

Matter 6 – Hemel Garden Communities ('HGC')

Issue 10 – East Hemel Hempstead (South) – H4

Q1 What is the site boundary based on and is it justified and effective?

What is the site boundary based on and is it justified and effective?

- 1.1 Yes, the site boundary of H4 - East Hemel Hempstead (South) is considered to be justified and effective.
- 1.2 For Site H4 relevant existing features are set out in the EDH 05.01 - Landscape Visual Impact Appraisals Broad Locations SADC Local Plan Sites (2024):

Strategy + Guidelines:

- *The M1 motorway dominates the plateau's length and the industrial urban edge also strongly influences the character of the area.*

...

Visual Character

- *The motorways present a strong built element in the landscape. The M1 is generally poorly integrated with little in the way of screen planting and a locally dominant influence of vehicles and lighting gantries.*

- 1.3 Landscape features have a key role in defining the site boundary, with the northern boundary defined by the A414, the eastern boundary by the M1 and the south-western boundary by the A4147 Hemel Hempstead Road. The western boundary is defined by the existing urban edge of Hemel Hempstead and the District boundary.
- 1.4 LPCD 03.01 - St Albans Local Plan Sustainability Appraisal Report (2024) goes on to further consider the suitability of site H4 for allocation, which states at paragraphs 5.4.18, 5.4.20 and 5.4.23:

5.4.18 Finally, there is a need to consider land to the south of the employment area, closely associated with Leverstock Green. This is Crown Estate Land, as discussed, and is proposed to deliver a significant proportion of the aforementioned ~4,000 homes. The northern part of this land area (adjacent to the proposed employment area) is recommended by the Green Belt Review, but the majority is not. In turn, the question arises as to whether a more restricted approach to growth might be supported in this area.

...

5.4.20: To conclude on the southern sector, it is easier to envisage a scenario involving significantly reduced growth than is the case for the northern sector. However, the recently agreed PPA with the Crown Estate serves as an argument against this, plus there is a need to recognise the proposal to deliver two primary schools in this area and new strategic road infrastructure linking to the A4147.

Furthermore, land adjacent to the south of Leverstock Green and the A4147 (outside of the HGC area) is proposed for a secondary school, to serve wider Hemel Hempstead growth, which boosts the case for housing growth in this area.

...

5.4.23 On balance, the decision reached is that HGC warrants being treated as a constant, in light of the latest evidence and understanding, including via the consultation in 2023.

- 1.5 It is also considered the site boundary is justified with regards to the extent of Green Belt release. GB 02.02 - Green Belt Review Report (2023) recommended areas to be considered further for Green Belt release. For this site in particular, the Green Belt Review assessment found in GB 02.03 on pages 728 to 730, relating to sub-area SA-165, states:

Purpose Assessment

Summary

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

Wider Green Belt Impacts

Summary

Overall, the sub-area plays a partially important role with respect to the strategic land parcel, however the release of the northern part of the sub-area in isolation or in combination with SA-166 is unlikely to significantly harm the performance of the wider Green Belt.

Sub-area category & recommendation

The sub-area performs strongly against NPPF purposes but the northern part of the sub-area makes a partly less important contribution to the wider Green Belt. If the northern part of the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition for readily recognisable and likely to be permanent boundaries. The new boundary would require strengthening. The northern part of the sub-area is recommended for further consideration in isolation as RA-51 or the northern part of the sub-area in combination with SA-166 and SA-167 as RC-12.

- 1.6 GB 02.03 on pages 724 to 726, relating to sub-area SA-164, states:

Purpose Assessment

Summary

The sub-area meets the purposes strongly 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, and its release in isolation or in combination would harm the performance of the wider Green Belt.

Sub-area category & recommendation

The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration.

- 1.7 The site boundary for Policy H4 is further justified with regard to the landownership which has informed the wider site boundary. The Crown Estate Landownership is set out within the Regulation 19 responses 272 (on page 2). This is also shown as mapped within page 26 of HGC 02.01 - Delivery Statement - update (Nov 2024).
- 1.8 The site boundary of Policy H4 is effective as the Council has engaged with the landowner(s) of the site and has continued joint working as appropriate with relevant bodies including HCC, Dacorum Borough Council, the Environment Agency, Historic England and Natural England. This is set out in the agreed Statements of Common Ground / EA Updated response to Local Plan Reg 19:
- SADC/ED12 - Statement of Common Ground between SADC and Statement of Common Ground between SADC and The Crown estate
 - SADC/ED3 - Statement of Common Ground between SADC and Hertfordshire County Council
 - SADC/ED5 - Statement of Common Ground between SADC and Dacorum Borough Council
 - SADC/ED65 – Appendix 7.2: Environment Agency updated response to Regulation 19
 - SADC/ED23 - Statement of Common Ground between SADC and Historic England
 - SADC/ED24 - Statement of Common Ground between SADC and Natural England
- 1.9 Overall, the site boundary for Policy H4 is considered to be justified and effective.

Q2 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?

What is the justification for the proposed alteration to the Green Belt boundary?

