

CD 8.25 Third Party Submissions

1. The following is considered proportionate comment to take due account of the comments of interested parties as required by the Guide (paragraph J.2.3)
2. **The St Albans and District Footpath Society** (CD 3.1 [5.2.15]) and **The Ramblers Association** (CD 3.1 [6.23.1]). With respect, whether a scheme is inappropriate or not isn't the issue, it's whether "very special circumstances" exist. Support for the public footpath is welcomed.
3. **The CPRE** (CD 3.1 [5.2.16]). First Submission: (1) and (2) Noted. (3) Affordable Housing is, in fact, clearly defined and its delivery is routinely secured by S106 Agreements. (4) The scheme isn't considered to merge neighbouring towns (CD 1.21 [8.9b]). (5) The Site is private land inaccessible to the public but will create public open space if the Appeal is Allowed. (6) The NPPF is very clear on Green Belt policy. (7) The identification and meeting of housing need is considered important in a fair society. (8) The WCCF is addressed in the Planning Statement (CD 1.21 [8.12]).
4. Second submission: the concerns are vague, inaccurate or unsubstantiated.
5. **St Albans Civic Society** (CD 3.1 [5.2.17]). The proposal isn't premature (CD 1.21 [8.34]). The Society has confused decision-making with plan-making: the correct test is for "very special circumstances".
6. **Chiswell Green Residents Association** (CD 3.1 [5.2.18]). On the contrary, if "very special circumstances" exist, the scheme will accord with both local and national planning policy.
7. **Keep Chiswell Green ("KCG")** – A lengthy submission included as CD 8.19.

Introduction

- Efforts to prevent Councillors from being misled should be welcomed, not criticised.

Policy Context

- Paragraphs 14-16 are a misrepresentation of my Planning Statement (CD 1.21 [7.14]).
- My view of the SSNP was valid at the time (CD 1.21 [7.10-7.11]). My views of the 'Made' NP are set out in CD 2.10 and below.

- Whilst critical of “*outdated*” population and household projections, KCG expresses no interest in the up-to-date housing needs of Key Workers.

Green Belt

- Acknowledgment that the SKM Review should carry no weight is welcome.
- No harm will befall the Roman ruins I walk past 3 or 4 times a week.
- The Council agrees that heritage issues can be properly dealt with by Conditions.
- In fact, there are only very limited ‘public open views’ of the Site.

Land as an essential natural asset

- Whilst an interesting consideration of wider Green Belt principles and some elements of sustainability, there is no consideration of, for instance, the need for land to be used to accommodate new dwellings. That land is needed to accommodate homes is obvious. Indeed, the Land Use report cited by KCG (published by the Committee on Climate Change, Nov 2018), states (p.20):

“We set out existing evidence on opportunities to move to less carbon intensive farming practices while preserving other essential functions of land such as food production, land for housing, economic activity and preserving natural capital.” (my underlining).

- KCG shares Herts & Middlesex Wildlife Trust’s misplaced view that the scheme cannot be allowed because it hasn’t demonstrated Biodiversity Net Gain. In fact, the Council has confirmed that the most appropriate time to consider BNG for an Outline scheme is at the Reserved Matters stage (CD 1.21 [9.15]). That BNG isn’t yet mandatory was confirmed:
 - clearly, at the LPAG on 1st March 2022, by Lynne Ceeney, Team Leader, Hertfordshire County Council LEADS (Landscape, Ecology, Archaeology, Design quality and Sustainability), who explained: *“There was initially come confusion as to whether Biodiversity Net Gain was mandatory ... erm, not yet, until it’s amended in the Town and Country Planning Act. So, we’re looking at a timetable of something like 2023.”*¹

¹ Verbatim extract from webcast of LPAG (Parker, 2022)

- and regularly, during the RTPI online Training Event *“The Environment Act 2021 – What Now?”*, 18th Jan 2022, including by: Catherine Tracy of Burgess Salmon; Dr Nick White, Principal Adviser on Net Gain for Natural England; and Tom Graham, a barrister and former Chief Solicitor to North Herts Council who helpfully explained BNG could be assured by condition, i.e. *“The development may not be begun unless ...”*.
- In arguing against the Appeal scheme – which is a major scheme in Outline – KCG cited Appeal Decision Ref: APP/M2270/W/18/3215766, which was a Full application for a scheme for 8 new dwellings (Tunbridge Wells Borough Council, Ref: 18/01827/FULL).
- The other (material) issues in this section are addressed elsewhere in the application documents or herein.

Transport and Highways

- There are no objections from St Albans Council in respect of transport and highways. Milestone Transport Planning and the two statutory authorities, Hertfordshire Highways and National Highways, all consider the scheme to be acceptable.

