

Planning Statement

Land north of Chiswell Green Lane and west of The Croft, Chiswell Green

ADDISON PARK

local homes for local heroes



Up to 330 Discounted Affordable Homes for Key Workers

Planning Statement

Land north of Chiswell Green Lane and west of The Croft, Chiswell Green

Outline Planning Application with Access Sought

The demolition of existing buildings, the building of up to 330 discounted affordable homes for Key Workers, including military personnel, the creation of open space and the construction of new accesses.

On behalf of Mr Steve Collins, Headlands Way Limited

Ref: SC/AP/ps

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“Affordable housing is ...

housing for sale or rent, for those whose needs are not met by the market ... including housing that provides a subsidised route to home ownership and/or is **for essential local workers.**”

The National Planning Policy Framework, July 2021

Personal Statement

The information and evidence in this Statement have been prepared and are given in accordance with the guidance of the RTPI and I confirm that the views expressed are my professional opinions.

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November 2021



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1 Summary

- 1.1 This Planning Statement is submitted to support a unique residential development proposal delivering discounted affordable housing for Key Workers, including military personnel.
- 1.2 It sets out the case for the scheme from a planning policy perspective. It considers the need for the proposed development, the local planning context and relevant planning policies before conducting a planning balance which requires an assessment of the harm to the Green Belt (and other harm) and an evaluation of the scheme's benefits. The Statement is submitted together with a Design and Access Statement, an Affordable Housing Need Assessment, an Indicative Proposed Site Layout, other plans and a series of reports that satisfy the Council's Local Requirements for Outline Applications with Some Matters Reserved.
- 1.3 The proposal is to build up to 330 discounted Affordable Homes exclusively for Key Workers and to create new formal and informal open space on largely open land in the Green Belt to the north of Chiswell Green Lane and west of The Croft on the western edge of Chiswell Green. This will require a number of buildings to be demolished and a new vehicular access to be created from Chiswell Green Lane. An existing access from The Croft will be retained and extended for use by emergency vehicles only.
- 1.4 The Statement concludes that, in accordance with Policy 1 of the Local Plan and paragraph 147 of the NPPF, "very special circumstances" exist to allow the scheme to be approved.



Military Personnel are included within the Government's definition of essential local workers

2 Local Homes for Local Heroes

- 2.1 In 1919, the First Housing and Town Planning Act received Royal Assent. It was a direct response to the nation's demand for "homes fit for heroes" following the Great War. The first estate was built at Sea Mills in Bristol, with the first sod cut by the man who would become the country's first health and housing minister, and after whom the 1919 Act would become known: Dr Christopher Addison¹.
- 2.2 A century on from The Addison Act, millions of us stood outside our houses to applaud modern-day heroes fighting on the frontline in a war against the Covid Pandemic. It is a bitter irony that many of the NHS and other Key Workers in St Albans we applauded, can't afford houses of their own to stand outside.
- 2.3 Addison Park is a direct response to the local housing affordability crisis. It delivers a radical solution by delivering 100% affordable housing ... far more than provided at other large sites in St Albans' Green Belt approved because of "very special circumstances". Not only that, Addison Park will be built exclusively for Key Workers to whom we owe so much. And not only that ... the scheme also discounts all the houses (including Shared Ownership) by a third against the market value.
- 2.4 In one of the most expensive parts of the country, the scheme will deliver "affordable routes to home ownership" to military personnel and local key workers such as the nurses at St Albans, Watford and Hemel Hempstead hospitals, the teachers at our primary and secondary schools, the childcare workers based in Apsley, the police officers who keep our streets safe and the firefighters who rush to our aid. So, whilst the Council focuses on the most vulnerable in society, Addison Park focuses on the most valuable.
- 2.5 The scheme applies the definition of essential local workers in the NPPF i.e.: "*public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers*"²: an open list to which it's considered appropriate to add Local Government staff given the frontline role they played in community safety during the Covid Pandemic.
- 2.6 The NPPF definition closely matches the one in the Council's Affordable Housing SPG 2004³, once that local definition is supplemented by military personnel following the Council's adoption of the Armed Forces Covenant in 2011.

Whilst the Council focuses on the most vulnerable in society, Addison Park focuses on the most valuable.

- 2.7 The NPPF also states that "*the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing ...*"⁴. However, I've been unable to find an assessment of the affordable housing need of Key Workers in any of the Housing Need reports, studies or assessments commissioned by the Council since its Local Plan was Adopted in 1994. Consequently, a separate Affordable Housing Needs Assessment for Key Workers has been produced to support this application, covering three areas:
- St Albans;
 - Dacorum, St Albans and Watford (the Districts in which the three hospitals of the West Hertfordshire NHS Trust sit); and
 - Dacorum, Hertsmere, St Albans, Three Rivers and Watford (the strategic housing market area to which the Council acknowledges it belongs).
- 2.8 Addison Park will deliver affordable routes to home ownership for some of those who otherwise "*could not achieve home ownership through the market*"⁵. This unique scheme won't, of course, solve the serious affordable housing crisis in St Albans but it will provide a personal solution for hundreds of Key Workers and their families.

¹ "Sea Mills: we visit one of the first estates to benefit from the Addison Act" Broughton, J. Inside Housing, July 2019

