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Miranda Knight
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5 April 2022

Dear Ms Knight

LAND SOUTH OF CHISWELL GREEN LANE, CHISWELL GREEN

Following pre-application discussions with St Albans City and District Council and Hertfordshire County Council Highways Officers we are now in a position to submit an outline planning application that seeks permission for the following proposed development:

“Outline application (access sought) for the demolition of existing structures and construction of up to 391 dwellings (Use Class C3); the provision of land for a new 2FE Primary School; open space provision and associated landscaping; internal highways, parking, footpaths, cycleways, drainage, utilities and service infrastructure; new access arrangements; and offsite highway works including new car parking, footpath, cycle path and highway arrangement works to Chiswell Green Lane, Watford Road, , Long Fallow, Forge End, and Farringford Close” (the ‘Proposed Development’).

The Planning Application documents comprise of the following:

1. Planning Application form incorporating Certificate B.
2. Planning Application fee of £27,440, plus the planning portal service charge of £32.20.
3. Planning Application drawings
 - Site Location Plan – Drawing REDC01-MCB-ZZ-ZZ-DR-A-0201-D5-P5
 - Land Use Parameter Plan - Drawing REDC01-MCB-ZZ-ZZ-DR-A-0223-D5-P2
 - Access and Movement Parameter Plan – Drawing REDC01-MCB-ZZ-ZZ-DR-A-0221-D5-P2
 - Building Height Parameter Plan – Drawing REDC01-MCB-ZZ-ZZ-DR-A-0222-D5-P2
 - Northern Site Access Junction – Drawing 8210856-1001-I6
 - Southern Site Access Junction – Drawing 8210856-1002-I4
 - Forge End and Long Fallow Pedestrian Accesses – Drawing 8210856-1021-I3
4. Design and Access Statement prepared by McBains, incorporating a Landscape Strategy prepared by Barton Willmore

In addition to the above application documents and drawings, the planning application is supported by the following documents and Plan:

- a) Illustrative Masterplan (Drawing REDC01-MCB-ZZ-ZZ-DR-A-0210-D5-P1) prepared by McBains
- b) Planning Statement (including Affordable Housing Statement) prepared by Barton Willmore
- c) Five Year Land Supply Statement prepared by Carter Jonas
- d) Statement of Community Involvement by BECG
- e) Landscape and Visual Impact Assessment prepared by Barton Willmore
- f) Green Belt Assessment prepared by Barton Willmore
- g) Socio-Economic Assessment prepared by Barton Willmore

- h) Education Needs Assessment prepared by EFM
- i) Transport Assessment prepared by Glanville
- j) Framework Residential Travel Plan prepared by Glanville
- k) Framework School Travel Plan prepared by Glanville
- l) Flood Risk Assessment and Drainage Strategy prepared by Glanville
- m) Utilities and Foul Sewage prepared by Glanville
- n) Preliminary Ecological Appraisal prepared by The Ecology Partnership
- o) Reptile Survey Report prepared by The Ecology Partnership
- p) Interim Bat Survey Report prepared by The Ecology Partnership
- q) Ecological Impact Assessment prepared by The Ecology Partnership
- r) Biodiversity Net Gain Assessment prepared by The Ecology Partnership
- s) Tree Survey and Arboricultural Impact Assessment prepared by RPS
- t) Phase 1 Desk Based Assessment prepared by BRD
- u) Noise Assessment prepared by Cass Allen
- v) Air Quality Assessment prepared by RPS
- w) Agricultural Land Survey prepared by RPS
- x) Heritage Statement prepared by Barton Willmore
- y) Archaeological Desk Based Assessment by RPS
- z) Health Impact Assessment by Carter Jonas LLP

The Site is located within the Metropolitan Green Belt and comprises agricultural land, a farmyard with stables, a farmhouse and outbuildings. It is located outside but adjacent to the settlement boundary of Chiswell Green, to the southeast St Albans City.

The Site has now been promoted through various iterations of the emerging Local Plan and its associated evidence base for residential-led purposes for more than 10 years. Having been identified through the Green Belt Review Parts 1 and 2 as a Broad Location that would cause the least harm to the purposes of the Green Belt, it was proposed as a strategic site allocation (Broad Location S6x) in the now withdrawn Publication Draft St Albans Local Plan (Sept 2018). So far as the Site has been consistently identified as a sustainable and suitable location for new housing development, there is every reason to believe that this site allocation will be retained in the new draft Local Plan when it progresses through the plan-making process towards adoption in 2025/26.

In the context of the acute and persistent shortfalls in housing delivery and the ongoing delays in bringing forward a plan that adequately provides for the District's full housing needs, the Applicants have taken the decision to submit this planning application to enable its release now; a step that should be viewed positively given the profound difficulties SACDC faces.