- 2.1 The primary justification is the need to deliver the housing requirements set out in the Plan, which is seeking to meet the 'Standard Method' for housing in full. There is also

the need to deliver a range of other associated infrastructure and community facilities.

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?

- 2.2 Yes, the proposed boundary alteration is considered to be consistent with paragraph 148 e) and f) which states:

148. 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.

- 2.3 The Green Belt Review Report GB 02.02 (2023) set out a clear approach to defining sub-area boundaries based on NPPF paragraph 143. (N.B. The Green Belt Review Report GB 02.02 refers to NPPF paragraph 143 based on the NPPF 2021. This is the same as the NPPF paragraph 148 in the 2023 version). This is set out in section 4.3:

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

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 on-site 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 sub-area and involved an element of professional judgement. Each sub-area was assigned a unique reference number, (Figure 4.6 and 4.7).

- 2.4 For site H4, the detail in GB 02.03 was only taken forward as it related to part of the eastern boundary along the M1. The Green Belt Review Proforma Annex Report (2023) (GB 02.03) relating to sub area SA-165 (page 726) and SA-164 (page 722) sets out:

SA-165

Consideration of Boundaries

Commentary on boundary features and impact on Green Belt boundary strength

Both the inner and outer boundaries are predominately readily recognisable and likely to be permanent. If the sub-area was released, the new inner Green Belt boundary would meet the NPPF definition.

Categorisation & Recommendation

Sub-area category & recommendation

The sub-area performs strongly against NPPF purposes but the northern part of the sub-area makes a partly less important contribution to the wider Green Belt. If the northern part of the sub-area was released, the new inner Green Belt boundary would not meet the NPPF definition for readily recognisable and likely to be permanent boundaries. The new boundary would require strengthening. The northern part of the sub-area is recommended for further consideration in isolation as RA-51 or the northern part of the sub-area in combination with SA-166 and SA-167 as RC-12.

SA-164

Consideration of Boundaries

Commentary on boundary features and impact on Green Belt boundary strength

Both the inner and outer boundaries are predominately readily recognisable and likely to be permanent. If the sub-area was released, the new inner Green Belt boundary would meet the NPPF definition.

Categorisation & Recommendation

Sub-area category & recommendation

The sub-area performs strongly against NPPF purposes and makes an important contribution to the wider Green Belt. Not recommended for further consideration.

- 2.5 For Site H4 relevant existing features are set out in the EDH 05.01 - Landscape Visual Impact Appraisals Broad Locations SADC Local Plan Sites (2024):

Strategy + Guidelines:

- *The M1 motorway dominates the plateau's length and the industrial urban edge also strongly influences the character of the area.*

...

Visual Character

- *The motorways present a strong built element in the landscape. The M1 is generally poorly integrated with little in the way of screen planting and a locally dominant influence of vehicles and lighting gantries.*

- 2.6 There are effectively three new proposed Green Belt boundaries in the Plan which are:
- Eastern boundary – M1 Motorway
 - Southern eastern boundary – hedgerow and tree belt / proposed public open space retained in the Green Belt
 - South Western boundary – The A4147 Hemel Hempstead Road
- 2.7 Overall, the proposed boundary alteration will not need to be altered at the end of the Plan period and has clearly defined boundaries using physical features that are readily recognisable and likely to be permanent.

Q3 Do the exceptional circumstances exist to justify amending the Green Belt boundary in this location?

- 3.1 Yes, it is considered that the exceptional circumstances do exist to justify amending the Green Belt boundary in this location.
- 3.2 The strategic case to amend Green Belt boundaries is set out in answer to Stage 1 Matter 3, Issue 3, Question 1 and as addressed in GB 01.01 Green Belt and Exceptional Circumstances – Evidence Paper (2024). It sets out in 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

- 3.3 In relation to the specific case in this location, East Hemel Hempstead (South) (Site Allocation H4), the specific localised Green Belt impacts are well understood because of the findings of GB 02.02 Green Belt Review (2023) and GB 02.03 Green Belt Review Annex Proforma Report (2023).
- 3.4 The site was considered in the round in the site selection work, which included contextualising and balancing the results of the Green Belt Review with other factors. For this location, the site selection outcome is set out across a proforma assessment (Site Part of M-033) on pages 11 to 13 in LPSS 02.03 - Green Belt Sites Recommended HGC Proforma. This is set out in particular in the Qualitative Assessments:

The site is partially recommended for further consideration by the Green Belt Review Stage 2 Report...

This site adjoins Hemel which is a Tier 1 Settlement. It offers a comprehensive range of very significant Economic, Environmental and Social benefits including: housing, affordable housing, a 2FE and 3FE primary school, significant new Green Space, a significant scale of sustainable transport improvements and employment provision. Further it supports the comprehensive approach to the delivery of the Hemel Garden Communities programme, including joint work with Dacorum BC to deliver Duty to Cooperate outcomes and support delivery of their new Local Plan and the regeneration of Hemel Hempstead.