² NPPF, July 2021, Glossary, p.67

³ Affordable Housing Supplementary Planning Guidance, 2004, paragraph 5.12

⁴ Ibid, paragraph 62

⁵ Ibid, Glossary, p.64

3 Affordable Housing in St Albans

- 3.1 There's an affordable housing crisis in St Albans.
- 3.2 The 1994 Local Plan Review states: *"The District Council's target for affordable housing is to secure at least 200 dwellings per annum through new house building and conversions"*. This target was to be secured predominantly through Policy 7a *"Affordable Housing in Towns and Specified Settlements"* and Policy 8 *"Affordable Housing in the Metropolitan Green Belt"*. However, the latest Authority Monitoring Report ("AMR"), December 2020, confirms that between 1994 and 2020, Policies 7a and 8 have only been able to deliver an average of 51⁶ dwellings per annum ("dpa"). Added to the 18 affordable houses p.a. from "other policies", the combined annual average of 69dpa represents a shortfall of 131 each year: a total under-delivery to date of over 3,400 affordable dwellings.
- 3.3 The significant shortfall is exacerbated by some of the highest house prices in the country. Whilst the median house price in England in September 2020 was £240,000 and in the East of England was £287,500, the ONS identified the median house price in St Albans in the same month as £540,000⁷.
- 3.4 The 2020 AMR⁸ states that the Council can demonstrate just 2.4 years' supply of deliverable housing sites. From the perspective of the economic and social objectives of sustainable development (NPPF, paragraph 8a and b), this is clearly unacceptable and something the Council is looking to address, albeit by focussing on social housing⁹. From a planning policy perspective, it means that the most important policies for determining applications for new housing are, technically, out-of-date (NPPF, paragraph 11 d and footnote 8).
- 3.5 Unfortunately, the historic shortfall in affordable housing cannot be addressed in the immediate future following the Council's decision to Withdraw its latest draft Local Plan last year. It seems likely, therefore, that it will be many years before significant numbers of affordable houses are delivered on sites released from the Green Belt.
- 3.6 The District's brownfield areas – St Albans, Harpenden and the large villages – have proven themselves incapable of delivering sufficient affordable housing over the past three decades. The majority of affordable homes currently being built in the District are via schemes in the Green Belt approved on the basis of "very special circumstances": including Beaumont School (where 35% of the homes were affordable), Oaklands College (35%), off Bullens Green Lane, Colney Heath (45%) and off Harpenden Road, St Albans (40%). At Addison Park, 100% of the homes will be affordable, for Key Workers and discounted by a third.



Local Key Workers find it increasingly difficult to become homeowners through the open market system

- 3.7 More recently, another issue has, of course, had a profound effect on the local community and is likely to have repercussions for decades to come: the Covid Pandemic.
- 3.8 Throughout 2020 and 2021, Key Workers have been on the front line of society's battle against the pandemic. And yet, many of them find it increasingly difficult to become homeowners locally through the open market system. Addison Park will address the needs of some of them far more quickly than a replacement Local Plan ever could.

⁶ St Albans Council AMR, Dec 2020, p.135

⁷ The ONS "Median house prices (existing) by local authority district, England and Wales, year ending Sept 2002 to Sept 2020 (£). Table 5a

⁸ [https://www.stalbans.gov.uk/sites/default/files/attachments/AMR Authority%27s Monitoring Report 2020.pdf](https://www.stalbans.gov.uk/sites/default/files/attachments/AMR%20Authority%27s%20Monitoring%20Report%202020.pdf) paragraph 3.13

⁹ See Foreword by Cllr White, Leader and pages 17-19 of the Council's Corporate Plan 2021-26

4 Affordable Home Ownership

- 4.1 The NPPF (July 2021), defines Affordable Housing as *“housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions ...”*. (Glossary, p. 64). The definitions within Home Ownership include shared ownership, equity loans and low-cost homes for sale.
- 4.2 Paragraph 65 of the NPPF requires 10% of the homes on a major housing development *“to be available for affordable home ownership”*. However, major schemes can be exempt if they are *“exclusively for affordable housing...”*. Addison Park will deliver 100% affordable home ownership housing. Currently, it’s anticipated they will be predominantly Shared Ownership. Crucially, whilst there is no requirement for Shared Ownership homes to be discounted, at Addison Park they will be discounted by a third to make them even more affordable for military personnel and local Key Workers.
- 4.3 The NPPF confirms that affordable housing can be self-build (Glossary, p.71). How many, if any, of the Shared Ownership dwellings at Addison Park will be self-build will be subject to discussion with the Council and other interested parties.

Affordable Housing includes housing that provides a subsidised route to home ownership and/or is for essential local workers.

5 The Proposal

5.1 On a factual level, the proposal is to build up to 330 Affordable Homes and to create extensive open space¹⁰ on largely open land to the west of The Croft and north of Chiswell Green Lane on the western edge of Chiswell Green. The Applicant’s preference is for part of the open space to be a Memorial Park, providing a more peaceful complement to the memorial in the busy city centre. The scheme will require a number of buildings to be removed and a new vehicular access to be created from Chiswell Green Lane. An existing access from The Croft will be retained and extended for use by emergency vehicles only.

5.2 On a human level, the proposal is to deliver a radical solution in the face of a housing affordability crisis. Uniquely, Addison Park will discount all of the market-quality affordable homes by one-third to make them more affordable to military personnel and local Key Workers. Think of it as “Levelling Up Locally”.

5.3 That “Levelling Up” has to occur locally, to allow the recruitment and retention of Key Workers in Districts where housing is very expensive, should be obvious to all. In its recent survey “Re-thinking Levelling Up”, PricewaterhouseCoopers found that Housing topped the agenda, explaining that:

“Our polling reveals a consistent call for a greater emphasis on quality, affordable homes, skills and good jobs. As well as vibrant town and city centres. If levelling up is to succeed, it needs to go deeper than the North-South divide and address the inequalities within regions and communities.”¹¹

5.4 That’s why at Addison Park the high-quality, home ownership affordable housing will be discounted by a third. To illustrate the remarkable difference this unique approach can make, Table 1 compares a typical Shared Ownership house at Addison Park, discounted by a third, to a 3-bedroom Shared Ownership terraced home which was marketed at Oaklands Grange, Sandpit Lane, St Albans in August 2021 at a full value of £535,000¹². It demonstrates a potential saving of £8,500 p.a. ... equivalent to more than £210,000 over 25 years.

The affordable housing will be discounted by a third. Think of it as “Levelling Up Locally”

3-bedroom Shared Ownership PRICE COMPARISON			
	Oaklands Grange Sandpit Lane St Albans	Addison Park Chiswell Green Lane St Albans	Saving
Value	£ 535,000	£ 535,000	
Discount	zero	£ 178,333	£ 178,333
Discounted Value	£ 535,000	£ 356,666	
Shared Price 50%	£ 267,500	£ 178,000	
Deposit 5%	£13,375	£ 8,900	£ 4,475
Mortgage*	£ 254,125	£ 169,100	£ 85,025
Mortgage pcm	£ 1,347	£ 897	£ 450
Rent pcm	£ 780	£ 520	£ 260
Service Charge pcm	£ 52	£ 52	
Monthly Housing Cost	£ 2,179	£ 1,469	£ 710
Yearly Housing Cost	£ 26,148	£ 17,628	£ 8,520

* Based on a capital repayment mortgage over 25 years and a representative rate of 3.49%

Table 1: The difference in housing costs of a Shared Ownership home in St Albans when a discount of one-third is applied

¹⁰ As defined in the Glossary of the NPPF

¹¹ “Rethinking levelling up” PricewaterhouseCoopers, 2021: [Rethinking ‘levelling up’ - Future of Government - PwC UK](#)

¹² [Oaklands Grange – 3 bed house in St Albans – Hertfordshire – Share to Buy](#)

Housing Mix

5.5 The accompanying Affordable Housing Needs Assessment (“the AHNA”), identified the need for houses of different sizes for Key Workers in the District and beyond:

Study Area	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms	Total AHO dwellings
St Albans	360	558	288	126	1,332
West Herts NHS Trust	1,026	1,584	792	342	3,744
SW Hertfordshire	1,440	2,268	1,116	486	5,310

Table 2: Source: ANHA Table 6: Estimated Overall AHO need: by Study Area and number of bedrooms 2020-38

5.6 The indicative mix for Addison Park is set out in Table 3. This is indicative only and may change at the Reserved Matters stage subject to consultation with the Council and others, including how many, if any, are to be made available as self-build.

