

Matter 7 – Residential Site Allocations

Issue 7 – How Wood Site Allocations

Policy L1 – Burston Nurseries

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

- 1.1 The site boundary of Policy L1 is primarily based on physical features that are readily recognisable and likely to be permanent as long term defensible Green Belt boundaries. These were defined in the Green Belt Review and they are considered to be justified and effective. More details on the approach to defining the Green Belt boundary is set out in answer to Policy L1 M7I7Q2 below.
- 1.2 The site boundary of Policy L1 is considered to be justified and effective.
- 1.3 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.
- 1.4 Policy L1 is considered to be justified as the general need for Green Belt release as set out in GB 01.01 - Green Belt and Exceptional Circumstances Evidence Paper (2024). Paragraph 7.2 states:

The local context in which conclusions have been reached regarding the 'Exceptional Circumstances' necessary to require release of Green Belt land involves a variety of factors, including:

- *The acuteness/intensity of the housing need.*
- *The inherent constraints on supply/availability of non-Green Belt land.*
- *The difficulties of delivering sustainable development without impinging on the Green Belt.*
- *The nature and extent of the harm to the Green Belt that would arise if the boundaries were to be altered as proposed.*
- *The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable practicable extent.*

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.

- 2.4 Potential Green Belt boundaries were considered in the Green Belt Review Proforma Annex Report GB 02.03 (2023). For this site, relating to sub-area 130, they were:

Consideration of Boundaries

Commentary on boundary features and impact on Green Belt boundary strength

The inner boundary and majority of outer boundaries are readily recognisable and likely to be permanent. The outer boundary to the east is predominantly readily recognisable but not necessarily permanent. If the sub-area was released, the new inner Green Belt boundaries would not meet the NPPF definition. The new boundaries would require strengthening.

Sub-area category & recommendation

The sub-area does not meet any of the NPPF purposes and makes a less important contribution to the wider Green Belt. If the sub-area is 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. Recommended for further consideration as RA-46.

- 2.5 There are effectively four new proposed Green Belt boundaries in the Plan, which are:

North-western boundary – A405 road and well-established hedge and tree belt alongside St Stephens Footpath 014

South-western boundary – well-established unbroken treeline to the north of Lye Lane

South-eastern boundary – well-established unbroken treeline and edge of Birch Wood

North-eastern boundary – well-established edge of How Wood (the wood itself, not the village of the same name)

- 2.6 Overall, it is considered that 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 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) and as shown in Policy B5 M7I1Q1.

- 3.2 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.

- 3.3 In relation to the specific case in this location, Burstons Nurseries, North Orbital Road, St Albans, AL2 2DS, the specific localised Green Belt impacts are well understood because of the findings GB 02.02 Green Belt Review (2023) and GB 02.03 Green Belt Review Annex Proforma Report (2023). The Green Belt Review assessment of this site is comprised of a sub-area proforma assessment of this location. GB 02.03 on pages 584 to 587, relating to sub-area 130, states:

Purpose Assessment

Summary

The sub-area does not meet any of the purposes overall.

Wider Green Belt Impacts

Summary

Overall, the sub-area does not play an important role with respect to the strategic land parcel, and if released in isolation, is unlikely to significantly harm the performance of the wider Green Belt.

Sub-area category & recommendation

The sub-area does not meet any of the NPPF purposes and makes a less important contribution to the wider Green Belt. If the sub-area is 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. Recommended for further consideration as RA-46.

- 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 in the site proforma assessments (Site Ref M-036) on pages 2 to 4 in LPSS 02.05 Green Belt Sites Recommended Large Site Proformas (2024). This is set out in particular in the Qualitative Assessment in both proformas which say:

Part of the site is recommended for further consideration by the Green Belt Review Stage 2 Report.

The site is adjacent to How Wood and is relatively close to Chiswell Green, both Tier 5 Settlements in the Settlement Hierarchy. The whole site is within the Green Belt. It is mostly within the 250 metres Green Belt Study settlement buffers.

The site is approximately; 1 kilometre from a primary school, 2.7 kilometres from a secondary school, 700 metres from a bus stop, 5.1 kilometres from a St Albans Mainline station and 650 metres from a Local Centre.

The site contains two listed buildings and an archaeological area subject to recording conditions.

The site contains a traditional orchard and several deciduous woodland Priority Habitats. It is also adjacent to several other deciduous woodlands Priority Habitats. The site is adjacent to two County Wildlife Sites (How Wood and Birch Wood) to the east, which are also deciduous woodlands Priority Habitats. Two group TPOs can be found within the site.

The site contains two telecommunication sites and an area of contaminated land. Potential access is via the North Orbital Road (A405) and Lye Lane. There are two public rights of way through the site.