As part of the overall HGC programme there are considerable further benefits including supporting delivery of schools, sports and health facilities, a Country Park and around 10,000 jobs across HGC and the Hertfordshire Innovation Quarter.

The site is recommended to progress

- 3.5 The site lies within the Hemel Garden Communities Programme Area, as identified in the HGC Charter (Hemel Garden Communities Charter November 2018, available via HGC 09.01), submitted as part of the successful Garden Town bid to MHCLG, and is further supported by the HGC Spatial Vision (HGC 03.01 - Spatial Vision (2021)). The site contributes to the wider benefits of the Garden Communities programme, including meeting long-term housing needs and job creation, supporting coordinated development and infrastructure across the sub-region, high-quality placemaking, in line with national policy objectives.

- 3.6 Overall, the site selection work concluded that the site was recommended to progress, and the exceptional circumstances are considered to exist to justify amending the Green Belt boundary in this location.

Q4 How have the mix of uses been established and how will development proposals come forward in a coordinated and coherent manner that achieves the aims and objectives of the wider HGC proposals?

- 4.1 As set out in the Key Development Requirements, the large majority of the use of the built form will be for residential development, which will be a significant contributor to meeting the Standard Method for housing needs in full; or for green infrastructure, which will provide necessary green space for new and existing communities and nature. The mix of other uses has been established through discussion with key statutory bodies and organisations, including Decorum Borough Council (DBC), Hertfordshire County Council (HCC), the NHS and Sport England, as well as the landowners. The key engagement to establish the mix of uses has included:

10. ... includes three extra-care facilities comprising of 70-80 self-contained units in each facility, two 70-80 bed nursing homes and 9 supported living units for people with disabilities.

– Uses established through discussion with HCC.

11. One new 3FE and one new 2FE primary schools, including Early Years provision, to serve the new community and appropriate contributions towards secondary school provision.

– Uses established through discussion with HCC and DBC.

22. A new local centre, including education facilities and commercial development opportunities; which provide support for, rather than in competition with, existing Leverstock Green facilities.

– Uses established through discussion with DBC.

24. Recreation space and other community facilities, including contributions to health and sports provision within the wider HGC Growth Areas.

– Uses established through discussion with Sport England, DBC and the NHS.

- 4.2 Development proposals will come forward in a co-ordinated manner through a single planning application for the whole of the site. This application has gone through an extensive pre-application process in recent years and is the subject of a Planning Performance Agreement. A planning application is expected to be submitted in Autumn / Winter 2025. The emerging application is explicitly seeking to be policy compliant with the Key Development requirements set out in the new draft Local Plan. Further, there has been considerable joint work between the landowner / developer team for H4 East Hemel South and the landowner / developer team for H1 North Hemel to ensure compatibility between both sets of developing proposals.

- 4.3 The comprehensive approach to HGC in the draft policies and supporting text in the draft Plan, with which the emerging application is complying, will ensure that the proposals come forward in a coordinated and coherent manner that achieves the aims and objectives of the wider HGC proposals.
- 4.4 Further, the HGC Programme governance offers oversight and sub-groups such as the Transport Sub-Group and the Developers Forum which will continue to review delivery of infrastructure and coordination across the HGC Programme Area, including with the HGC Growth Area landowner/developer teams.
- 4.5 N.B. There are Main Modifications proposed for site H4 East Hemel South as set out in SADC/ED85B and SADC/ED85C.

Q5 Can the allocation deliver the necessary mix of uses and supporting infrastructure? Is it developable within (and beyond) the plan period?

Can the allocation deliver the necessary mix of uses and supporting infrastructure?

- 5.1 Yes, it is considered that the allocation H4 can deliver the necessary mix of uses and supporting infrastructure.
- 5.2 The allocation has been shaped by a comprehensive spatial strategy, underpinned by the HGC Framework Plan (2024) (Documents HGC 04.01 – HGC 04.06), which sets out a clear and coordinated approach to land use, infrastructure delivery, and phasing. The Framework Plan identifies a balanced mix of residential, employment, education, community, and green infrastructure uses across the programme area, ensuring that new neighbourhoods are well-served and sustainable.
- 5.3 The supporting infrastructure required to enable development - including strategic transport improvements, education provision, utilities, and green infrastructure - has been identified and costed through the SADC Infrastructure Delivery Plan (IDP) (INF 01.01). The SADC IDP has developed in consultation with infrastructure providers, allowing for flexibility and responsiveness throughout the plan period.
- 5.4 Phasing has been carefully considered to ensure that infrastructure is delivered in line with housing and employment growth. The housing trajectory reflects realistic lead-in times and build-out rates, taking into account the timing of strategic infrastructure delivery. Early phases of development are supported by planned transport and education investments, with no identified barriers to delivery.

Is it developable within (and beyond) the plan period?

- 5.5 Yes, East Hemel Hempstead South (H4) is developable within (and beyond) the plan period. Part B sets out the 'Proposed use' as *"Primarily residential 2,400 units*

(indicative) in total (1,940 in Plan period)”. As such, there are 460 homes expected to be delivered beyond the plan period.