	1 bedroom	2 bedrooms	3 bedrooms	Total
Indicative Housing Mix	32	116	182	330

Table 3: Indicative mix of Home Ownership affordable dwellings

5.7 As can be seen from Tables 2 and 3, the numbers proposed for each house size represent just a fraction of the need for Affordable Home Ownership dwellings for Key Workers in St Albans, let alone in wider housing market area, too.

Sustainable Development

5.8 The scheme clearly contributes to the achievement of sustainable development as set out in Section 2 of the NPPF. Whilst noting that Paragraph 9 of the Framework acknowledges that the three objectives “are not criteria against which every decision can or should be judged ...”, the following paragraphs consider the sustainable credentials of this Outline scheme.

Economic Objective

5.9 As the densely built towns and villages of the District have been incapable of delivering sufficient affordable housing, only large Green Belt sites are capable of addressing the urgent need for affordable homes. Unlike many professions, most Key Workers cannot work remotely: they must be close to the communities they serve. Therefore “the right place” for our local nurses and midwives, police officers and fire fighters, care workers and local government staff, is here in our District, not a few hundred miles north where houses are more affordable. The Site is also a sustainable location close to schools, shops, public transport and open space. The construction of over three hundred new dwellings and the

provision of associated infrastructure will create employment for a number and variety of local people and businesses, bringing money into the economy during the construction phase and thereafter through local spending and Council taxes. In the booklet accompanying the Public Consultation of its draft Strategic Local Plan, Oct-Nov 2014, the Council stated “new housing in the District supports economic growth”: I agree.

Social Objective

5.10 The delivery of up to 330 discounted affordable homes for some of the most valuable members of society is a clear and significant social benefit.

5.11 I note that when the Planning Committee Central approved a Council application for a single new home in 2018, the Case Officer Report recommending Approval stated: “Significant weight is given to the benefit of providing one additional housing unit” (Ref: 5/2017/3132, paragraph 8.2.3). It follows that very significant weight should be given to the benefit of up to 330 additional homes here.

Environmental Objective

5.12 Whilst the “historic environment” is of no direct relevance here, the “natural environment” will be enhanced by increasing biodiversity via extensive tree planting and the landscaping of the three hundred plots.

Conclusion on Sustainable Development

5.13 The scheme pursues the three objectives in a mutually supportive way so that net gains in each of them can be achieved. Consequently, the proposal clearly represents sustainable development.

Design and Access

5.14 Details of how this Outline scheme responds to the challenges and opportunities set by the Site’s context are set out in Design and Access Statement included within the Application. The red line of the Application Site includes land under the control of Hertfordshire County Council. HCC has been involved in discussions since April 2021 and a Notice 1 has been sent to them.

Planning Context

5.15 As the Site is wholly within the Green Belt and because this proposal isn’t one of the exceptions in the NPPF, the proposal is for “inappropriate development” for which “very special circumstances” must exist. Section 8 considers the potential harm caused by the scheme, Section 9 identifies the benefits it can bring and Section 10 addresses the overall Planning Balance. The Planning Balance concludes that this unique proposal to deliver Local Homes for Local Heroes clearly demonstrates the “very special circumstances” required.

6 The Planning Context

- 6.1 The District's Local Plan was Adopted in November 1994. Policy 3, "Housing Land Supply", which helped to deliver affordable housing, only extended to 2001. The Council has sought to replace this Plan via: the Local Development Framework Core Strategy, 2006-2021; the Core Strategy Spatial Strategy 2011-2028; the Strategic Local Plan 2011-2031; and the Local Plan 2020-2036. Unfortunately, like many Councils, it appears to have found the reality of competing priorities and the complexities of the Duty To Cooperate too difficult to overcome.
- 6.2 This is the context in which this application to meet the needs of several hundred Key Workers is submitted: where the Council appears genuinely committed to delivering more affordable housing via an up-to-date Local Plan but unable to do so.
- 6.3 However, there is room for some optimism. Whilst it has failed to replace its 1994 Local Plan, in each attempt the Council acknowledged that 'exceptional circumstances' existed to release sites from the Green Belt to build new homes. And in July 2021, after losing a succession of Appeals for large housing schemes in the Green Belt, the Council finally acknowledged that the local housing crisis is so great that it Granted Permission for a housing-only scheme on the basis of 'very special circumstances'¹³. Whilst Addison Park will deliver 100% affordable housing, discounted by a third and made exclusively available for Key Workers, the scheme that the Council considered to be "very special" had an affordable housing contribution of just 40%, none of which were discounted or allocated for Key Workers.
- 6.4 So, whilst here has been a long period of under-delivery, there is now hope that positive and creative decision-making is beginning to address the urgent need for new affordable homes.

The Council appears to be genuinely committed to delivering more affordable housing ... but unable to do so.

¹³ Ref: 5/2021/0423, Granted Condition Permission subject to a S106 on 26th July 2021.

7 Relevant Planning Policy

7.1 Paragraph 2 of the NPPF confirms that *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.”*

7.2 The Development Plan for St Albans comprises the 1994 Local Plan Review, the Waste Core Strategy & Development Management Policies DPD (2012), the Waste Site Allocations DPD (2014), the Hertfordshire Minerals Local Plan (2007), the Harpenden Neighbourhood Plan (2019) and the Sandridge Neighbourhood Plan (2021).

Current Local Plan - 1994 Local Plan Review

7.3 The only Development Plan Housing Policy for the Green Belt is Policy 8 *“Affordable Housing in the Metropolitan Green Belt”*. This requires 100% of the new dwellings to be affordable which is precisely what this scheme delivers. However, Policy 8 also requires the housing to meet only the needs of the relevant Parish, to be within the reasonable physical limits of a Green Belt Settlement and, normally, to be on a small site of c.0.4 hectares ... none of which apply to this site or scheme. At a meeting of the Planning Referrals Committee on 26th July 2021, Officers confirmed that Policy 8 doesn't apply to major sites in the Green Belt.