Comments on the Applicant’s Further Information

- The Council’s opposition to Key Worker housing is demonstrated by its actions.
- In fact, “Military personnel” are explicitly referenced in the definition of “essential local workers” in the National Planning *Policy* Framework.
- Reliance on the Housing Officers’ comments is misplaced.
- It isn’t possible to apply proper planning balance *“irrespective of the type of housing”*.

Health, Facilities and Services

- KCG appears indifferent to the scheme’s contribution to the recruitment and retention of key workers on whom these essential local facilities rely.
- Sufficient reports have been submitted.

Summary and Conclusions

- KCG has arrived at the wrong conclusions by attributing too much harm and too few benefits.
 - The biggest contribution to new housing, affordable housing and community benefits in the past decade has come from *ad hoc* housing schemes approved on the basis of very special circumstances.
 - The term “*concrete jungle*” is unwarranted but insightful.
 - Finally, having rejected the idea that the affordable houses would be “*genuinely affordable to key workers in area of such high house prices*” (para. 162), KCG insists that fire fighters, nurses, teachers, doctor, carers and police officers already own homes in Chiswell Green (para. 188). The most reasonable explanation is that Key Workers used to be able to afford to buy houses here without assistance but now can’t²: which I consider a very helpful endorsement of Addison Park.
8. **Herts and Middlesex Wildlife Trust.** As above, the most appropriate time to consider BNG is at the Reserved Matters stage (CD 1.21 [9.15]).
9. **St Stephen Parish Council** (CD 3.1 [9.1]). With no elaboration, the online submission stated:
- “Strong objection – inappropriate development in the Green Belt where the harm outweighs the benefit”.*
10. The St Stephen Neighbourhood Plan (“the SSNP”) (CD 4.3) is now part of the Development Plan. However, any perceived conflict with this newly-made neighbourhood plan is unlikely to significantly and demonstrably outweigh the benefits of Addison Park, in part because, as set out in the NPPF (CD 4.8 [14]):
- b – the SSNP doesn’t contain any policies or allocations to meet its identified housing requirement;
- c – the District Council can’t demonstrate a 3 years’ supply of deliverable housing sites; and
- d – the LPA’s housing delivery hasn’t been at least 45% over the past 3 years.
11. In addition to my submission in CD 2.10, the following can be noted:

² In 2003 (when records for St Albans began), the median house price to earnings ratio in St Albans was 10.40. In 2021 it was 17.32. Source: Office for National Statistics “House price (existing dwellings) to workplace-based earnings ratio, 1997-2021”, March 2022. Table 5c “Median house price to median gross annual workplace-based earnings by local authority district”.

12. The first bullet point in the 'Vision and Objectives' section states:

"The high cost of property in the local area makes it increasingly difficult for first-time buyers to move into and for younger inhabitants to remain in the area. Additionally, developers' preference for building larger houses in the area restricts the opportunity for older people to release property by downsizing. This is already having an impact on St Stephen where the numbers of working-age residents is (sic) falling, despite the Parish's location being within easy reach of London." (CD 4.3 [3.1])

13. Under the theme of "Housing, Character and Design of Development" (CD 4.3 [3.3]), the first Objective is "Encourage the development of housing that meets an identified local need". The third bullet point is: "Housing suitable for and affordable to local workers".

14. The SSNP references the 2016 SW Herts LHNA (CD 4.3 [8.25]), rather than the 2020 update (CD 8.11). Neither Assessment measured the housing need of Key Workers.

15. It's unclear why a Neighbourhood Plan which evolved during and after the Covid Pandemic, made no reference whatsoever to the Key Workers who braved the front line during that dreadful period in our lives. So much, then, for its Objective of delivering "housing suitable for and affordable to local workers".

16. **Local Residents** (CD 3.1 [5.2.6-5.2.12]). The objections include many which are inaccurate, immaterial or have been covered in detail in this Statement and CD 8.5. However, there are a couple of objections which deserve comment:

- "Increased pressure on local services including education, health and transport" ... and "insufficient infrastructure in terms of school, GP surgeries, hospitals, road capacity, water supplies; sewage infrastructure" – on the contrary, by helping NHS trusts, schools and both the local and county councils to recruit and retain staff, Addison Park will positively assist the delivery of local services, particularly when compared to other schemes that have recently approved on the basis of "very special circumstances. The Section 106 will ensure sufficient additional infrastructure is delivered.

- *“The proposed affordable housing is not truly affordable and key workers could not afford it”* - sadly, the Council’s actions and comments over the years have helped create this untrue and unhelpful narrative. Not all Key Workers are on low or minimum wages. Many of them are well-paid professionals who are, nevertheless, ‘priced out’ of the area. To be clear, without providing discounted home ownership Affordable Homes to essential local workers who earn too much to qualify for social housing but not enough to afford the open market prices in St Albans, the ‘brain drain’ of incredibly important talent will continue.

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