

Matter 6 – Hemel Garden Communities ('HGC')

Issue 8 – East Hemel Hempstead (North) – H2

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

- 1.1 Yes, the site boundary of H2 - East Hemel Hempstead (North) is considered to be justified and effective.
- 1.2 For Site H2 relevant existing features are set out in the EDH 05.01 - Landscape Visual Impact Appraisals Broad Locations SADC Local Plan Sites (2024), including the significant electricity transmission line and pylons.

VISUAL BASELINE

Visual Character

- *There are few detracting features in this area. Despite its magnitude, the M1 has only a moderately negative visual impact, partially due to the fact the road is in cutting for much of its length through the plateau and partially due to the mature hedgerows that line the route. Overhead power lines have a widespread visual impact.*
- 1.3 The LPCD 03.01 - St Albans Local Plan Sustainability Appraisal Report (2024) sets out:

5.4.17 ... The suggestion is that HGC would result in "effective coalescence" of Hemel Hempstead and Redbourn, but it is clear that a substantial green buffer would be retained through planting and provision of green spaces including the Country Park and SANG (see Figure 5.8), a separation of at least 1.5km between the built development of HGC and Redbourn's settlement edge being retained. Having said this, the proposed western expansion of Redbourn is noted (see discussion below), and it is also recognised that there is some built form within the propose green buffer.
 - 1.4 Landscape features have a key role in defining the site boundary, with the northern boundary defined by the A487 Redbourn Road, the eastern boundary by the M1 and the southern boundary by Punchbowl Lane. Part of the western boundary is defined by the existing urban edge of Hemel Hempstead. While the western boundary runs along Cherry Tree Lane and District boundary, this is also close to the existing urban edge of Hemel Hempstead and adjacent to the Spencer's Park Phase 2 development granted outline planning permission for up to 600 dwellings (ref 5/2016/2845 with reserved matters application pending decision ref 5/2024/0927)
 - 1.5 The site boundary for Policy H2 is further justified with regard to the landownership extents 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).

1.6 The site boundary of Policy H2 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, Hertfordshire County Council (HCC), Dacorum Borough Council (DBC), 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

1.7 Overall, the site boundary for Policy H2 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 The site boundary was also considered having regard to GB 04.03 - Green Belt Review Sites and Boundary Study December 2013 (superseded). This study considered the land which encompasses Site H2 with regard to a potential Green Belt boundary, forming a logical extension to the use of the significant electricity transmission and pylon lines as a long term GB boundary. GB 04.03 - Green Belt Review Sites and Boundary Study December 2013 (superseded) assessed Strategic Parcel GB21A.

- 2.5 GB 04.03 describes electricity transmission lines and pylons with regards to assessing Strategic Parcel GB21A:

In order to assess potential development capacity, certain broad assumptions have been made and are applicable to all sub-areas, namely:

...

f) Certain sub-areas have physical constraints to development such as ... overhead power-lines

- 2.6 GB 04.03 then goes on further to describe the electricity transmission lines and pylons in Paragraph 3.5.8 and 3.5.9, on page 14 as:

Visual attributes including views within and outwards as well as the visual impact on adjacent development.

...

3.5.8 ... Overhead power lines cross the sub-area and comprise a conspicuous visual feature.

3.5.9 The nature of the landform and land cover means new development could comprise a conspicuous element. The existing landscape framework within the south-west part of the sub-area, including smaller field pattern provides a greater sense of enclosure and new development would be more discrete

- 2.7 GB 04.03 then concludes with the following at paragraph 3.6.6 on page 16:

Boundary Review

...

3.6.6 The south-east part of the boundary does not follow a physical feature on the ground, but is aligned with a servitude (set back) from overhead electricity transmission lines. The rationale for this is that the overhead lines are likely to restrict development further east and the alignment of this part of the boundary would complement the proposed edge for sub-area 2.

- 2.8 For Site H2 relevant existing features are set out in the EDH 05.01 - Landscape Visual Impact Appraisals Broad Locations SADC Local Plan Sites (2024), including the significant electricity transmission line and pylons.