- 5.6 The Council considers there is sufficient evidence to date to demonstrate the SADC HGC site allocations’ viability. Each of the HGC site allocations (H1, H2, H3 and H4) has been appraised through the Local Plan Viability prepared by BNP Paribas in 2024 (INF 10.02, INF 10.03, INF 10.03, and INF 10.09). The BNP Paribas viability testing demonstrates that all four HGC site allocations are viable and developable, having regard to both the Council’s planning policy, highways and infrastructure requirements as set out in the SADC IDP, including 40% affordable housing, highways and infrastructure mitigation, including appropriate contributions towards Junction 8 improvements (Phase 1-3). BNP Paribas viability evidence considers the four HGC site allocations to be developable as required by the NPPF i.e. it has a ‘reasonable prospect’ of being available and viably developed within the plan period.
- 5.7 The allocation also benefits from active landowner) and developer engagement (The Crown Estate), with a Planning Performance Agreement (PPA) in place to develop the scheme in line with the emerging policy and to discuss infrastructure requirements and delivery. This provides additional confidence in the deliverability of the allocation and mixed uses. Furthermore, East Hemel application is a culmination of H2-H4 site allocations and therefore supports 4,000 homes and 53 hectares of employment land.
- 5.8 Site H4 has 460 homes to be delivered beyond the plan period. The emerging draft HGC IDP (M6I4Q1 Appendices 1A and 1B) to 2050 further demonstrates that there is no additional infrastructure beyond the plan period which would render the site undeliverable.
- 5.9 In summary, the HGC allocation is well-placed to deliver the necessary mix of uses and infrastructure, and is considered both viable and developable within the plan period and beyond.

Q6 What is the justification for the proposed deliver rates and density assumptions on site H4, when compared to other parts of the HGC area?

- 6.1 As set out in the combined HGC Trajectory provided to accompany Matter 6, Issue 6 (M6I6Q4 - Appendix 1A - HGC Housing Delivery Trajectory_DBC SADC Combined) from June 2025, and the SADC-specific trajectory for HGC (M6I6Q4 - Appendix 1B - HGC Housing Delivery Trajectory_SADC Only), the delivery of the 2,400 total homes works on the assumption of two outlet points.
- 6.2 The first outlet starts delivery on site in 2029/30, continues to 2039/40 and builds up to 150 homes per annum. As the first outlet begins to plateau and diminish, the second outlet starts to deliver on site in 2036/37, continues to 2043/44 and builds up to 225 homes per annum.

- 6.3 When compared to other areas of HGC, the peak number of homes is larger, due to the 2,400 homes, equating to around 44% of the total growth of the SADC HGC allocations and 23% of the overall HGC growth areas (including DBC Hm01 allocation). Therefore, for the proportion of homes being delivered through this site allocation and because there will be two outlets, the delivery rates are considered to be justified and proportionate.
- 6.4 The density assumptions for site H4 are in line with policy DES3 which is a minimum overall net density of 40 dwellings per hectare. Compared to the other parts of HGC, this area's overall net densities are similar. The net overall density of 40dph has been tested through the Framework Plan and further developed through the emerging Pre-Planning Application for East Hemel Hempstead. As set out in HGC 04.03 - Framework Plan Technical Evidence Report (2024) paragraph 2.9: *"Within future built areas, and in line with emerging policy, an assumed average residential density of 40 dwellings per hectare has been applied to test the residential capacity of the site."*
- 6.5 The SADC approach to calculating site dwelling capacity has been carried out on a consistent basis, as set out in HOU 01.02 – SADC Housing Land Supply, Windfall and Housing Capacity Evidence Paper (2024) below; this includes reference to the HELAA Report (HELAA 01.01):

7. Housing capacity

7.1. The indicative residential capacity calculations for the majority of sites were informed by the approach in the Council's Housing and Economic Land Availability Assessment (HELAA) report 2021³ and Urban Capacity Study 2022 (UCS)⁴. The calculations for the Green Belt site allocations are in accordance with the "Estimating Development Potential of Housing Sites" section of the HELAA report (paragraphs 3.29 – 3.34).

7.2. The exception to this is at Hemel Garden Communities for the site allocations H1, H2, H3 and H4 where there is a bespoke approach reflecting the unique scale of the project and additional technical work over several years that has been undertaken through the HGC Programme. The HGC Framework Plan and accompanying evidence documents, consider the site constraints and demonstrate compliance of the policy position of making efficient use of land and reflect a minimum overall net density of 40 dwellings per hectare, which is consistent with the approach for other Green Belt allocations.

...