7.4 Development Plan Policy 1 *“Metropolitan Green Belt”* does apply and, in respect of this scheme, is in accordance with the NPPF because both consider the proposal to be inappropriate development which can proceed if *“very special circumstances”* are found to apply.

7.5 Like Policy 8 (see 7.3 above), Policy 7A *“Affordable Housing in Towns and Specified Settlements”* doesn't apply to this scheme either, for obvious reasons. It must be noted that neither Policy 7A nor Policy 8 sought to prefer one type of affordable housing need over another. Nor, indeed, does the Council's Affordable Housing Supplementary Planning Guidance (March 2004) (*“the SPG”*).

7.6 On 1st September 2021, during the Community Consultation exercise, I wrote to the Council's Housing Department asking for its comments on *“the discounting proposal, the type of Home Ownership products it would prefer and the mix of house sizes for Key Workers”*. Nobody responded.



Adopted in November 1994, the Council's 1994 Local Plan is thought to be the oldest in England

7.7 Whilst the NPPF defines *“essential local workers”* (NPPF, Glossary, p.67) and explicitly identifies them in its definition of Affordable Housing (ibid. p.64), there is no mention of 'essential'¹⁴ or 'critical' or 'key' workers in the Council's 1994 Development Plan. The SPG states that *“key worker housing”* complies with the definition of affordable housing in paragraph 3.31 of the Local Plan and goes on to define what roles qualify as Key Workers. However, as the Council has no Policy for large sites in the Green Belt, the SPG cannot apply. This is because the role of SPGs and SPDs is to explain or add detail to Adopted Policy, not to amend or create it. This was made clear by the High Court in *William Davis Ltd & Others vs Charnwood Borough Council* [2017] EWHC (3006) Admin. and is reflected in the current Planning Practice Guidance (Paragraph: 008 Reference ID: 61-008-20190315). If an element of an SPG is unlawful it cannot be a material consideration.

¹⁴ Policy 14 relating to Agricultural Workers (who are not included in the NPPF definition of essential local workers) wasn't Saved in 2007 and, so, is no longer part of the Development Plan.

Emerging Local Plans

7.8 As referenced in the previous Section, the Council has sought to replace its 1994 Local Plan on a number of occasions. Whilst none were Adopted, it's important to note that each version sought to release sites from the Green Belt in order to deliver new housing.

7.9 Initial consultation on a new Local Plan 2020-38, finished on 8th March 2021. There are, as yet, no draft policies to consider.

The St Stephen's Neighbourhood Plan ("The SSNP")

7.10 A Regulation 16 Consultation of the Neighbourhood Plan ended on 16th July 2021. The official website states that it is hoped that it will go to a Referendum in May 2022. At this stage, therefore, it is considered that little weight can be attached to it. However, it can be noted that Item 4 of Draft Policy S1 Spatial Strategy states: *"If located in the Green Belt, development proposals must be for an appropriate use or very special circumstances must be demonstrated"* adding that if VSC are demonstrated then there should be *"additional provision for affordable housing"*.

7.11 Until it's "made", however, the SSNP isn't part of the development plan. Paragraph 48 of the NPPF, states that an LPA may give weight to relevant policies in emerging plans under certain circumstances. However, as the four criteria relating to Neighbourhood Plans in Paragraph 14 of the NPPF aren't met, then any potential conflict with the draft policies in this emerging neighbourhood plan is unlikely to outweigh the benefits of new housing.

The NPPF

7.12 The current NPPF was published in July 2021, replacing previous versions which themselves replaced the previous range of Guidance Notes, and Policy Statements. Paragraph 2 of the NPPF states, amongst other things, that the Framework *"... is a material consideration in planning decisions"*.

7.13 Whilst most of sections of the NPPF are relevant to this Application, it is considered that the more important ones for this particular application are:

- *"Achieving sustainable development"*, Section 2;
- *"Decision-making"*, Section 4;
- *"Delivering a sufficient supply of homes"*, Section 5;
- *"Achieving well-designed places"*, Section 12;
- *"Protecting Green Belt land"*, Section 13; and
- *"Meeting the challenge of climate change, flooding and coastal change"*, Section 14.

7.14 Whilst the Council can't demonstrate a sufficient supply of housing, permission isn't granted just because the most important policies are out-of-date. This is because the Green Belt is an asset and area *"of particular importance"* (paragraph 11 d) i and footnote 8). Consequently, the challenge for applicants – and the test for decision-makers – is set out in paragraphs 147 and 148 of the NPPF:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ... When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Planning Practice Guidance ("the PPG")

7.15 The PPG was published on 6th March 2014 (with updates since) and replaced all previous planning guidance documents.

Conclusion on Planning Policy

7.16 The 1994 Local Plan is out-of-date because of both its age and the absence of a five-year supply of deliverable housing sites. However, the NPPF and Courts are clear that whilst these are material considerations in the Planning Balance, they can't be determinative in respect of a scheme for inappropriate development in the Green Belt. Instead, *"very special circumstances"* must be demonstrated in which the benefits clearly outweigh the substantial harm. Deciding whether or not *"very special circumstances"* exist is not *"a mechanical or quasi-mathematical activity"* but *"largely, an exercise in planning judgment ..."*¹⁵. The next Section of this Statement covers the potential harm the proposal may cause.

¹⁵ Barwood Strategic Land II LLP v East Staffordshire Borough Council & SoS for CLG [2017] EWCA Civ. 893 paragraph 50

8 The Harm to the Green Belt and Other Harm

8.1 As explained above, under both Local Plan Policy 1 and the NPPF, the scheme clearly represents inappropriate development. Consequently, it can only be approved if “*very special circumstances*” are demonstrated and such circumstances “... *will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations*” (NPPF, paragraphs 147 and 148).