VISUAL BASELINE

Visual Character

- *There are few detracting features in this area. Despite its magnitude, the M1 has only a moderately negative visual impact, partially due to the fact the road is in cutting for much of its length through the plateau and partially due to the mature hedgerows that line the route. Overhead power lines have a widespread visual impact.*

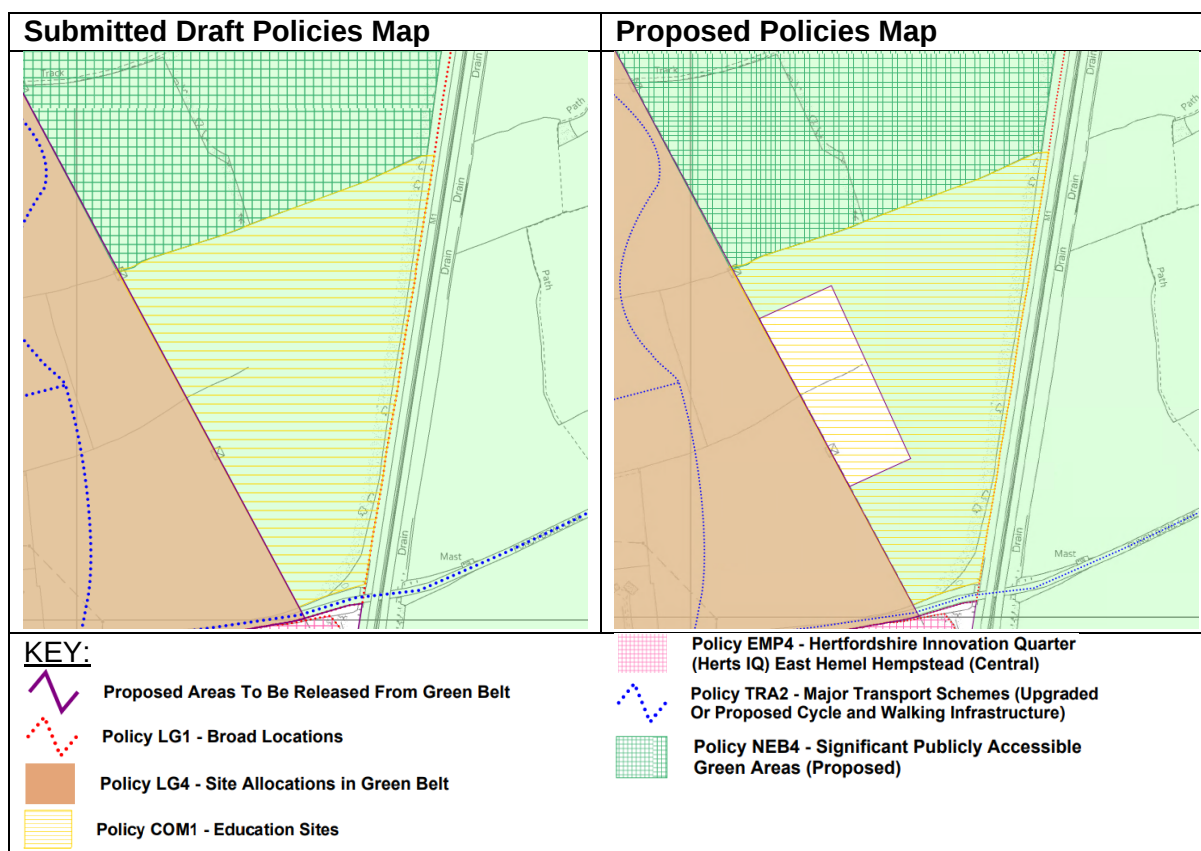
- 2.9 Overall, for site H2 - East Hemel Hempstead (North), there is effectively one new proposed Green Belt boundary in the Plan:

- Eastern boundary – Prominent physical feature – large electricity transmission line and pylons

- 2.10 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.

- 2.11 N.B Hertfordshire County Council has provided a build zone for secondary school, based on the recent and emerging Pre-Planning Application process with Land East of Hemel Hempstead. There is a proposed Main Modification for site H2 - East Hemel Hempstead (North) as set out in SADC/ED85B and SADC/ED85C and illustrated below at Table 1 that would take the proposed school build zone out of the Green Belt.

Table 1 – Proposed alterations to the Green Belt boundary - Area within Site H2 - East Hemel Hempstead (North) for the proposed secondary school building



Maps contain public sector information licenced under the Open Government Licence V3.0. © Crown copyright and database rights 2025 Ordnance Survey AC0000819589.

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).
- 3.3 The evidence paper goes on to say 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.

- 3.4 In relation to the specific case in this location, East Hemel Hempstead (North) (Site Allocation H2), 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).
- 3.5 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 two proforma assessments (Site Part of M-033) on pages 5 to 7 in LPSS 02.03 - Green Belt Sites Recommended HGC Proformas. This is set out in particular in the Qualitative Assessments:

Part of M-033

The site is not recommended for further consideration by the Green Belt Review Stage 2 Report.

