
Planning Statement

Land to North of Roestock Lane, Colney Heath,
Hertfordshire.

On behalf of Bellway Homes (North London) Ltd & Edit
Land

November 2022



Contents

1.	Introduction	1
2.	Background	4
3.	Proposed Development	9
4.	Planning Policy Context	19
5.	Principle of Development and Green Belt Assessment	22
6.	Other Key Planning Considerations	37
7.	Planning Balance & Conclusions	60

1. Introduction

- 1.1 This Planning Statement has been prepared in support of an application for outline planning permission submitted to St Albans City & District Council (SACDC) by Bellway Homes (North London) Ltd and EDIT Land (the “Joint Applicant”) for the proposed redevelopment of land to the north of Roestock Lane, Colney Heath, Hertfordshire (“The Site”).

Description of Development

- 1.2 This Planning Statement is submitted in support of an application which seeks outline planning permission for the following:

“Outline planning application for the erection of up to 155 residential dwellings together with ancillary works, all matters reserved except access”

Development overview

- 1.3 An Illustrative Masterplan is submitted with this application which demonstrates that a high quality residential development can be delivered. It shows a scheme of 155 units, comprising a mix of 2, 3, 4 and 5 bedroom houses. 1 and 2 bedroom apartments are also proposed within the scheme to support a mixed and balanced community. 45% affordable housing will be provided, as part of the development. In addition 5% will be custom house/self-build.
- 1.4 The illustrative mix has been prepared having regard to the need to ensure there is a range of units (as per the policy requirements) and on local market demand within this location. The mix is weighted in favour of 3- bed semi-detached and terraced houses which is considered to be appropriate for the location; however, this may be subject to change at Reserved Matters stage.
- 1.5 A new access off Rosestock Lane is shown, which will extend into the site to provide a network of streets, private lanes / drives and courtyards. The car parking arrangement has not been fixed as part of these proposals, but the Illustrative Masterplan has been designed to accommodate 1.5 spaces per 1 and 2 bed houses and 2 spaces for larger dwellings, plus visitor parking. For any future Reserved Matters application, the scheme will be designed and prepared using the requisite minimum parking standards. The car parking layout design principles are illustrated in the Design and Access Statement.
- 1.6 Based on 155 dwellings at a site of 5.19 hectares, the density will be 30 dwellings per hectare which is considered to be appropriate for this location and makes optimum use of the site whilst being compatible with the existing properties in Colney Heath and the sensitive landscape and historical features within the vicinity. The Illustrative Masterplan has been designed to respond to the urban form of Colney Heath to the south and the wider landscape setting to the north. It accommodates distinct character areas with a varying density and building form.

- 1.7 It is proposed to provide a range of open space typologies on the site. The scheme will deliver play spaces for young children located across the site within larger areas of public open space.
- 1.8 A more detailed description of the development proposals, the Parameters Plans and Illustrative Masterplan are provided in Section 3 of this Planning Statement.

Supporting Documents

- 1.9 This Planning Statement should be read in conjunction with the plans and drawings prepared by Gardner Stewart Architects (GSA), as well as the following documents which have been prepared to address the full range of planning considerations:
- Application Form, prepared by Savills
 - Ownership Certificates, prepared by Savills
 - Agricultural Land Declaration, prepared by Kernon Countryside
 - Planning Statement (including Affordable Housing Statement), prepared by Savills
 - Design and Access Statement, prepared by Gardner Stewart Architects
 - Landscaping scheme, prepared by Aspect
 - Landscape and Visual Impact Assessment, prepared by Liz Bryant Architecture
 - Arboriculture Impact Assessment., prepared by Aspect
 - Preliminary Ecological Appraisal, prepared by Cherryfield Ecology
 - Utilities Assessment, prepared by Ardent
 - Transport Statement, prepared by Ardent
 - Energy and Sustainability Statement, prepared by AES
 - Drainage and Flood Risk Assessment, prepared by Ardent;
 - Construction Environmental Management Plan, prepared by Dale Hill Associates
 - Archaeology Desk Based Assessment Report, prepared by RPS
 - Desk Based Land Contamination Report, prepared by Idom;
 - Statement of Community Engagement, prepared by MPC
 - Draft S106 Heads of Terms

Structure of the Statement

- 1.10 The structure of this Planning Statement is as follows:



- Section 2 (Background) provides a description of the site and surrounding context as well as the background to the proposals;
- Section 3 (Proposed Development) provides a summary of the development proposals;
- Section 4 (Planning Policy Context) sets out the relevant planning policy framework;
- Section 5 (Principle of Development and Green Belt Assessment) provides an assessment of the principle of the proposed development and a detailed analysis of the relevant Green Belt policies;
- Section 6 (Planning Considerations) provides a detailed assessment of the planning considerations arising from the application proposals; and
- Section 7 (Conclusion) provides a summary of the proposals and our conclusions on the planning considerations.