7.4. For the Green Belt sites, justification for the assumption of 40 dwellings per hectare (dph) density is set out in the HELAA report (paragraph 3.30), with reference to the Council's previous Residential Density Report 2014. The 40dph is consistent and does not change to account for different density of adjacent development, in order to ensure efficient use of land and to minimise the amount of Green Belt land that is released. This is in line with the approach in the NPPF 2023 which sets out that, where there is an existing or anticipated shortage of land for meeting identified

housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

7.5. HELAA report paragraphs 3.31 – 3.33 justify the gross to net ratio used for different sizes of site, to which the 40dph calculation is applied, and Table 1 sets this out as follows:

Table 1: Gross to net ratio

Site Area (hectares)	Gross to net ratio
Sites up to 0.4ha	100%
Sites between 0.4 to 2ha	85%
Sites greater than 2ha	60%

7.6. *In terms of the ‘Site Area’ to use for the Table 1 calculations; the area of some of the allocation sites was reduced to take account of required infrastructure or constraints to development potential, through planning judgment, in line with the approach in HELAA report para’s 3.37-3.39. Such constraints may include trees, flood zones, setting of heritage assets, other physical characteristics of a site.*

- 6.6 The following table sets out the capacities of the three residential HGC allocations within St Albans District, including comparative figures for if applying the ‘standard’ methodology of 60% gross to net ratio and 40 dph:

Site	Total Site Area (Ha)	Area Removed from Green Belt	Indicative Capacity: ‘standard’ 60% ratio and 40 dph	Indicative Capacity: Plan
H1	154.07	71.04	1,705	1,500
H2	169.20	72.33	1,736	1,600
H4	142.00	126.12	3,027	2,400

- 6.7 Therefore it can be seen that the indicative capacity in the Plan for H1 and H2 are roughly in line with the ‘standard’ methodology for all Broad Location sites; but that the capacity at H4 is c.600 fewer.
- 6.8 Noting that HOU 01.02 sets out at 7.6 “*In terms of the ‘Site Area’ to use for the Table 1 calculations; the area of some of the allocation sites was reduced to take account of required infrastructure or constraints to development potential, through planning judgment, in line with the approach in HELAA report...*”; in a similar manner the developable area of site H4 upon which to base the average 40 net dph density was reduced to a greater extent when compared to other parts of the HGC area, primarily due to greater constraints. This is illustrated in HGC 02.01 Delivery Statement update November 2024 under the ‘Opportunities and Constraints Mapping’ and ‘Concept Plan’ sections (see pages 48-53), and can be summarised as follows:
- Protection of the setting of Heritage Assets
 - Allowance for Gas Pipeline

- Proximity of non-Green Belt areas to M1
- Some steep Topography

- 6.9 For the avoidance of doubt, a significant number of other allocations in the Plan have had their 'standard' capacity reduced because of constraints, in a similar way to H4.
- 6.10 Taking the above into account, it is considered that there is robust justification for the proposed delivery rates and density assumptions on site H4, when compared to other parts of the HGC area.

Q7 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?

- 7.1 The effects of development at East Hemel Hempstead (South) (H4) on the Chilterns Beechwoods Special Area of Conservation (CBSAC) have been considered in the Habitats Regulations Assessment 2024 (LPCD.04.01) (HRA). The HRA sets out in 'Table 3: LP Site Allocation Test of Likely Significant Effects' 'HRA Implications' that the allocation has the 'Potential for Likely Significant Effect'. It also sets out that any adverse impacts on the integrity of the site can be avoided and / or mitigated by adherence to the Council's Mitigation Strategy.
- 7.2 As set out in the Local Plan Part A Policy SP1 and SP10 the Local Plan supports:
- Protection and enhancement of the Chilterns Beechwoods Special Area of Conservation (CBSAC);*
- Make appropriate contributions towards the Strategic Access Management and Monitoring Strategy (SAMMS), where the proposal is for additional housing within the Chilterns Beechwoods Special Area of Conservation (CBSAC) Zone of Influence (ZOI). Such 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;*
- 7.3 In the emerging planning application, through the Pre-Planning Application process, SANG requirements have been incorporated into the emerging plans. The applicants The Crown Estate (TCE) continue to engage with Natural England on the provision and requirements of the SANG.
- 7.4 The EIA Scoping Report East Hemel December 2024' – submitted in support of EIA Scoping Opinion application 5/2024/2171¹ – states at 5.1.7:

¹ Application 5/2024/2171 documents available via: <https://planningapplications.stalbans.gov.uk/planning>

The Development would provide:... Provision of green infrastructure including provision of Suitable Alternative Natural Greenspace (SANG) and measures to achieve at least 10% Biodiversity Net Gain (BNG) as well as a country park, formal and informal open spaces, amenity spaces and ecological network links."

7.5 The EIA Scoping Report also states at 7.2.22:

As the collection and analysis of baseline data is ongoing the mitigation will be developed in response to survey findings and iterative scheme design. The following main principles will be applied:

...

- Creation of new country parks and wider networks of Suitable Alternative Natural Greenspaces (SANGs) to promote use of local and strategic greenspaces for wildlife and people;*

...

7.6 The effect of development at Hemel Garden Communities (HGC) (as set out in Part A Policy LG2 and LG3) on the Chilterns Beechwoods Special Area of Conservation (CBSAC); and the approach to mitigation; are considered in the HRA; as follows:

Table 2: LP Policies Test of Likely Significant Effects

*Policy LG2 – Support for Transformation of Hemel Hempstead
Potential for Likely Significant Effect.*

This policy identifies the Council's commitment to delivering at least 4,300 net new homes, and the creation of around 6,000 jobs during the plan period in land surrounding Hemel Hempstead (Hemel Garden Communities).