8.2 As mentioned above (see 7.16), “*very special circumstances*” aren’t established by imposing an inflexible, mechanical or quasi-mathematical approach but, as confirmed by the High Court in May 2021, by deploying planning judgment (please note the Court’s references are to an earlier version of the NPPF):

“When paragraphs 143 and 144 are read together they can be seen as explaining that very special circumstances are needed before inappropriate development in the Green Belt can be permitted. In setting out that explanation they emphasise the seriousness of harm to the Green Belt in order to ensure that the decision maker understands and has in mind the nature of the very special circumstances requirement. They require the decision maker to have real regard to the importance of the Green Belt and the seriousness of any harm to it. They do not, however, require a particular mathematical exercise nor do they require substantial weight to be allocated to each element of harm as a mathematical exercise with each tranche of substantial weight then to be added to a balance. The exercise of planning judgement is not to be an artificially sequenced two-stage process but a single exercise of judgement to assess whether there are very special circumstances which justify the grant of permission notwithstanding the particular importance of the Green Belt.”¹⁶

8.3 In this Section, I set out the potential harm that could be caused by the scheme and in Section 9 go on to identify the benefits to be taken into account as other considerations. Section 10 provides the planning judgment as to whether “*very special circumstances*” exist.

Potential Harm to the Green Belt

8.4 It is undeniable that the proposal will cause harm by way of inappropriateness. It is also indisputable that the openness of the Green Belt will be harmed, too, by the construction of up to 330 affordable homes. However, it’s important to note that such harm will be caused at all undeveloped sites in the Green Belt. This is important because the Council has long-since concluded that in the St Albans District “*exceptional circumstances*” exist to release sites from the Green Belt and because it’s currently heavily dependent

upon *ad hoc* housing schemes on unallocated Green Belt sites which have been approved on the basis of “*very special circumstances*”, including as recently as July 2021 (Ref: 5/2021/0423).

8.5 Whilst, since 2009, the Council has concluded that “*exceptional circumstances*” exist to release sites from the Green Belt via a Local Plan, it has failed to deliver a new Plan and so failed to ensure sufficient affordable houses have been built. In addition, the Council has failed to produce a satisfactory District-wide study to identify which sites contribute least to the purposes of the Green Belt. A GB Review was commissioned in 2013-14, from Sinclair Knight Merz (“SKM”), however, that Review can no longer carry any weight because of:

- the strong criticisms of it by Inspectors Crosby and Worthington¹⁷, and
- the Council’s acknowledgment that all of the Strategic Sites/Broad Locations shortlisted by the GB Review and allocated in the (now Withdrawn) 2018 Local Plan, could be replaced by smaller sites if they are judged to be better alternatives¹⁸.

8.6 The de-allocation of the Broad Locations and the inevitable requirement for development in the Green Belt in a future Local Plan, were confirmed by the Head of Planning at the Planning Policy Committee meeting on 2nd February 2021:

“Members need to remember that those 8 Broad Locations, they’re no longer in existence because they were in the old Withdrawn Local Plan. So, Members have not actually identified – and won’t do until we get to the end of the Site Selection Process – which sites that Members may wish to take forward in the Regulation 18 Consultation next year.” (verbatim statement taken from the Council webcast)

8.7 Thus, the fact that the Application Site wasn’t shortlisted in a heavily-criticised GB Review and, consequently, not included in a now-redundant Site Allocations Policy, is immaterial. Instead, weight should be put on the inevitable fact that large unallocated sites in the Green Belt must be developed if the Council is to make any impression on the affordable housing shortfall, let alone meet current and future housing needs.

8.8 In addition to the inevitable harm by inappropriateness and to openness, I consider it essential to consider the specific characteristics of the Application Site in respect of: the Purposes of the Green Belt; Landscape and Visual Amenity; and other potential harm.

¹⁶ Sefton Metropolitan Borough Council v SoS for HCLG & Jerry Doherty [2021] EWHC 1082 (Admin) (paragraph 34)

¹⁷ “... *smaller sites have been disregarded as part of the plan making process. It is our view that this approach has ruled out an important potential source of housing that may have been found to have a lesser impact on the purposes of the Green Belt than the sites selected without sufficient justification.*” Inspectors Crosby and Worthington, letter to the Council, Ref: ED40 14th April 2020, paragraph 45.

¹⁸ The Council assured the Inspectors that it would conduct a new Green Belt Review “*to capture both additional strategic and smaller-scale parcels of land ...*” (paragraph 37) and that “*The Council would not seek to limit consideration of sites coming forward or their ability to add to or replace existing locations identified in the plan ...*” (paragraph 38), Ref: ED41 2nd July 2020

The Purposes of the Green Belt

- 8.9 In respect of the five purposes served by the Green Belt as set out in paragraph 138 of the NPPF:
- a) the carefully-planned and landscaped proposal will be restricted in extent by the heavily tree-planted western, northern and eastern borders, and, on its southern border, will be restricted by Chiswell Green Lane against which a new landscaped open space (preferably including a Memorial Park) will be created. The Site's borders can create strong, new defensible Green Belt boundaries for the built-up area of Chiswell Green if the GB boundaries are amended in a future Local Plan;
 - b) as the nearest neighbouring towns to the west of the Site are: Abbots Langley, some 3.7 km to the south west and separated by open countryside and the M1 and M25; and Hemel Hempstead, some 4.2km to the north west and separated by open countryside and the M1, no merging will occur;
 - c) harm by encroachment into the countryside is unavoidable but the impact here can be mitigated through careful landscaping. Encroachment is equally inevitable in all other undeveloped Green Belt sites on which future supplies of housing in the District will depend;
 - d) given the distance from the city centre, the intervening topography and the presence of the Verulam estate, it's submitted that the Site plays no role in the setting and special character of an historic town; and
 - e) there are few opportunities to recycle derelict and other urban land in a District where the Council has long-since acknowledged that development in the Green Belt is unavoidable and necessary.

Landscape Character and Visual Amenity

- 8.10 The Site isn't subject to any landscape designation in the Development Plan¹⁹. As confirmed in the attached Landscape and Visual Impact Assessment (UBU Design, July 2021), the Site is largely artificial and devoid of natural features. The dozens and dozens of young, native trees – including ash, oak, cherry, hornbeam, hawthorn and field maple – that populate the borders of the Site, have been planted in recent years by the Applicant (see the Tree Protection Plan (DCCLA, October 2021)). More substantial landscaping is planned as part of the creation of open space – including the Memorial Park if approved at the Reserved Matters stage – and to reflect the Government's desire for tree-lined streets. Consequently, whilst the character and appearance of the current landscape will inevitably change, the open undeveloped land to be lost will be replaced by a mixed-use scheme that will significantly increase and improve biodiversity.

- 8.11 I draw the Council's attention to paragraph 7.5 of the Landscape Visual Impact Assessment (UBU Design, July 2021), which states:

"The findings of the landscape and visual impact assessment concludes that there will be no long term significant adverse effects arising as a result of a proposed residential development and it can be considered as being beneficial due to the landscape enhancements that will be brought into a site which, apart from its retained boundaries, is currently bereft of any vegetation or ecological diversity."

