 2025, hugely revised and increased income level for eligibility which brings a lot more people into the eligibility criteria and thus the demand. The Local Plan has not considered delivery of social housing to satisfy this increase in demand from an increase in eligibility. See below the eligibility criteria currently on The Council's website.



To qualify for the Housing Register you must have a recognised housing need and have a local connection. You must:

- Be aged 16 years of age or over, although you cannot hold a tenancy until you are 18. Not be subject to immigration control or be an applicant from abroad unless the applicant is a 'qualifying person' as described by law.
- Be habitually resident in the common travel area (England, Scotland, Wales, Ireland, Channel Islands and the Isle of Man). See the Housing Allocations Policy for more details
- Have a local connection to the St Albans area. Full details of Local connection are given at 7.5 of the Housing Allocations Policy.
- Have an identified housing need (unless aged 60 and over and applying for sheltered or properties restricted for those aged 60 and over).
- Have no history of unacceptable behaviour.
- Not have the financial resources to resolve your own housing need. The following gross household incomes would be regarded as sufficient to resolve housing needs:

Bedroom entitlement	Income Limit
1 bedroom	£38,000
2 bedrooms	£50,000
3 bedrooms	£60,000
4+ bedrooms	£79,500

Annual Gross Household Income Limits will be reviewed on an annual basis, taking into account Local Housing Allowance Rates for the St Albans District.

The amounts permitted reflect annual gross household income, including adult children aged 18 and over that are included as part of the application to the St Albans Housing Register. See Section 12 of the Allocations Policy for further details about Financial Assessment.

Issue 5 – Site Selection Methodology

Q1

Response: We do not believe the site selection methodology to be at all sounds. We continue to strongly assert that the failure to consider the recommendation on the ARUP Green Belt review and instead rely on a Council defined "buffer" is unlawful. We also assert that the highways modelling and flood risk assessments have been flawed. Please see our response to Matter 1, Issue 2, Question 5, below:

Highways modelling: Our highways expert raised serious concerns at the approach and assumptions made in the modelling. We also have repeatedly raised concerns about the lack of deliverability of key elements of the LWCIP, which was repeatedly described as "high level." Now that National Highways has expressed the same concerns, we cannot see how the Council can deliver on the highways case they have made, given modelling and assumptions as they are not sound.

Flood Risk Modelling: Our flood risk expert was clear that the flood risk assessments were not compliant with either NPPF or industry standard. Now that North St Albans has two live applications on it, we can see that the larger application has had a response from the Lead Local Flood Authority stating, "There is no evidence for the Sequential Approach being undertaken properly." As well as raising other serious technical concerns.

The technical document recently submitted for the Local Plan titled SADC ED64 Flood Risk Sequential Test and exception test, is flawed in the statements made in relation to B1 North St Albans.

B1	North St Albans, AL3 6DD	More vulnerable	100%					4%		The site is entirely in fluvial Flood Risk Zone 1. The Surface Water Flood Risk is a small proportion of the site. As such, there is no need to consider alternative sites in Flood Zone 1.	Passes the Sequential Test
C-166	SAN-24-21	Land east of Midlands Mainline, Sandridgebury			100% Flood			This is a low flood risk site but it is not recommended for further			

63

Proforma Site Reference	HELAA Reference	Site Address	Fluvial Flood Risk	Consideration for the Sequential Test
		Lane, AL3 6DD	Zone 1	consideration by the Green Belt Review Stage 2 Report.

Q2

Response: At no point in the site selection process discussed at The Council Planning Policy & Climate Committee which approved the progression of the Local Plan, was the matter of The Council's definition of "the buffer" considered against the ARUP Green Belt review which also used the term "buffer" but with a different meaning. Therefore, we cannot see to be an effective and justified approach.

Proformas were then used to analyse each site against a "sustainable development potential", taking into account the Green Belt Study and major policy and environmental constraints. Accessibility was determined by measuring distances to key infrastructure and services.