Potential linking impact pathways are recreational pressure, and atmospheric pollution.

*LG3 - Hemel Garden Communities Place Principles
No.*

This is a development management policy relating to Hemel Garden Communities Place Principles. There are no realistic linking impact pathways present.

This is a positive policy as includes the requirement of SANG to divert recreational pressure away from the sensitive Chilterns Beechwoods SAC.

7.7 HRA Table 3: LP Site Allocation Test of Likely Significant Effects sets out in relation to Allocation H4:

Notes

In addition to built development (Primarily residential 2,400 units (indicative) in total (1,940 in Plan period)), the site will include Strategic and local public open space improvements to Green Loops and SANG provision

HRA Implications

Potential for Likely Significant Effect.

Located within the 12.6km core recreational Zone of Influence of Chilterns Beechwoods SAC. The allocation states that: '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 as part of the wider SANG network across the HGC Growth Areas..'

- 7.8 The HRA identifies in Section 5.3 'In Combination Assessment' that the allocation could potentially result in a Likely Significant Effect upon the SAC in combination, as follows:

5.3.1 The Test of Likely Significant Effects for the LP Policies undertaken in Appendix B identified the following policies that could potentially result in a linking impact pathways to the SAC and thus result in a Likely Significant Effect:

...

- HOU6 – Gypsies, Travellers and Travelling Show People. This policy provides for accommodation of Gypsies, Travellers and Travelling Showpeople within the 12.6km core recreational ZOI [Zone of Influence]. Potential linking impact pathway(s): recreational pressure and atmospheric pollution.*

...

5.3.2 The Test of Likely Significant Effects of the LP Allocations identified nine allocations for residential development are located within the 12.6km core recreational ZOI and that these could result in a Likely Significant Effect upon the SAC in combination. These are:

...

- H4 - East Hemel Hempstead (South), HP2 4PA*

...

- 7.9 The HRA also sets out in Section 6.1 'Recreational Pressure' paragraph 6.1.1 that this allocation is part of the suite of policies and allocations that "...all provide for new residential development within the 12.6km core recreational ZOI and as such 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."

- 7.10 The HRA then goes on to consider the mitigation measures in the Draft Plan, as follows:

6.1.2 No further analysis is necessary or possible given the strategic work already undertaken. Rather the focus of appropriate assessment needs to be on mitigation in the form of the available SANG capacity and its provision.

6.1.3 Paragraph 10.8 of the LP acknowledges this issue. It states:

6.1.4 “10.8... A buffer Zone of Influence of 12.6km around this covers part of St Albans District, and the Council is legally required not to issue decisions within this buffer until appropriate mitigation is secured through a Mitigation Strategy. A key element in the Mitigation Strategy will be the identification and/ or creation of Suitable Alternative Natural Greenspace (SANG) to draw people away from using the SAC.

6.1.5 All allocations that provide for new housing that are located within the 12.6km core recreational ZOI include text that acknowledges the relevance of the ZOI by stating “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.”

6.1.6 In addition, suitable policy wording of the Local Plan is included within Strategic Policy SP10 to ensure that 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.

7.11 The HRA then goes on to consider the St Albans Strategic Mitigation Strategy, including the following:

6.1.11 St Albans DC has been working with Natural England and partner authorities (Buckinghamshire Council, Central Bedfordshire Council and Dacorum Borough Council) in preparing the Chilterns Beechwoods SAC Mitigation Strategy. As the landowner, the National Trust has also been involved. The agreed Mitigation Strategy comprises of two parts, the Strategic Access Management and Monitoring Strategy (SAMMS), and Suitable Alternative Natural Greenspace (SANG) provision. The SAMMS addresses issues within the SAC itself. The interventions required have been identified and agreed. A range of projects will be implemented over a period of at least 80 years, (2022/23 to 2102/2103) by the National Trust. To fund the SAMMS, each new home built located within the ZOI within St Albans are required to pay a tariff of £828.6146 (subject to change). The SANG provision will provide alternative natural greenspace for recreation to divert recreational activities away from the SAC. All new residential development within the ZOI must contribute towards either a) a new (bespoke) SANG or b) contribute towards suitable SANG projects elsewhere; this is in addition to contributions towards the SAMMS. Larger developments (10 or more new homes) must provide their own suitable SANG that meets the guidance from Natural England. Smaller developments (1-9 homes) can contribute towards an existing SANG.

6.1.12 As previously detailed the SAMMS element of the Mitigation Strategy has been agreed by Natural England, which leaves only the SANG provision for the development planned by the St Albans Local Plan that requires further analysis. This is provided in the following paragraphs.