- 8.12 Finally, on this subject, it's acknowledged that the Site sits within an area identified in Fig 21A and Policy 143A of the 1994 Local Plan as part of Watling Chase Community Forest. However, As confirmed by Inspector Ware in Appeal ref: APP/B1930/W/15/3051164, paragraph 221, Policy 143a is a welcoming policy for landscape conservation that doesn't seek to restrict development proposals such as Addison Park.

- 8.13 In respect of Landscape Character and Visual Amenity, therefore, the limited harm that will be caused is to an artificial landscape with little visual appeal. Furthermore, this harm must be weighed in the context of the lack of a landscape designation and the absence of any conflict with a specific Development Plan policy.

Other Potential Harm

- 8.14 **Traffic and Highways safety** – Please refer to the Transport Assessment (Milestone Transport Planning, November 2021). This was produced following discussions with Hertfordshire County Council as the highways authority. The Assessment confirms the meeting with and outcomes from pre-application discussions with HCC (paragraphs 1.7-1.8) before identifying the current situation and likely scenarios and providing detailed mitigation measures.

- 8.15 The Assessment concludes: *"In the context of the guidelines within paragraph 111 of the NPPF (July 2021) it is considered that there are no residual cumulative impacts in terms of highway safety or the operational capacity of the surrounding transport network and therefore planning permission should not be withheld on transport planning and highway grounds."* (paragraph 9.3)

- 8.16 **Ecology** – Please refer to the Ecology Appraisal (Cherryfield Ecology, June 2021). This found no evidence of bats, badgers, amphibians, reptiles or other protected species on the Site and considered the likelihood of their presence to be negligible. No breeding birds were found at the time of the survey but their presence on the hedgerows (which are to be retained) was considered to be moderate.

¹⁹ Policy 105 'Landscape Development and Improvement' wasn't 'Saved' in 2007.

8.17 **Loss of agricultural land** – Figure 12 of the Local Plan identifies areas of Agricultural Land Grade in the District. The largest area of Grade 2 is shown to be on the western boundary of the District, including land between the M1 and Hemel Hempstead. The only areas of Grade 4 are along the River Lea and the River Ver, where housing would be unwelcome because of potential flooding. The Site is in an area identified in Figure 12 as Grade 3. Policy 102 seeks to prevent the loss of agricultural land, especially higher grades, unless *“there is an over-riding need for the development and there is no alternative land of lower quality”*. However, this Policy now appears to be regarded by the Council as being in conflict with the NPPF. Most recently, this was when development on agricultural land in the Green Belt was assessed at sites off:

- Bullens Green Lane (ref 5/2020/1992) *“... it is not considered that a reason for refusal on loss of agricultural land would be sustainable at appeal”* (Officer Report, paragraph 8.17.7); and
- Harpenden Road (ref 5/2021/0423) *“The loss of agricultural land is not, in any event, considered to be significant”* (Officer Report, paragraph 8.17.5).

8.18 The Council’s approach may explain why, in its most recent draft Replacement Local Plan, it sought to allow thousands of houses to be built on the large expanse of Grade 2 land between the M1 and Hemel Hempstead.

8.19 In respect of the Application Site, the activity over the past two decades has been dominated by hay production (predominantly for horses); grazing, predominantly of horses but some sheep, too; and the keeping of horses at two paddocks. It must be noted that the keeping of horses falls outside the definition of agriculture. Given that a large part of the Site has also been redeveloped into a polo field, there is a planning case for considering that the use has changed from agricultural to mixed use. In that case, the potential harm would be to the loss of ‘potential’ agricultural land. The same point has been made by RSK Adas Ltd in its Agricultural Land Classification (November 2021), at 1.2:

“At the time of survey, and in recent years, the survey area was not in use for productive agriculture. Rather, it has been in use for horse grazing, hay production (for horses) and as a polo pitch. However, the land does retain its productive potential entirely.”

8.20 In any case, as the Site has been classified as Sub Grade 3a and Sub Grade 3b (Agricultural Land Classification, RSK ADAS Ltd, November 2021, Section 4, pp.9-11), and because the only land of Grade 4 in the District are in the flood areas of two rivers, there is no alternative land of lower quality.

8.21 Consequently, as with the two schemes referenced in 8.17, the loss of this site, whether as agricultural land or potential agricultural land, is acceptable.

8.22 **Loss of polo field** – Whilst the Local Plan makes no reference to the loss of sports facilities, paragraph 99 of the NPPF states that existing playing fields should not be built on unless, in part, the sports land in question is surplus to requirements. The polo pitch, which is entirely within the applicant’s ownership is a private facility which has hosted occasional polo matches by invitation only. Whereas policy intentions in the most recent draft Local Plan required the delivery of pitches for rugby, cricket and football, I could find no evidence of polo featuring in either that Plan or the evidence base which supported it. I submit, therefore, that there is no harm caused by the loss of this private and occasional sports facility.

8.23 **Flooding** – Please refer to the Flood Risk Assessment and Sustainable Drainage Assessment (GeoSmart Information, July 2021). In Section 8, Conclusions and Recommendations, the FRA recommends a number of mitigation measures and states: *“Providing the recommended mitigation measures are put in place it is likely that flood risk to this Site will be reduced to an acceptable level”*.

8.24 **Noise** – Whilst Local Plan Policy 83 Traffic Noise wasn’t Saved in 2007 and so is no longer part of the Development Plan, the NPPF explicitly and implicitly references noise as an element of households’ living environment (see paras 174 and 185). Consequently, a Noise Assessment (Spectrum, October 2021) has been conducted to consider the potential harm from noise that new residents might experience. It concludes (Section 6, p.11):

“During the day, external ambient noise levels are sufficiently low such that ‘reasonable’ internal ambient noise levels will be achieved with windows open and ‘desirable’ levels achieved with standard double glazing closed and trickle vents open.

During the night, windows would need to be closed to achieve both the ‘reasonable’ and ‘desirable’ internal levels set out in BS 8233, for which standard double glazing and trickle vents would likely be sufficient.

Where open windows are used to mitigate overheating at night, the resulting internal noise levels would only be considered suitable where the overheating condition occurs for limited periods. The potential for overheating to arise at this development would, however, be the subject of a separate overheating assessment.

Daytime noise levels in outdoor living spaces across the site have been assessed and are considered to be acceptably low for provision of external amenity.”