2. Background

2.1 This section provides a brief description of the site and the immediate surrounding area which forms part of the context in which the application proposals have been developed.

The Site and Surrounding Area

The site extends to c. 5.19 ha and is located within the village of Colney Heath, Hertfordshire, as shown in **Figure 2.1**.



Figure 2.1: Site Location Plan (Design & Access Statement, GSA Architects)

2.2 Under the adopted Local Plan, Colney Heath is not identified as a Specified Settlement and is therefore not subject to a settlement boundary, it is however identified as a smaller village within the green belt comprising three parts. St. Albans lies to the west, which is identified as a Town in the settlement hierarchy.

- 2.3 The site is bound by the rear of properties located on the High Street to the south west, which comprises a range of local facilities. Residential and light industrial development border the site to the south east, with Roestock Lane running alongside some of the south eastern boundary, providing access to the village. To the northwest lies a large residential garden and open land. The site has an urban edge / edge of settlement character with 85.2% of its perimeter enclosed. The north eastern edge fronts the rear gardens of Fair View and part of the access into Roundhouse Farm.
- 2.4 The site itself comprises a series of grassland areas, most of which has been used for agricultural purposes recently. Three public rights of way cross the site, with a further footpath running alongside the north western boundary. A number of mature hedgerows cross the site, with an area of mature hedgerow and trees directly bordering the site to the north west.
- 2.5 The site is currently designated as Green Belt. The site is not located within a Conservation Area and there are no listed buildings on the site. Three Grade II listed buildings are located to the south west of the site on High Street.
- 2.6 According to the Environment Agency's Flood Map for Planning, the site is located within Flood Zone 1 and is therefore subject to the lowest probability of flooding.
- 2.7 The site is well connected to public transport links and services. The number 305 and 230 bus routes providing public transport links from High Street to St. Albans. In addition cycling opportunities are available along the local highway network and the site is in close proximity to the National Cycle Network routes 61 and 12.

Planning History

- 2.8 A planning history search in relation to the site has been conducted. There is no relevant planning history for the site itself. However within close proximity there are relevant recent appeal decisions.

Land Off Bullens Green Lane

- 2.9 Two appeals for c. 100 residential units were granted on land c. 400m to the east of the application site in June 2021 at "Land Off Bullens Green Lane" (Appeal refs. APP/B1930/W/20/3265925 and APP/C1950/W/20/3265926). The appeals fell under the jurisdiction of two local authorities: ST Albans District Council and Welwyn Hatfield Borough Council. An outline application was submitted for the erection of up to 100 dwellings, which were refused locally by the LPAs on the basis of inappropriate development in the Green Belt and visual harm to the surrounding landscape. The Inspector assessed both appeal cases in tandem, and granted planning permission on the basis that the site did not strongly contribute towards the five purposes of the Green Belt and was not considered to adversely visually impact the surrounding landscape.
- 2.10 Furthermore, the Inspector considered that the provision of residential development at this location would make a contribution towards SADC in their housing delivery given the lack of a five year housing land



supply, affordable housing and self-build. The Inspector concluded at paragraph 78 “I have attached very substantial weight to the provision of both market housing and affordable housing. I have attached substantial weight to the provision of self-build housing. These factors, when considered collectively demonstrate that very special circumstances do exist.”

2.11 It is noteworthy to highlight that the five year housing land supply at the point of determination for the appeal cases was 2.4 years. According to the SADC Annual Monitoring report (December 2021), this supply has further reduced to 2.2 years, indicating a further need for housing delivery across the District.

Harpenden Road

2.12 In addition to the above, the applicant is aware that Hunston Properties secured outline permission in January 2022 for the development of this site comprising construction of up to 150 dwellings including affordable and custom build dwellings together with ancillary works. The application comprised development of greenfield land within the green belt. The application was approved at committee level by members of St Albans District Council Planning Committee.