This site adjoins Hemel Hempstead which is a Tier 1 Settlement. It offers a comprehensive range of very significant Economic, Environmental and Social benefits including; housing, affordable housing, a 8 FE secondary school, a 3FE primary school, a Country Park, 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 and around 10,000 jobs across HGC and the Hertfordshire Innovation Quarter. This site is recommended to progress.

This site is recommended to progress.

- 3.6 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.
- 3.7 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.

Q4 How have the landscape impacts of the allocation been considered, having particular regard to the setting of the Chilterns National Landscape?

4.1 The landscape impacts of the allocation have been considered in the evidence submitted to date. This includes:

- LPSS 02.03 - Green Belt Sites Recommended HGC Proformas (2024)
- GB 02.02 - Green Belt Review Report (2023)
- GB 02.03 - Green Belt Review Annex Proforma Report (2023)
- EDH 05.01 - Landscape Visual Impact Appraisals Broad Locations SADC Local Plan Sites (2024)
- EDH 09.01 - Herts Landscape Character Area Statements St Albans District
- LPCD 03.01 - St Albans Local Plan Sustainability Appraisal Report (2024)
- HGC 04.03 - Framework Plan Technical Evidence Report (2024)
- HGC 04.02 - Framework Plan Story Document (2024)
- HGC 07.01 - Green Infrastructure Strategy Final Draft (2024)

4.2 The Levelling-up and Regeneration Act 2023 places a duty in relation to the Chilterns National Landscape. The NPPG¹ sets out:

The Protected Landscapes duty

...

Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) amends the duty on relevant authorities in respect of their functions which affect land in National Parks, National Landscapes, and the Norfolk and Suffolk Broads (collectively referred to as Protected Landscapes) in England. Relevant authorities must now 'seek to further' the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to 'have regard to' their statutory purposes.

...

What a relevant authority should do

The duty is an active duty, not passive, which means:

as far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes

4.3 Relevant impact considerations are set out in the EDH 05.01 - Landscape Visual Impact Appraisals Broad Locations SADC Local Plan Sites (2024), which also draws upon EDH 09.01 - Herts Landscape Character Area Statements St Albans District and sets out on page 4:

Stage 2 – Desk Study

¹ <https://www.gov.uk/government/publications/the-protected-landscapes-duty/guidance-for-relevant-authorities-on-seeking-to-further-the-purposes-of-protected-landscapes> (Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes)

16. With regards to the Hemel Garden Communities location (H1, H2, H3, and H4) the appraisal also drew on the 'North Hemel Hempstead Landscape Assessment.

4.4 EDH 05.01 page 16-17 sets out:

Intervisibility with Chilterns National Landscape - N/A

4.5 EDH 05.01 page 17-18 then sets out to conclude the following:

POTENTIAL DEVELOPMENT EFFECTS

Designated Landscapes - N/A

4.6 As set out above EDH 05.01 there are no intervisibility with the Chilterns National Landscape, nevertheless the evidence did assess more broadly relevant landscape impacts.

4.7 EDH 05.01 contains the landscape and visual appraisal for site H2 and this is set out page 14 to 19. Page 17-18 proposes the following mitigation and enhancements:

MITIGATION + ENHANCEMENT

Landscape and visual effects could be minimised or reduced by the following:

STRATEGIC MEASURES

- *Respond to context and character.*
- *Retain and protect important landscape features and views.*
- *Create multifunctional green/blue infrastructure and open space networks for people and/or wildlife.*
- *Provide new structural native planting.*
- *Mitigate impact of motorway noise*
- *Pylon Easement*

SITE SPECIFIC MEASURES

- *In isolation the site does not relate well to the existing settlement pattern and protrudes into the open countryside. Delivery of the site in combination with the other broad locations to the north H1 – North Hemel Hempstead, and south H3 – East Hemel Hempstead (Central) and H4 – East Hemel Hempstead (South), as well as further development with the Dacorum Borough to the west, should ensure a more cohesive development that relates better its townscape and landscape context. Strategic mitigation and enhancement measures should address the cumulative landscape and visual effects of the sites.*

- *The site reduces the open gap between Hemel Hempstead and Redbourn to the east. Reflect the principles promoted within the adjacent location H1, to maintain a strategic gap and provide more sustainable settlement edge landscape led land uses (such as structural planting and open space provision).*
- *The northern 'apex' of the site is defined by Hemel Hempstead Road to the north, and the M1 corridor to the east.*
- *The central and southern part of the site extend between the existing settlement edge and the M1 corridor that provides a logical limit to the extension of development eastwards.*
- *Along the eastern boundary consider structural woodland planting alongside the M1 corridor to help mitigate noise and create a wildlife corridor that connects with the vegetated corridor of the Nickey Line.*
- *Conserve and enhance hedgerows and trees and rural character of the lanes that bound and cross the site.*
- *The development layout and design should be informed by the topography notably the flatter elevated plateau in the south, and the distinct valley landform along Hemel Hempstead Road.*
- *Avoid creating a contrived straight development edge along the line of the pylon easement.*

4.8 The HGC 04.02 - Framework Plan Story Document (2024) sets out on page 33:

The green network should include:

...