Q3

Response: We strongly oppose The Council use of the LCWIP to justify any site allocation. It is now noted by National Highways as a highly flawed document that was described as high level. We have now been advised by Hertfordshire County Council, that some of the routes proposed within the LCWIP are subject to Section 278 agreements and will no longer be available for public scrutiny. We strongly assert that this fails both the Local Plan process and the planning process. We know and have evidenced that the main active travel routes from B1 North St Albans are not deliverable to LTN 1/20 safety standards, the highways modelling is overly ambitious, and the modal shifts assumptions are not supported by Active Travel England in the latest response to the speculative applications in North St Albans.

Q4

Response: (same response as above) We strongly oppose The Council use of the LCWIP to justify any site allocation. It is now noted by National Highways as a highly flawed document that was described as high level. We have now been advised by Hertfordshire County Council, that some of the routes proposed within the LCWIP are subject to Section 278 agreements and will no longer be available for public scrutiny. We strongly assert that this fails both the Local Plan process and the planning process. We know and have evidenced that the main active travel routes from B1 North St Albans are not deliverable to LTN 1/20 safety standards, the highways modelling is overly ambitious, and the modal shifts assumptions are not supported by Active Travel England in the latest response to the speculative applications in North St Albans.

Q5

Response: Failed to consider the heritage of the area when considering the highways infrastructure. Sections of the A1081 are the Old London Road, which is a Roman route. Our transport evidence covered the restrictions to the A1081 width. The Council and the Highways Authority must fully take this on board when relying on the LCWIP. Now National Highways and Active Travel England have been able to show the failures of the LCWIP approach in North St Albans. We are of the strong opinion, that developers in North St Albans have been desperate to get ahead of the Local Plan to try and avoid the impartial and objective scrutiny of Planning Inspectors.

Q6

Response: We continue to strongly assert that the failure to take into account the recommendation on the ARUP Green Belt review and instead rely on a Council defined “buffer” is unlawful.

At no point in the site selection process discussed at The Council Planning Policy & Climate Committee which approved the progression of the Local Plan, was the matter of The Council's definition of “the buffer” considered against the ARUP Green Belt review which also used the term “buffer” but with a different meaning. Therefore, we cannot see to be an effective and justified approach.

Q8

Response: With only one site excluded from the site selection process between Reg 18 and Reg 19, we do not think there has been a robust approach. We have not analysed all sites, but the failures to properly account for flood risk and highways constraints at North St Albans could

Matter 3 – The Green Belt

Issue 1 – Principle of Green Belt Release

Q1

Response: We do not believe they have due to the lack of a continually updated brownfield register.

Q2

Response: No. Contradicts the approach taken by the ARUP Green Belt Review. An example: Reliance on the 321 bus route that is successful mainly for the delivery of school children transport does not make the delivery of large sites viable for adult use and especially not for commuting via the main Thameslink station which is not served by the 321 bus route. The morning and evening peak traffic cannot be mitigated via existing bus routes, which begs the question, what bus routes are needed and what frequencies to delivery traffic improvements?

Issue 2 – Green Belt Review

Q3

Response: No. In March 2025, the Appeal Court grant of hearing in the Keep Chiswell Green case, which deals with the need to consider evidence, specifically the ARUP Green Belt Review, is of real importance in how this Council approaches Green Belt release. The Rt Hon Lord Justice Coulson states in his reasons for granting permission: “I consider that the appeal has A REAL PROSPECT OF SUCCESS.” As recently as March 2025, Council Officers are already by-passing the Local Plan and using Officer judgement to recommend approval of large strategic sites outside of the Local Plan allocation (see the approval of the L&G site in North West Harpenden).

Q4

Response: We do not believe it adequately informed those decisions.

Q5

Response: It has come to light that The Council came up with their own, untested definition of a “buffer”. This definition of “buffer” was never tested in any Planning Policy or Climate Committee as a suitable alternative approach the ARUP Green Belt Review.