Land South of Tollgate Road

2.13 In addition to the above, the applicant is aware that Vistry is currently seeking outline permission for the development of this site comprising demolition of the existing structures and construction of up to 150 dwellings including affordable and custom build dwellings together with ancillary works. The application (LPA ref. 5/2022/1928) is currently being determined by St Albans District Council.

Land to rear of 96-106 High Street

2.14 In addition to the above, the applicant is aware that Tarmac Ltd is currently seeking outline permission for the development of this site comprising construction of up to 45 dwellings including affordable dwellings together with ancillary works. The application (LPA ref. 5/2022/0599) is currently being determined by St Albans District Council.

Pre-Application Advice and Public Engagement

2.15 A pre-application engagement meeting was held with senior development management officers at St Albans on the 18th October 2022. The Table below identifies the key themes which had been raised in the pre-application meeting:

Table 1. Pre-application meeting -18th October 2022

Principles	Officers at St Albans District Council indicated that members of the planning committee were minded to consider release of green belt sites for housing development in sustainable locations where it can be demonstrated that the proposals would achieve a positive relationship to existing context and would achieve
-------------------	--

	a suitable treatment which mitigates visual impact on the wider green belt.
Layout	Officers at St Albans indicated that the layout proposed was broadly supported in planning terms. It was noted that the detailing of the buffer on the northern and western edge of the site would be critical to securing support at application stage for the proposed scheme. It was indicated that the scale of the proposed buildings was broadly supported, but further detail would be required on the relationship of the proposed to the listed buildings. Informal commentary indicated that there could be scope to optimise development potential of the site but this would need to be carefully considered within the detailed design of the scheme to ensure that the proposed represents the highest standard of design quality.
5 Year Housing Land Supply	Officers at St Albans indicated that the council are unable to demonstrate a deliverable housing land supply at present. It was noted that given the number of applications received in past few years the council would soon have a readily demonstrable housing land supply.
Infrastructure	Officers at St Albans indicated that development in the locality is placing pressure on infrastructure and further development on this site will incur contributions for; but not limited to the following, education, healthcare (doctors surgery), libraries, health, ambulance services, waste, education and green spaces. The full set of consultee comments will be circulated within the report. Delivery of strategic infrastructure will be funded by these contributions and delivered by Herts CC with localised mitigation secured against the development.
Very special circumstances	The site is a fairly sustainable location and officers are supportive of delivery of this site in principle. The acceptability of delivery and demonstrating the VSC applies is dependent on satisfying officers that development on the site would achieve a suitable landscaped buffer on the northern edge of the site, alongside retention of the existing hedgerow, achieving a high standard of residential design quality and amenity for the residents whilst seeking to optimise capacity of the site.

Stakeholder Engagement

2.16 Throughout the process, the Applicant has been committed to ensuring comprehensive and meaningful engagement with residents in a way that is appropriate and safe. This has involved the following:

- 4th October – Engagement with Colney Heath Parish Council
- 19th October – Public Consultation
- 26th October – Meeting with Councillor Brazier

Planning Statement

LAND NORTH OF ROESTOCK LANE, COLNEY HEATH, HERTFORDSHIRE



- 26th October – Follow up consultation engagement session with local residents

2.17 The Statement of Community Involvement prepared by MPC provides a detailed overview to the pre-consultation engagement process and outlines how the feedback has been integrated into the detailed design of the proposed scheme.

3. Proposed Development

3.1 This section provides a summary of the application proposals; full details are provided within the application drawings and in the Design and Access Statement prepared by Gardner Stewart Architects and submitted in support of this application.

3.2 This application seeks permission for the following:

“Outline planning application for the erection of up to 155 residential dwellings together with ancillary works, all matters reserved except access”

3.3 The application is accompanied by the following parameter plans and illustrative layout plans which are submitted as part of the application to demonstrate how the number of dwellings proposed, together with access, surface water attenuation, open space and landscaping can be accommodated on the site in compliance with relevant development plan policies.

3.4 Vehicular access is provided from Roestock Road to the south of the site. The entrance road is proposed to be a two-way road with shared surface for pedestrians and cyclists..