Part of this site received planning permission for a new retirement community use (ref 5/2020/3022).

This site is recommended to progress.

**** (NB: the site proforma assesses an area greater in extent than that covered by Policy L1) ****

- 3.5 Overall, 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, taking into account any existing planning permissions on the site?

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

1. Delivery of the additional 180 dwellings in a co-ordinated way alongside and integrated with the approach to delivering permission 5/2020/3022 '80 assisted living apartments with community facilities and 44 bungalows'.

- 4.2 There is already planning permission for part of the site (80 assisted living apartments with community facilities and 44 bungalows) which has been under construction for some time and some elements are approaching completion. Both parts of the site are in the same ownership and they are co-ordinating the approaches. The Grade II* listed Burston Manor House is also located on part of the site. Together the existing permission and Burston Manor House and setting take up approximately 6.5ha of the eastern side of the site, to the east of the access road. The remaining 7.8ha of the site are proposed for residential use, from which the capacity of the site has been derived.
- 4.3 Development proposals will come forward in a coordinated and coherent manner. The existing planning permission has been implemented, and the development is under construction. The site has one access on to the A405 for all development and the existing planning permission includes that provision of a new junction within the site to provide access to the part of the site proposed for residential use. Construction can be coordinated via a Construction Management Plan under Policy HW1 of the draft Local Plan.
- 4.4 NB: There are Main Modifications proposed for site L1 Burston Nurseries as set out in SADC/ED85B and SADC/ED85C.

Q5 How has the effect of development on the setting of designated heritage assets been considered, having particular regard to the Grade II* listed Burston Manor House?

- 5.1 The effect of development on the setting of designated heritage assets has been considered through the undertaking of a Heritage Impact Assessment and through the related policy requirements. These have had particular regard to the Grade II* listed Burston Manor House.

- 5.2 The strategy for undertaking Heritage Impact Assessments (HIAs) for certain sites was summarised in EDH 04.01 - Heritage Impact Assessment Draft Cover Report (2024) as follows:

2. Background

2.1. Prior to the Regulation 18 Draft Local Plan Consultation, which ran from July to September 2023, the Council identified that a number of the proposed site allocations could impact on the historic environment by affecting the setting of nearby heritage assets. At that stage it had not provided site-specific HIAs as part of its evidence base, but the intention was for these to be undertaken to a proportionate degree ahead of the Regulation 19 Plan.

2.2. The Regulation 18 Consultation Historic England (HE) response concurred with the Council's intention to produce proportionate site-specific HIAs to inform the Regulation 19 Plan. HE advised that the purpose of the HIAs will be to identify any heritage assets which could be affected by development of a given site, to consider their significance (including any contribution made by their setting), and assess the impact that any proposed development might have on the significance of those assets. HE suggested that the best way to explore options for mitigation is through the preparation of site-specific HIAs; particularly for large strategic sites or sites where there are particularly significant heritage issues e.g. highly graded heritage asset either on site or in close proximity. HE made clear that it is a question of proportionality; the bigger the site or the more important the heritage issues, the more evidence they would expect to see.

2.3. Through ongoing dialogue with HE it was established that a total of 52no. of the Regulation 19 allocation sites should be subject to the Council's Heritage Impact Assessment 2024, and the Council appointed Essex Place Services to undertake the longer and more detailed assessments. The proportionate approach agreed with HE resulted in the following HIA work being undertaken:

...

b) High-Level Heritage Impact Assessments undertaken by Essex Place Services for the following 18no. sites...:

...

- L1 - Burston Nurseries, North Orbital Road, St Albans, AL2 2DS*

- 5.3 As such, this site was one of the 18no. sites subject of High-Level Heritage Impact Assessments undertaken by Essex Place Services, recognising the potential heritage impact of the allocation. This HIA is found at pages 33-37 of EDH 04.07 - Heritage Impact Assessment Appendix 6 High-Level HIAs by Place Services (2024).

- 5.4 The 'Built Heritage' section of the HIA sets out:

Comments:

The Site includes the Grade II listed Burston Manor House and the Grade II listed outbuilding to the east of the Manor. Burston Manor House is a Grade II* listed building of more than special interest and as such falls within the top 5.8% of listed buildings. Its heritage significance is derived from its special architectural and historic interest as a house of twelfth century origins, altered and extended in the fifteenth and seventeenth centuries and re-cased in the mid-nineteenth century. The small outbuilding to its east was built as a granary and dovecote dating to the late seventeenth century with nineteenth century alterations.*

The earthworks to the south and west of the Manor House provide evidence of it being a moated site which, along with the former dovecote and granary, highlight the historic interest and importance of the Site. It is likely that the Manor had a large landholding historically, however this has been reduced over the years such that all that remains are the domestic gardens to the property.