Conservation and enhancement of the local landscape character (including the Chilterns National Landscape setting), townscapes, green valley swathes and heritage assets.

4.9 The HGC 04.03 - Framework Plan Technical Evidence Report (2024) sets out on page 32:

The site is within the setting of the Chilterns National Landscape, which imposes a responsibility to carefully consider the form and limits of new development.

4.10 The HGC 07.01 - Green Infrastructure Strategy Final Draft (2024) sets out:

2.5.14 Opportunities to create and maintain rich, wide and well-connected biodiverse buffers (HGC Green Network spatial principle 7) will be considered throughout the HGC Programme Area to mitigate visual and acoustic impacts of new development and transport infrastructure on sensitive receptors, particularly for new communities associated with the HGC Growth Areas. These include:

- *Early structural tree planting to create a multi-functional wooded landscape buffer, incorporating community and outdoor recreation uses, will be considered to mitigate the visual impact of urban development within the north HGC Growth Area on sensitive views from the Chilterns National Landscape. The design of this green buffer to provide screen planting for protecting the setting of the Chilterns National Landscape should use appropriate tree species, and be informed by the recommendations of the HGC Landscape & Visual Impact Assessment.*

...

2.5.112 Where SANG in the HGC Growth Areas is also intended to fulfil an additional function as a green buffer for protecting the setting of the Chilterns National Landscape, the design will consider incorporating woodland belt planting of appropriate tree species to provide screening to mitigate the visual impact of new development.

- 4.11 The LPCD 03.01 - St Albans Local Plan Sustainability Appraisal Report (2024) sets out:

2.3.1 St Albans City and District lies within the south west of the county of Hertfordshire. To the west is Dacorum Borough, including Hemel Hempstead (which abuts St Albans District) and an extensive area designated as part of the Chilterns National Landscape (formerly AONB).

5.4.17 ... A key concern raised is that HGC would “impact hugely” on the Chilterns National Landscape (formerly AONB). This is obviously a key sensitivity / issue explored further below, but an important point to note here is that the Chilterns AONB Board did not respond to the consultation in 2023. Also, support for HGC to the east and northeast of Hemel Hempstead potentially serves to reduce pressure on the part of the HGC area to the north, which is likely the most sensitive in landscape / National Landscape terms

5.4.17 ... The suggestion is that HGC would result in “effective coalescence” of Hemel Hempstead and Redbourn, but it is clear that a substantial green buffer would be retained through planting and provision of green spaces including the Country Park and SANG (see Figure 5.8), a separation of at least 1.5km between the built development of HGC and Redbourn’s settlement edge being retained. Having said this, the proposed western expansion of Redbourn is noted (see discussion below), and it is also recognised that there is some built form within the propose green buffer.

- 4.12 Overall, the impacts on landscape have been appropriately assessed, having particular regard to the setting of the Chilterns National Landscape and impacts on landscape can be mitigated and are considered to be acceptable.

Q5 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?

- 5.1 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 DBC, HCC, the NHS and Sport England, as well as the landowners. The key engagement to establish the mix of uses has included:

11. ...includes two extra-care facilities comprising of 70-80 self-contained units in each facility, one 70-80 bed nursing home and 7 supported living units for people with disabilities.

– Uses established through discussion with HCC.

12. A 3FE primary school, including Early Years provision, to serve the new community. An 8FE secondary school to serve the new and existing communities.

– Uses established through discussion with HCC and DBC.

20. ...A new local centre, including education facilities and commercial development opportunities.

– Uses established through discussion with DBC.

22. Recreation space and other community facilities, including a medical centre, sports hub and sports facilities and contributions to health and sports provision within the wider HGC Growth Areas.

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

- 5.2 Development proposals will come forward in a co-ordinated manner through a single planning application for the whole of the site plus sites H3 and H4. 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 H2 East Hemel North and the landowner/developer team for H1 North Hemel to ensure compatibility between both sets of developing proposals.

- 5.3 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.

- 5.4 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.
- 5.5 NB: There are Main Modifications proposed for site H2 East Hemel North as set out in SADC/ED85B and SADC/ED85C.