8.25 **Air Quality** – Whilst the Site is not in an Air Quality Management Area, an assessment on the impact of the development on the local area has been carried out for completeness. The Air Quality Assessment (Hawkins Environmental, November 2021) concluded that *“mitigation is not seen to be necessary, other*

than those routinely used to control construction dust” and, ultimately, that “air pollution should not be a constraint on the proposed residential development” (Sections 9 and 10, respectively)

- 8.26 It must also be noted that the Applicant is committed to providing an EV charging point in each new home at Addison Park in accordance with Policy 5 of Hertfordshire County Council’s LTP4. This recognises the importance of minimising emissions from traffic and acknowledges the Government’s policy to ban the sale of new petrol and diesel cars and vans from 2030²⁰.
- 8.27 **Education** – Over 300 new households will inevitably include children who will require place at nurseries and schools. Whilst it is anticipated that Hertfordshire Growth and Infrastructure will seek a proportionate contribution towards education, it must be noted that Addison Park will help make the recruitment and retention of teachers and classroom assistants easier by significantly reducing the housing costs of Key Workers in the area.
- 8.28 **Healthcare** – Over 300 new households will increase the number of patients attending hospitals and GP surgeries. Whilst it is anticipated that Herts Valley Clinical Commissioning Group will seek a proportionate contribution towards healthcare provision, it must be noted that Addison Park will help make the recruitment and retention of healthcare workers easier by significantly reducing the housing costs of Key Workers in the area.
- 8.29 **Historic Environment** – Paragraph 195 of the NPPF states, in part, “Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”. The Site isn’t a heritage asset and cannot be seen from any heritage asset. In addition, it isn’t identified as an Archaeological Site (whether for Local Preservation or Subject to Recording Conditions). Consequently, neither a desk-based assessment nor a field evaluation is required.
- 8.30 **Security** – As this is an Outline scheme, the security elements of the new housing are not part of the application. This issue will be addressed in detail at the Reserved Matters stage when input from Hertfordshire Constabulary will be sought.
- 8.31 As an aside, it may be reasonable to suppose that, once complete, Addison Park is likely to have a first-class Neighbourhood Watch!
- 8.32 **Not addressing other affordable housing need** – As set out in above, there is no Affordable Housing Policy applicable to this Site. In addition, there has never been a Local Policy which sought to rank or prefer one type of affordable housing over another (see paragraph 7.5 above). This is not unusual. I note

that in allowing an Appeal for a scheme for 100% affordable housing, Inspector Paul Griffiths rejected the London Borough of Ealing’s objections to the mix of affordable homes being delivered, stating:

“There is no provision in local or national policy or guidance that justifies ranking one form of affordable housing need over another. Indeed, Planning Practice Guidance makes clear that all households whose needs are not met by the market and who are eligible for one or more of the types of affordable housing specified in the Glossary to the Framework are in affordable housing need.”²¹

- 8.33 Nevertheless, I am aware that the Council’s Housing Department has, in the past, sought to prevent the delivery of certain types of affordable housing, particularly home ownership products, by favouring other types without any policy justification. Any attempt to prevent the delivery of discounted Home Ownership affordable homes for Key Workers because some at the Council would prefer other types of affordable housing would be unjustified and inappropriate.
- 8.34 **Prejudicial to plan-making** – Paragraph 50 of the NPPF states: “Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination ...”. The Council’s next draft plan is yet to be submitted for examination and so any objection on the grounds of prematurity would be unjustified.
- 8.35 Indeed, rather than prejudice the next emerging Local Plan, this scheme might help better inform it by focussing the Council’s mind on what level of affordable housing contribution can actually be achieved in the District and how much of that should be allocated to Key Workers.
- Conclusion on Harm to the Green Belt and Other Harm
- 8.36 Whilst it’s clear that the scheme causes substantial harm to the Green Belt by way of inappropriateness and the impact on openness, in my view the potential harm to landscape character and visual amenity and by the loss of a Polo Field and grazing land, should be seen as limited. The extensive screening around high-quality, low-density housing also minimises the potential harm to the character and setting of the existing housing on The Croft, Cherry Hill and Chiswell Green Lane.
- 8.37 Expert reports conclude that the potential harm to or from: traffic and highway safety; ecology; flooding; noise; and air quality, are limited and acceptable.
- 8.38 The impact on education and healthcare can be mitigated by proportionate contributions to these public services and by the positive effect on the livelihoods of local Key Workers. There is no harm to the historic environment or to the plan-making process.

²⁰ Outcome and Response to ending the sale of new petrol, diesel and hybrid cars and vans. 14th July 2021 [Outcome and response to ending the sale of new petrol, diesel and hybrid cars and vans - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/ending-the-sale-of-new-petrol-diesel-and-hybrid-cars-and-vans)

²¹ Appeal Decision APP/A5270/W/21/3268157 paragraph 34, October 29, 2021

9 Other Considerations – the Benefits of the Scheme

9.1 Having established that the Scheme will inevitably cause harm to the Green Belt, this Section explores the “other considerations” to be taken into account when carrying out the Planning Balance.

The Affordable Housing Need of Key Workers

9.2 As set out in the accompanying Affordable Housing Needs Assessment, St Albans suffers a perfect storm of very expensive housing (in absolute and relative terms) and an ever-growing shortfall of affordable homes against the Council’s 1994 target. The only hope of significant numbers of affordable homes being delivered is via large Green Belt schemes approved on the basis of “very special circumstances”.

9.3 Whilst there is already a shortfall of 3,400 affordable homes against the Council’s “current” Policy Target of just 200 dpa (which was considered an “under-estimate” of need in 1994), the Local Housing Need Assessment (“the LHNA”) by GL Hearn (September 2020), identifies an ongoing need of 828 affordable dpa in the District for the next 18 years. However, in 2019-20, just 31 affordable homes were delivered.

9.4 The LHNA concluded that 443 “affordable rent” homes and 385 “affordable home ownership” dwellings are needed in each of the next 18 years. Respectively, these represent 50% and 43% of the District’s “capped” housing need. Whilst the Standard Method identifies a minimum annual housing need figure ... “it does not produce a housing requirement”.²² Consequently, the Council could seek to adopt a higher requirement figure to help deliver the affordable housing need which otherwise would equate to 93% of all homes needed.

9.5 Unfortunately, like all previous Strategic Housing Market Assessments, the LHNA didn’t seek to identify the need of Key Workers. Consequently, the Council has never sought to meet their needs. Indeed, it must be noted, with some regret, that the only mention of Key Workers in the Publication Draft of the Local Plan 2020-36 was in Policy S6 vi North St Albans Broad Location. Here, bullet point #7 required 10 (ten) of its 1,110 homes to be made available as “affordable rent” for teachers. Allocating just ten homes for Key Workers out of the 12,345 which that draft Plan sought to build in the Green Belt is an approach the Council may wish to review when preparing its next Local Plan.