The planning application seeks outline planning permission for a landscape-led housing development comprising the following key components:

- Demolition of existing structures and construction of up to 391 homes;
- 40% affordable homes provision (including First Homes);
- 3% self-build plots;
- The provision of land for a new 2FE primary school;
- Publicly accessible amenity space and children's play space;
- Habitat space and the offer of a contribution to enhance habitats offsite (to achieve a 10% Biodiversity Net Gain);
- New access arrangements into the Site from Chiswell Green Lane, Long Fallow and Forge End;
- Adjustments to existing car parking, footpath, cycle path and highway arrangements along Chiswell Green Lane, Watford Road, Long Fallow, Forge End, Farringford Close; and
- A sustainable form of development.

The planning application is submitted in outline, with all matters reserved apart from 'Access' for which full details are provided as part of this application. Matters of appearance, landscape, layout and scale are to be determined via reserved matters applications.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Local Plan is now out of date, therefore the Proposed Development must be considered under paragraph 11 of the NPPF. This entails the presumption in favour of granting permission unless:

- i) The application of policies in the NPPF that protect areas of assets of particular importance provides a clear reason for the refusing development proposed; or
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

With regard to item i) above, footnote 7 of the NPPF sets out those national policies to be considered prior to the application of the presumption in favour of sustainable development, which is of relevance to this application include policies relating to land within the Green Belt.

With regard to the Green Belt, it has been demonstrated that in this case 'Very Special Circumstances' exist supporting approval of the application. This is because the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the Proposed Development, is clearly outweighed by other considerations, in this case comprising the significant social, environmental and economic benefits the Proposed Development will deliver.

The submitted Planning Statement explains that the presumption in favour of development is engaged and a strong VSC case in favour of the Proposed Development exists and responds to: the issues raised by SACDC in its pre-application advice; the local plan evidence base; appeal decisions for other Green Belt sites in the District; and expands upon the following key points that serve to provide a sound planning basis for granting outline planning permission for the Proposed Development:

- There is an acute need for market sale and affordable housing in the District which is exacerbated by the fact that SACDC is unable to demonstrate a 5-year housing land supply and has recently failed to meet the housing delivery test;
- There is an identified need for Green Belt release to meet the District's housing needs of which only 14% is able to be delivered in the urban areas;
- An absence of an up-to-date local plan to provide any resolution to the housing situation any time soon. Only the release of sites like the application Site can do anything to rectify the situation;
- The Site is shown consistently to be an appropriate location for new housing in SACDC's evidence base, hence it was identified as a Broad Location site S6x, West of Chiswell Green, for a minimum of 365 new homes in the Publication Draft SLP prepared by SACDC in 2018;
- The Site is free from constraints, is deliverable and located in a suitable and sustainable location; and
- The Proposed Development would be integrated into the existing settlement and countryside and would bring a number of very substantial and far-reaching benefits, as discussed below.

The very substantial benefits for the Site include the provision of 391 (up to) new homes, with a 40% affordable housing provision, which will significantly contribute towards meeting housing needs of the District, both in terms of market and affordable housing, as well as housing specifically designed for people who wish to self-build. In addition, the Proposed Development also includes the delivery of land for a new primary school, biodiversity net gain and other socio-economic benefits.

On this basis, the presumption of sustainable development as at 'limb ii' of paragraph 11 of the NPPF applies, whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework

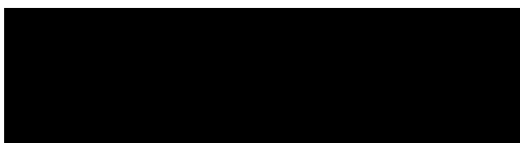
taken as a whole. The technical, environmental and design work undertaken and submitted in support of this application demonstrate that the Proposed Development would incorporate suitable and appropriate mitigation and compensation measures to ensure that the development is acceptable from a highways, landscape, ecology, amenity and heritage policy perspective. The entirety of the Site represents a deliverable source of housing land.

It is therefore the position of the Applicants that the Proposed Development is sustainable and substantially accords with the objectives of the NPPF, SACDC's Development Plan and the Ministerial Statement (relating to First Homes) when taken as whole (and where policies remain up to date) and it is clear that the "tilted balance" or "presumption in favour" provided at NPPF para 11 applies.

There are overwhelming reasons therefore to support this Application and allow the release of the Site now so that it can be developed at the earliest opportunity. To this extent, it is considered that outline planning permission should be granted as it has been demonstrated that the Proposed Development will not give rise to adverse impacts that would significantly and demonstrably outweigh the Proposed Development's clear and compelling benefits.

In the event that any further clarification of the planning application is required during the registration process then please contact the undersigned.

Yours Sincerely,



John Boyd MRTPI
Partner



Justin Kenworthy MRTPI
Partner