- 7.12 The HRA then goes on to consider SANG Provision to Support the Local Plan, including in relation to HGC and the view of Natural England as follows:

6.1.15 A Draft SANG Concept Plan (2023) has been created that identifies up to 277ha of potential SANG land, well in excess of the 211ha required. In a Discretionary Advice Service (DAS) response from Natural England (27th February 2023) regarding the proposed SANG, Natural England states "... that there is a good provision of SANG on-site, and we welcome that the Footprint Ecology standard for calculating SANG capacity of 8ha per 1,000 residents will be met from a pool of 276.5 ha potential SANG land, from which the required area (c.215ha) will be drawn down. Provision of SANG over and above the 8ha per 1,000 residents standard will always be accepted, and we welcome that any additional provision could provide capacity to other developments coming forward in and around Hemel Hempstead.

6.1.16 We view this as a good development site for SANG as the proposed areas have good proportions and enough space to accommodate circular walks with wide gaps in between footpaths. The fact that most of the SANG being proposed are arable land is a positive, as it allows greater flexibility for design of the open space...

6.1.17 ...if taken forward, these SANG would provide visitors with alternative destinations to the Chilterns Beechwoods SAC, with a concurrent positive impact on reducing visitor numbers to the SAC"...

- 7.13 The HRA concludes:

7.1.5 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.

7.1.6 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.

- 7.14 It is considered that the potential effects of the development at H4 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 SANG onsite and contributions towards SAMMS, as set out in the Plan.

- 7.15 This position is supported by Natural England, as set out in the Statement of Common Ground between SADC and Natural England (SADC/ED24), where it states:

Mitigating the impact of development on Chiltern Beechwoods SAC

- *12.6km Zone of Influence announced by Natural England where mitigation for new residential development will be required with SANGs and SAMMS.*
- *Strategic matter between:*
 - o SADC*
 - o Dacorum Borough Council*
 - o Central Bedfordshire Council*
 - o Buckinghamshire Council*
 - o Natural England*

Conclusion

SADC and NE both support the approach in SADC's Regulation 19 draft Local Plan to mitigating the impact of development on the Chiltern Beechwoods SAC.

- 7.16 Taking the above into account, it is considered that the potential effects of the development at H4 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 SANG onsite and contributions towards SAMMS, as set out in the Plan. It is also noted that the Council's approach in this regard is supported by Natural England.

Q8 What is the justification for the provision of accommodation to help meet the needs of gypsies and travellers on H4, and not all other sites within the HGC Programme Area?

- 8.1 The Key development requirements for Sites H3 and H4 include delivery of Gypsy and Traveller pitches, at points 14 and 12 respectively. For H4, Key development requirement (KDR) 12 requires:

12. Provision of up to 15-20 pitches for Gypsy and Travellers to meet identified need, taking into account existing local provision and the availability of alternative sites as well as best practice on location and design.

- 8.2 In relation to the inclusion of pitches within the wider Hemel Garden Communities (HGC); HGC had been identified as far back as 2018 as being the most suitable location for new Gypsy and Traveller sites in the District. As set out at HOU6 d) this is based on "a variety of factors including proximity to the road network most used by Gypsies and Travellers, development site scale, area topography and landscaping opportunities, and the wide range of uses to be provided in the Broad Locations for development"...

- 8.3 For the avoidance of doubt, St Albans Gypsy and Traveller need is being provided for within St Albans sites within the Programme Area and not within the Dacorum part of the Programme Area.
- 8.4 In relation to location of the Gypsy and Travellers pitches at H3 and H4 and not all other sites within the HGC Programme Area: having assessed the 'variety of factors including proximity to the road network most used by Gypsies and Travellers, development site scale, area topography and landscaping opportunities, and the wide range of uses to be provided in the Broad Locations for development' it was considered that Sites H3 and H4 were most suitable. This included, in particular consideration that H4 was most suitable due it being the largest residential allocation in the Plan; and the fact that sites H3 and H4 have best access to the M1 and flatter topography than H1 and H2.
- 8.5 The following points demonstrate that the approach of providing the pitches at sites H3 and H4 is accepted by the land promoters and therefore deliverable:

- HGC 04.03 - Framework Plan Technical Evidence Report (2024) states at 1.11:

The Framework Plan exercise is being undertaken in order to:

...

ii. Test the capacity of the site and any reasonable options to deliver up to 11,000 homes and around 10,000 jobs along with other relevant and/or emerging policy requirements...

iii. Prepare an Infrastructure Framework which quantifies the Growth Area infrastructure requirements and uses this to inform a viability assessment in order to establish whether the emerging policy requirements are viable and deliverable.

...

The Report lists under 'Table 1: Summary of Policy Requirements' and column 'SADC Draft Local Plan Policies from 2023 / 2024 - key components': "*Gypsy and Traveller sites*" "*Between 30-40 pitches*". It also notes in the 'Draft Scenario D Infrastructure Schedule (July 2024)' column 'Infrastructure Item': "*2 x 15 pitch gypsy and traveller sites*".