9.6 In terms of facts and figures: Table 4 from the accompanying Affordable Housing Needs Assessment, identifies a reasonable measure for Key Workers Affordable Home Ownership housing need:

Out of 12,345 homes to be built in the Green Belt, just 10 were allocated for Key Workers – not even enough for a football team.

Study Area	Key Workers (NPPF definition + local authority staff)	Affordable Home Ownership need dpa	Affordable Home Ownership need 2020-38
St Albans	14,136	74	1,332
West Herts HNS Trust Area	39,973	208	3,744
South West Hertfordshire	56,646	295	5,310

Table 4: Source: AHNA, Table 3: Estimate of Affordable Home Ownership Housing Need for Key Workers

9.7 This proposal for up to 330 homes is, therefore, clearly just a fraction of the identified need.

9.8 Given the social and moral importance of supporting those acknowledged, variously, as “essential local workers”, “critical workers” or “key workers”, it wouldn’t be unreasonable to conclude that the delivery of 330 “affordable home ownership” dwellings exclusively for Key Workers is so beneficial that, on its own, this “other consideration” clearly outweighs the harm to the Green Belt and other harm.

²² Planning Practice Guidance, Paragraph: 002 Reference ID: 2a-002-20190220 Revision date: 20 02 2019

9.9 However, as set out above (paragraph 5.4 and Table 1), the affordable housing at Addison Park delivers even greater benefits than other comparable housing in the District by discounting the value of the properties by a third. The discount adds further weight to the conclusion that the unique ‘discounted affordable housing’ at Addison Park is sufficient, on its own, to demonstrate “very special circumstances”.

9.10 There are, however, other benefits to be considered in the planning balance.

Open Space

9.11 The NPPF defines “open space” as “... *open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity*” (Glossary, p. 70)

9.12 Approximately 3.75 hectares of informal and open space could be created at Addison Park. The Indicative Proposed Site Layout currently includes a Memorial Park along the southern boundary of the Site. If approved at the Reserved Matters stage, this will act as a more peaceful complement to the war memorial in the city centre. Whilst the roads at the Hatfield Road/St Peters Street/Catherine Street junction are closed for the multi-faith service on Remembrance Sunday, those who’ve attend the city centre memorial on 11th of November when it isn’t a Sunday (or on any other day for personal reasons), will know just how busy and noisy this location can be. Addison Park will provide a quieter and more restful experience to remember those who’ve served the nation.

9.13 Whilst the inclusion of a Memorial Park and its design will be subject to consultation with representatives of the Armed Forces and local organisations, it’s currently envisaged to comprise level footpaths winding through a landscaped park to link a number of commemorative installations.

9.14 Subject to future discussions the open space could include a smaller Memorial Park and, for instance, a sports community facility such as a bowling green.

Increased Biodiversity

9.15 Given the paucity of flora and fauna at the Site (see The Ecology Appraisal (Cherryfield Ecology, 2021), and the LVIA (UBU Design, 2021)), there is considerable opportunity to significantly increase biodiversity through extensive tree planting, open spaces and the landscaping of hundreds of residential gardens. The intention is to deliver a Biodiversity Net Gain significantly higher than 10%, the details of which will be confirmed at the Reserved Matters Stage and secured through a s106 Agreement. That such an approach is appropriate was confirmed by St Albans Council in its Report to the Planning Referrals Committee, July 2021, in respect of an Outline Application off Harpenden Road (Ref: 5/2021/0423), when the Officers wrote:

“... the most appropriate time to assess biodiversity loss and gain, and to determine the most appropriate compensation, is when the full details of the proposed development are known.”

Conclusion on Other Considerations

9.16 The creation of open space and the opportunity to significantly increase biodiversity are, in my view, significant benefits which should be taken into account in the planning balance. However, in a District with an affordable housing crisis and where the Council hasn’t identified the need of its Key Workers, let alone proposed policies to meet that need, the most significant benefit of the proposal is the delivery of discounted affordable homes for military personnel and Key Workers who find it increasingly difficult if not impossible, to own their own homes locally.

10 The Planning Balance

- 10.1 Substantial weight should be attached to the harm caused by reason of inappropriateness and to openness. However, the evidence demonstrates that only limited weight should be attached to the impact on the landscape character and visual amenity of the area and to other harm.
- 10.2 In a District with a housing crisis and, in particular, an affordable housing crisis, very substantial weight should be given to the provision of 100% affordable housing for Key Workers discounted by a third, a provision far greater than anything made at other Green Belt sites in the District that have been granted Permission on the basis of “very special circumstances”.
- 10.3 Substantial weight should also be given to the provision of new open space (which may include a Memorial Park and/or a sports facility), and to the clear potential to significantly increase biodiversity via tree planting and landscaping.
- 10.4 When considered collectively, I submit that very special circumstances, if not unique, clearly exist to allow this scheme to be granted.



Discounted affordable housing for Key Workers helps demonstrate “very special circumstances”

11 Obligations and Draft Section 106 Agreement

11.1 Paragraph 57 of the NPPF state that planning obligations may only be sought “where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.”

11.2 A Draft Head of Terms for a S106 is included with the application documents.



A S106 will guarantee the delivery of 100% discounted affordable housing

12 Conclusion

- 12.1 This Planning Statement has carefully assessed the need for this unique residential development in the context of a District with perhaps the oldest Local Plan in England, some of the most expensive houses in the country and an acute need for affordable housing for Key Workers. It has demonstrated that whilst the Council seeks to increase the delivery of affordable housing, the absence of a replacement Plan is an unwelcome barrier. The Statement also explained that in its most recently-withdrawn draft Local Plan, the Council sought to allocate only 10 homes for Key Workers out of 12,345 to be built on Green Belt sites: an approach it must surely wish to review going forward.
- 12.2 The Statement acknowledged that the scheme is inappropriate development for which “very special circumstances” must be demonstrated. It then carefully considered the harm to the Green Belt and other potential harm and evaluated the other considerations in order to inform a planning balance.
- 12.3 The clear conclusion is that, in accordance with Policy 1 of the Development Plan and paragraph 147 of the NPPF, “very special circumstances” exist to allow this unique scheme to be approved.

Brian Parker
BA MSc MRTPI
November 2021

ADDISON PARK

local homes for local heroes