The current Nurseries, which occupy the land to the west of the listed building, were established in 1962. They do not contribute to the setting of the listed buildings, in fact they detract from it.

It is understood that a planning application was recently approved on appeal for the construction of an 80- bed assisted living apartments and 44 bungalows on the land to the south of Burston Manor House. This was considered by the Inspector to have a low to moderate level of less than substantial harm on the setting, and significance, of the listed buildings.

...

Recommendations/Mitigation:

It is recommended that the listed buildings and their remaining residential curtilage are removed from the Allocation red line boundary to ensure that the last remaining parts of their setting is preserved.

If the potential Allocation progresses, detailed discussions with the Local Planning Authority should be undertaken at an early stage as appropriate, with a detailed Heritage Impact Assessment defining the impact on all heritage assets within proximity to the Site required at planning application stage.

There may be opportunity to establish a heritage and landscape led scheme which would see the removal of the areas of hardstanding on the Nurseries site and establish a landscaped set back from the boundary of the listed building. Regarding scale and massing of new built form, this should respond positively to the local character and distinctiveness of the area.

- 5.5 It is considered that heritage protection in line with the above is suitably secured through the requirement in Policy LG4 o) and the allocation Key development requirement No. 4; as follows:

LG4 – Large, Medium and Small Sites

The Council has allocated sites to support growth that are smaller in size and scale than the Broad Locations. These sites are set out in Part B. Proposals on these sites (or unallocated windfall development at this scale) must accord with the following requirements in addition to the site-specific requirements listed in Part B:

...

o) For sites listed in Appendix 5, development proposals must be informed by a detailed Heritage Impact Assessment and where applicable Archaeological Desk-Based Assessment which address the recommendations of the Council's Heritage Impact Assessment.

...

Key development requirements

4. The site contains Grade II Listed Burston Manor House which must be retained and its setting preserved or enhanced, including through suitable boundary planting and landscaped set back from the boundary of the Listed building.*

- 5.6 It should also be noted that further discussion with Historic England in relation to their Regulation 19 comments for this site resulted in agreement that no change is required for soundness, and that the aforementioned Key development requirement plus the relevant policy in chapters 3, 11 and 12 of Part A would provide an appropriate degree of protection. This is set out at M12I1Q7 - Appendix 2 - SoCG SADC and HE October 2025 and M12I1Q7 - Appendix 3 - HE Comments and Agreed Mods October 2025.
- 5.7 Taking the above into account, the effect of development on the setting of designated heritage assets has been considered through the undertaking of a Heritage Impact Assessment and through the related policy requirements. These have had particular regard to the Grade II* listed Burston Manor House. It is also noted that the Council's approach for this site has the agreement of Historic England.

Q6 Is Policy L1 justified, effective and consistent with national planning policy? If not, what modifications are required to make the Plan sound?

- 6.1 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 Ref M-036) on pages 2 to 4 in LPSS 02.05 Green Belt Sites Recommended Large Site Proformas (2024) and as set out in Policy L1 M7I7Q3.
- 6.2 As set out in Policy L1 M7I7Q3 above, the Site Selection process set out in LPSS 02.05 Green Belt Sites Recommended Large Site Proformas (2024) assessed site L1 for potential allocation in the Plan and recommended the site to progress.
- 6.3 Policy L1 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,

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/ED3 - Statement of Common Ground between SADC and Hertfordshire County 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

- 6.4 Policy L1 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).
- 6.5 Overall, Policies Policy L1 is considered to be justified, effective and consistent with national planning policy. We are of the view that it is an entirely appropriate allocation (in the context of the chosen spatial strategy) and is deliverable.
- 6.6 N.B. Policy L1 includes proposed Main Modifications as set out in SADC/ED85B and SADC/ED85C.

Policy M10 – Tippendell Lane and Orchard Drive

Q1 What is the current use of the site and is it available for development within the plan period?

- 1.1 The current use of the site consists predominantly of an open area of undeveloped land. At the eastern end of the site there is one existing dwelling and Park Street Baptist Church, which is in need of refurbishment or replacement.
- 1.2 The site was put forward by the landowner in March 2016 and stated as being available for development. This was confirmed in response to the Regulation 18 consultation on the draft Local Plan¹ in September 2023. There was a meeting with the developer/housebuilder in summer 2025 who confirmed that they have been working with the landowner for three years. The housebuilder has presented an option to St Stephens Parish Council two years ago. A lot of technical work has been undertaken. The scheme will also deliver a new church facility as well as the housing, in line with the Key Development Requirements. The housebuilder has set out that they are quite close to submitting an application. Therefore, SADC considers that the site is available for development within the plan period.