Q6 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?

- 6.1 Yes, it is considered that the allocation H2 can deliver the necessary mix of uses and supporting infrastructure.
- 6.2 The allocation has been shaped by a comprehensive spatial strategy, underpinned by the HGC Framework Plan (2024) (Documents HGC 04.01 – 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.
- 6.3 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.
- 6.4 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?

- 6.5 Yes, East Hemel Hempstead North (H2) is developable within (and beyond) the plan period. Part B sets out the 'Proposed use' as *"Primarily residential 1,600 units (indicative) in total (1,235 in Plan period)"*. As such, there are 365 homes expected to be delivered beyond the plan period.
- 6.6 The NPPF states: *"To be considered developable, sites should be in a suitable location for 70 housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged."*

- 6.7 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.
- 6.8 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.
- 6.9 Site H2 has 365 homes to be delivered beyond the plan period. The emerging draft HGC IDP to 2050 (M6I4Q1 Appendices 1A and 1B) further demonstrates that there is no additional infrastructure beyond the plan period which would render the site undeliverable.
- 6.10 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.

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 North (H2) 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 2024² – submitted in support of EIA Scoping Opinion application 5/2024/2171² – states at 5.1.7:

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.

² Application 5/2024/2171 documents available via: <https://planningapplications.stalbans.gov.uk/planning>

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 H2:

Notes

In addition to built development (Primarily residential 1,600 units (indicative) in total (1,235 in Plan period), the site will include SANG/ Country Park 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:

...

- Strategic Policy SP5 - Employment and the Local Economy. This policy provides for 53ha of employment land at East Hemel Hempstead (Central) and 33.16ha Strategic Rail Freight Interchange. It also identifies that the Policies Map allocates new employment sites. Potential linking impact pathway(s): 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:

...

- H2 - East Hemel Hempstead (North), HP2 7HT*

...

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 H2 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 H2 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 Is Policy H2 justified, effective and consistent with national planning policy? If not, what modifications are required to make the Plan sound?

- 8.1 Yes, it is considered that Policy H2 is justified, effective and consistent with national planning policy.
- 8.2 Policy H2 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).
- 8.3 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).
- 8.4 Site boundaries are addressed at question 1 above and Green Belt boundaries are addressed at question 2 above.
- 8.5 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 5 to 7 in LPSS 02.03 - Green Belt Sites Recommended HGC Proformas (2024).
- 8.6 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.
- 8.7 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.
- 8.8 LPCD 03.01 - St Albans Local Plan Sustainability Appraisal Report (2024) goes on to further consider the suitability of site H2 for allocation, which states at paragraphs 5.4.14 to 5.4.15 and 5.4.23:

5.4.14 Moving to the north, the District boundary can be seen on the figure above, running to the north of Woodhall Farm, and then turning to the east, towards Redbourn. Within St Albans there is a significant quantum of land proposed for housing (including land at Spencer's Park with outline planning permission, shown with a lighter shading), plus there is land identified for a secondary school, but around half of the land is proposed for greenspace, including land close to Redbourn proposed for Green Belt enhancement.

5.4.15 Land in this sector is not recommended by the Green Belt Review, which was a key factor influencing the decision to test the option of 'no growth' through work to explore growth scenarios in 2023. However, support for growth here has increased since 2023. The strategic case has already been introduced in Section 5.2, but on a more detailed level there are two important points to make:

- *The Crown Estate – is the key landowner to the east of Hemel Hempstead, owning nearly all land within the HGC area south of the B487 Redbourn Road. The Crown Estate has recently agreed a Planning Performance Agreement (PPA) with the Council, with a view to delivering the employment land alongside ~4,000 homes in this area (i.e. land to the east of Hemel, either side of the employment area).*

- *Strategic road access – to the housing sites north of the B487 / Woodhall Farm must pass through the Crown Estate Land to the east of Hemel. The housing sites in this area are in the control of developers, and the development area is split roughly 50/50 between St Albans and Dacorum. It is particularly important for Dacorum that this land is able to come forward in a timely fashion, as there is less certainty around development in the northwest sector of HGC (i.e. the sector falling entirely within Dacorum). Part of the land here is in the control of the Crown Estate but is not covered by the aforementioned PPA.*

...

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.

8.9 Policy H2 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

8.10 Policy H2 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.

8.11 Overall, Policy H2 is considered to be justified, effective and consistent with national planning policy.

8.12 N.B. Policy H2 includes proposed Main Modifications as set out in SADC/ED85B and SADC/ED85C.