3.5 Indicative landscape and green infrastructure proposals for the scheme are shown on the illustrative layout, landscape strategy plan and are described in the Design and Access Statement and within the accompanying LVIA. In summary these proposals include:

- The provision of land dedicated to landscape, GI, public open space, play and habitat related proposals;
- Areas of informal green space throughout the site including an area of public open space and child play facilities within the central portion of the site, including some sustainable drainage features. These will be designed with shallow banks and will allow for different levels to enable a range of habitats to develop. Other parts of the space will include small areas of copse planting, and open grassland.
- Within the residential area there would be a series of smaller green spaces, mainly simple in design, with regularly mown grass and individual trees. These would be overlooked by the adjacent housing and would form softer entrance spaces to the scheme.
- Retained public footpath routes. These routes would be in areas of new greenspace, with additional planting and overlooked by the new housing areas, providing attractive and safe routes.
- New pedestrian routes.

- 3.6 The site will contain healthy and substantive green infrastructure to facilitate a permeable and sustainable development, together with sufficient parking provision for each proposed dwelling. This will be located so that it provides easy and convenient access for future occupiers of the site.
- 3.7 A new buffer will be created along the application site's northern boundary. Thus, the proposed site, being largely self-contained, presents an opportunity to cohesively integrate the existing residential form of Colney Heath which already interlink along Roestock Lane, without impact to the openness of the Green Belt. The specifics of the new, defensible Green Belt boundary are evaluated in the Planning Assessment section of this Planning Statement and the accompany LVIA prepared by Liz Bryant Architecture.
- 3.8 A sizeable area of open space, including new native planting has been incorporated within the heart of the development and along with northern and western boundary of the site. Further detail on this is provided in Section 6 below and the Design and Access statement prepared by GSA Architects. Detailed matters of layout, scale, appearance and landscaping are reserved matters to be considered at a later stage.

Parameter Plans

- 3.9 This application is supported by a series of Parameter Plans prepared by GSA. Planning approval is sought for these drawings in order to establish the overarching design thresholds and principles in respect of a future Reserved Matters application. The key details from each of the submitted Parameters Plans are set out below.

Parameter Plan – Density

- 3.10 This Parameter Plan distinguishes between the residential developable area, and other land uses, including the green network, formal public open space, public footpaths, trees and hedgerows to be retained and the proposed SuDs features.
- 3.11 The residential area accounts for the majority of the site and is positioned centrally within it. There is potential for an area of formal open space to the north of the site, including a SuDs feature, and for an area of open space to the south. Landscape buffers to the north, east and west are accommodated on this Parameter Plan.

Parameter Plan – Green Infrastructure, Open Space and Drainage

- 3.12 This Parameter Plan indicates the position of the different open space typologies at the site. Key sensitivities relate to protecting the amenity of local residents, accommodating the Public Right of Way that crosses the site, and presenting an appropriate developed frontage to the agricultural landscape to the south and west.
- 3.13 This can be achieved by retaining the existing windbreaks, and reinforcing this with new planting; and designing a soft landscape corridor along the southern and western boundaries.

- 3.14 It is also envisaged that the layout will open up views of the wider landscape and ensure that new planting for biodiversity enhancement is located outside of the private curtilages so that it can be maintained in perpetuity by means of an agreed management plan.

Parameter Plan – Access and Movement

- 3.15 This Parameter Plan identifies the location of the primary site access and the street hierarchy for the development, which comprises the widened access carriageway, together with the primary, secondary and tertiary streets (private lanes / drives) and courtyards. It also identifies the existing Public Rights of Way to be retained and the proposed footpaths through the development.
- 3.16 The movement network delivers a clear hierarchy of streets, that will serve vehicles, pedestrians and cyclists. At the junction with Roestock Lane, the primary access road width is 6m, reducing to 5.5m in the remainder of the site. The looped nature of this street will allow for an efficient movement of vehicles.
- 3.17 Secondary streets serve the primary street. These provide access to the dwellings and will promote a lower vehicle speed in the residential areas. The tertiary streets (private lanes / drives) serve the secondary streets and take the form of shared surfaces. This street typology will be shared by pedestrians, cyclists and vehicles.
- 3.18 The courtyards are situated internally within the development block. This street typology is provided to create movement equality between all users i.e. vehicles, cyclists and pedestrians.