- The 'Environmental Impact Assessment (EIA) Scoping Report East Hemel December 2024' – submitted in support of EIA Scoping Opinion application 5/2024/2171² – lists the delivery of the pitches as part of the draft description of development at 5.1.4 as follows: "*The draft Description of Development for EIA purposes is as follows: "Outline application for:...land for up to 40 Gypsy and Traveller pitches..."*". It also states at 5.1.7: "*The Development would provide:... Land for up to 40 Gypsy and Traveller pitches;*"

² Application 5/2024/2171 documents available via: <https://planningapplications.stalbans.gov.uk/planning>; EIA Scoping Report document available via: <https://planningapplications.stalbans.gov.uk/w2webparts/Resource/Civica/Handler.ashx/Doc/pagestream?cd=inline&pdf=true&docno=10340525>

SADC/ED12 'Statement of Common Ground between SADC and The Crown Estate' (TCE) notes under Section 3 'Common ground': *"SADC and TCE generally support what is set out in the Local Plan Part A, including the housing trajectory for Hemel Garden Communities. SADC and TCE generally support what is set out in the Local Plan Part B, including the Key Development Requirements for sites H2, H3 and H4."*

- 8.6 Overall, the justification for the provision of accommodation to help meet the needs of gypsies and travellers on H4 (and H3) is because of the site specific factors mentioned above. The confirmation of deliverability from the landowner is also beneficial.

Q9 Is Policy H4 justified, effective and consistent with national planning policy? If not, what modifications are required to make the Plan sound?

- 9.1 Yes, it is considered that Policy H4 is justified, effective and consistent with national planning policy.
- 9.2 Policy H4 is justified as the general need for Green Belt release as set out in GB 01.01 - Green Belt and Exceptional Circumstances Evidence Paper (2024).
- 9.3 The specific localised Green Belt impacts are well understood because of the findings of GB 02.02 Green Belt Review (2023) and GB 02.03 Green Belt Review Annex Proforma Report (2023).
- 9.4 Site boundaries are addressed at question 1 above and Green Belt boundaries are addressed at question 2 above.
- 9.5 The site was considered in the round in the site selection work, which included contextualising and balancing the results of the Green Belt Review with other factors. For this location, the site selection outcome is set out across a proforma assessment (Site Part of M-033) on pages 11 to 13 in LPSS 02.03 - Green Belt Sites Recommended HGC Proformas (2024).
- 9.6 The site lies within the Hemel Garden Communities Programme Area and will contribute to creating a long term sustainable community which meets housing needs and creates jobs.
- 9.7 Overall, the site selection work concluded that the site was recommended to progress, and the exceptional circumstances are considered to exist to justify amending the Green Belt boundary in this location.
- 9.8 LPCD 03.01 - St Albans Local Plan Sustainability Appraisal Report (2024) goes on to further consider the suitability of site H4 for allocation, which states at paragraphs 5.4.18, 5.4.20 and 5.4.23:

5.4.18 Finally, there is a need to consider land to the south of the employment area, closely associated with Leverstock Green. This is Crown Estate Land, as discussed, and is proposed to deliver a significant proportion of the aforementioned ~4,000 homes. The northern part of this land area (adjacent to the proposed employment area) is recommended by the Green Belt Review, but the majority is not. In turn, the question arises as to whether a more restricted approach to growth might be supported in this area.

...

5.4.20: To conclude on the southern sector, it is easier to envisage a scenario involving significantly reduced growth than is the case for the northern sector. However, the recently agreed PPA with the Crown Estate serves as an argument against this, plus there is a need to recognise the proposal to deliver two primary schools in this area and new strategic road infrastructure linking to the A4147. Furthermore, land adjacent to the south of Leverstock Green and the A4147 (outside of the HGC area) is proposed for a secondary school, to serve wider Hemel Hempstead growth, which boosts the case for housing growth in this area.

...

5.4.23 On balance, the decision reached is that HGC warrants being treated as a constant, in light of the latest evidence and understanding, including via the consultation in 2023.

- 9.9 Policy H4 is effective as the Council has engaged with the landowner(s) of the site and has continued joint working as appropriate with relevant bodies including, HCC, Dacorum Borough Council, the Environment Agency, Historic England and Natural England. This is set out in the agreed Statements of Common Ground / EA Updated response to Local Plan Reg 19:
- SADC/ED12 - Statement of Common Ground between SADC and The Crown Estate
 - SADC/ED3 - Statement of Common Ground between SADC and Hertfordshire County Council
 - SADC/ED5 - Statement of Common Ground between SADC and Dacorum Borough Council
 - SADC/ED65 – Appendix 7.2: Environment Agency updated response to Regulation 19
 - SADC/ED23 - Statement of Common Ground between SADC and Historic England
 - SADC/ED24 - Statement of Common Ground between SADC and Natural England
- 9.10 Policy H4 is consistent with national policy as set out in the evidence base in its totality, including in particular the Green Belt Review, the Site Selection process LPSS 01.01 - Local Plan Site Selection Methodology Outcomes and Site Allocations (23 Sep 2024) and LPCD 03.01 the Sustainability Appraisal.
- 9.11 Overall, Policy H4 is considered to be justified, effective and consistent with national planning policy.

9.12 N.B. Policy H4 includes proposed Main Modifications as set out in SADC/ED85B and SADC/ED85C.