¹ <https://stalbans-consult.objective.co.uk/kse/event/37561/peoplesubmissions/> - Comment ID 795

Q2 Is it sufficiently clear what is required of development proposals under Policy M10(1)?

2.1 Yes, it is considered that it is sufficiently clear what is required of development proposals under Policy M10(1).

2.2 Site M10 Key development requirement no.1 states:

Development proposals must facilitate the ongoing successful functioning of community facilities at least equivalent to the existing facilities on site – Park Street Baptist Church, attendant buildings and open space and car parking.

2.3 The Key development requirements are worded in such a way to be both flexible and ensure that the existing Park Street Baptist Church continues to have a building and associated facilities (including car parking). The wording facilitates development of the site with the Park Street Baptist Church being either:

- a. Re-provided on site in a new building;
- b. Re-provided on a new site, such that development of site M10 cannot go ahead until such re-provision is secured elsewhere; or
- c. Remain as is with residential development taking place on the remainder of the site.

2.4 The landowner and housebuilder have confirmed that their proposals would re-provide the church and associated facilities on site in better facilities than those currently.

2.5 All of the above would be in accord with Key development requirement no.1, and the policy is considered to be clear in this regard.

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

3.1 Yes, it is considered that 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) which sets out in paragraph 7.2 that:

The local context in which conclusions have been reached regarding the 'Exceptional Circumstances' necessary to require release of Green Belt land involves a variety of factors, including:

- *The acuteness/intensity of the housing need.*
- *The inherent constraints on supply/availability of non-Green Belt land.*

- *The difficulties of delivering sustainable development without impinging on the Green Belt.*
- *The nature and extent of the harm to the Green Belt that would arise if the boundaries were to be altered as proposed.*
- *The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable practicable extent.*

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, Tippendell Lane and Orchard Drive, How Wood, AL2 2QF, the specific localised Green Belt impacts are well understood because of the findings GB 02.02 Green Belt Review (2023) and GB 02.03 Green Belt Review Annex Proforma Report (2023). The Green Belt Review assessment of this site is comprised of multiple sub-area proforma assessments in this location. GB 02.03 on pages 502 to 505, relating to sub-area 109, states:

Purpose Assessment

Summary

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

Wider Green Belt Impacts

Summary

Overall, the sub-area does not play an important role with respect to the strategic land parcel and if released in isolation, is unlikely to significantly harm the performance of the wider Green Belt.

Sub-area category & recommendation

The sub-area performs moderately against NPPF purposes but makes a less important contribution to the wider Green Belt. If the sub-area is released, the new inner Green Belt boundary would meet the NPPF definition for readily recognisable and likely to be permanent boundaries. Recommended for further consideration as RA-42 (including a strip of Green Belt land along Tippendell Lane to the north of the sub-area).

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 on pages 42 to 43 in LPSS

02.06 Green Belt Sites Recommended Medium & Small Site Proformas (2024). This is set out in particular in the Qualitative Assessment:

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

The site is adjacent to How Wood, a Tier 5 Settlement in the Settlement Hierarchy. The whole site is within the Green Belt. It is within two 250 metres Green Belt Study settlement buffers.

The site is approximately; 520 metres from a primary school, 2.4 kilometres from a secondary school, 660 metres from a bus stop, 4.7 kilometres from St Albans City railway station, 1 kilometre from a branch line station and 450 metres from a Local Centre.

The site contains a group TPO in the south east corner. The site also contains areas of undesignated woodland, mature trees, and scrub.

Potential access is via Penn Road, a two-lane road, or potentially via Tippendell Lane or Orchard Drive.

This site is recommended to progress.

- 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 Is Policy M10 justified, effective and consistent with national planning policy? If not, what modifications are required to make the Plan sound?

- 4.1 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 on pages 42 to 43 in LPSS 02.06 Green Belt Sites Recommended Medium & Small Site Proformas (2024) and as set out in Policy M10 M7I7Q3.
- 4.2 As set out in Policy M10 M7I7Q3 above, the Site Selection process set out in LPSS 02.06 Green Belt Sites Recommended Medium & Small Site Proformas (2024) assessed site M10 for potential allocation in the Plan and recommended the site to progress.
- 4.3 Policy M10 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, 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/ED3 - Statement of Common Ground between SADC and Hertfordshire County 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

- 4.4 Policy M10 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).
- 4.5 Overall, Policies Policy M10 is considered to be justified, effective and consistent with national planning policy. We are of the view that it is an entirely appropriate allocation (in the context of the chosen spatial strategy) and is deliverable.
- 4.6 N.B. Policy M10 includes proposed Main Modifications as set out in SADC/ED85B and SADC/ED85C.