Parameter Plan – Building Heights and Frontages

- 3.19 This Parameter Plan demonstrates that all of the residential parcels will accommodate dwellings which are two – two and a half storeys in height. It also outlines where the building frontages will be positioned.
- 3.20 Along the northern edge, development responds to the existing context and backs on to the edge of the site. Development parcels along the southern and western edges always front on to streets and edges with residential development parcels backing onto each other
- 3.21 Building frontages will focus activity on the edge of the development plots, reinforcing and supporting the perimeter block structure, and approach to facades and access. Active frontages will provide good enclosure to the streets and informal surveillance to both the public and private areas, such as the parking and areas of open space.
- 3.22 The building frontages will help to define and frame the spaces through the site.

Illustrative Masterplan



- 3.23 An Illustrative Masterplan is submitted with this application which demonstrates that a high quality residential development can be delivered which respects and integrates with the sensitive landscape and historic features in the surrounding context and accords with the submitted Parameters Plans.
- 3.24 The Illustrative Masterplan proposed a scheme of up to 155 units, comprising a mix of 2, 3, 4 and 5 bedroom houses. 1 and 2 bedroom apartments are also proposed within the scheme to support and mixed and balanced community alongside 8 self / custom build units.
- 3.25 The illustrative mix is set in **Table 3.1** below.

Table 3.1: Proposed Residential Mix

Type	Units	%	Total
1 bedroom flat	24	15%	15%
2 bedroom flat	28	18%	34%
2 bed Coachhouse	3	2%	
2 bed house	21	14%	
3 bed house	62	40%	40%
4 bed house	14	9%	9%
5 bed house	3	2%	2%
Total	155	100%	

- 3.26 The illustrative mix has been prepared having regard to the need to ensure there is a range of units (as per the policy requirements) and on local market demand within this location. The mix is weighted in favour of 3- bed semi-detached and terraced houses which is considered to be appropriate for the location. This is provided for indicative purposes and will be subject to change at Reserved Matters stage.
- 3.27 45% of the total number of dwellings are proposed to comprise affordable housing, which is above the emerging policy requirement of St Albans District Council, together with 5% self-build and custom housing. This will make a valuable contribution towards addressing the range of current housing needs creating a diverse mix of residents, thereby contributing to a vibrant and active community. The proposals will meet the requirements of planning policy with regards to tenure, but have been designed to be tenure blind and to create a mixed and balanced, sustainable community through the distribution of affordable housing across the site. The above is considered to be a key benefit of this scheme due to the substantial general and affordable housing needs within SADC.
- 3.28 All of the proposed dwellings will be designed to be of a high quality, with high levels of accessibility, flexibility and sustainability. As depicted on the illustrative masterplan all of the proposed houses will be provided with private external amenity space comprising rear gardens. The apartments benefit from

private amenity in the form of private terraces / balconies and access to shared communal gardens. All proposed dwellings are also located in close proximity to a generous area of open space within the centre of the scheme.

Layout

- 3.29 The layout of the illustrative masterplan has been carefully designed to respond to the constraints of the site, including the existing trees, proximity to existing residential accommodation, the adjoining light industrial yard, and the site's location within the Green Belt. The proposed layout provides opportunities to enhance the openness of the Green Belt and to create usable public open space and play space for future residents. The vehicular access will be located from Roestock Lane on the north-eastern edge of the site with pedestrian connections maintained along the western edge of the site. There are a number of public rights of way which bisect the site, the scheme has been designed to facilitate retention of the existing routes in their current format.
- 3.30 The proposed dwellings are arranged around the edge of the site facing a central 'village green' square which will deliver public open space and play facilities for use by residents. An enhanced landscape buffer will be delivered on the northern edge of the site to screen the site and achieve a carefully considered form of development which enhances the open character of the countryside to the north of site

Building Heights and Massing

- 3.31 The proposed dwellings will comprise a mix of detached and semi-detached houses and apartments. In keeping with the prevailing character of the local area, the new buildings range in height from 2 to 2.5 storeys with a pitched roof. The taller 2.5 storey buildings have three floor levels, with the top floor accommodated in the pitched roof with dormer windows.
- 3.32 The 2.5 storey buildings are focussed at the centre of the site along the spine road, avoiding the more sensitive edges and neighbouring properties. All new homes close to the perimeter of the site are 2 storey, creating a more rural character.
- 3.33 A Landscape Visual Impact Assessment (LVIA) has been undertaken to inform the layout to ensure that any impacts on the near and long distance views are minimal. The low-rise nature of the new housing, combined with a high proportion of landscaping and public open space, will compliment the character and overall setting of the village.

Landscaping

- 3.34 The scheme's landscape proposals have been designed holistically alongside the architectural masterplan to deliver a significantly enhanced site plan from the existing condition.

Planning Statement

LAND NORTH OF ROESTOCK LANE, COLNEY HEATH, HERTFORDSHIRE



- 3.35 New native planting including boundary tree planting will successfully assimilate the development into the wider landscape, particularly to reinforce the existing tree density. The tree-lined boundaries will also help to reduce the appearance of massing from distant views looking back towards the site. Green hedges contour the boundaries of residential dwellings, with all fences being made from permeable and natural materials. The quality of the green spaces is fundamental to establish a connection with the Green Belt. Thus, locally existing species will be planted, with a special attention to pollinator-friendly plants to support local flora and fauna.
- 3.36 Integrated bat boxes will be incorporated into the design to provide roosting sites for bats, boosting the overall biodiversity of the site. The central green space will provide further opportunities for birds and insect life, with bird houses, baths and feeding points. Pedestrian areas between residential dwellings will act as informal play and meeting areas to reinforce a sense of place and community. A difference in paving materials and colours will be used to distinguish between pedestrian and vehicular paths, promoting an accessible public realm. The central village green also includes a formal play area, improving the amenity space available for families.

Trees

- 3.37 Trees will form an important feature within the landscape of the proposed development, and around the edge of the site. The scheme has been designed to optimise the provision of new planting in the form of low level cover and new semi mature and mature tree cover present on site to achieve delivery of a high quality standard of design, which achieves a significant increase on the existing situation. The scheme includes delivery of areas of structural landscaping along the boundary of the site which provide additional screening alongside enhancements to the existing buffer. The proposed scheme involves delivery of greening to the main routes and secondary streets in the form of tree planting.
- 3.38 New planting will provide a significant uplift in tree numbers and a considerable net gain in canopy cover, which will enhance the site's green infrastructure credentials and provide public amenity benefits, tangible to both the existing and proposed setting. As outlined in this statement the scheme will achieve a 10% net gain in biodiversity beyond the established baseline.

Tiny Forest initiative

- 3.39 The scheme incorporates space for the delivery of the 'tiny forests initiative' on the south-eastern corner of the site. This involves delivery of land for community planting project with engagement covering installation, monitoring and wider recreational opportunities. The delivery of the scheme provides a wide range of benefits from environmental, ecological and social and educational.
- 3.40 It is anticipated that local schools or wider community organisations could be involved in the planting and maintenance of the 'tiny forest' on this site as well as providing more general recreation benefits for the wider community.

Car and Cycle Parking

- 3.41 The approach to the scheme's proposed parking provision has been developed to ensure that parking provision is appropriate, in accordance with policy requirements, and located so as to be convenient for residents but also to not detract from the streetscape and the quality of the public realm. A total of 342 car parking spaces are provided, equating to approximately 2.2 spaces per dwelling. All detached houses will have two on-plot parking spaces as a minimum. In addition to this, all larger four and five bedroom houses will have a garage providing a third parking space.
- 3.42 Where possible, a third on-plot parking space will be provided for some of the three bedroom houses. The layout presents an opportunity to create a hierarchy of road types - from a local access road to cul-de-sacs and courtyards. At road junctions a raised table will reduce vehicle speeds and facilitate safe pedestrian crossing points. Secondary roadways will be shared surface, providing space for pedestrians and cyclists to safely move through the site.
- 3.43 Across the scheme, parking is located away from the frontage to maintain a strong built edge and is designed into animated well-overlooked parking courtyards to the rear.

- 3.44 Cycle storage is also provided for all dwellings at a ratio of one space per dwelling, which exceeds the local planning policy requirements. All houses will be provided with an individual bike store in the rear garden, with all gardens being accessible from the front of the dwelling and therefore removing the need to carry bikes through the house. For apartments, secure, covered, communal cycle stores are provided.
- 3.45 It should be noted that the current Local Plan makes no mention of electric vehicle charging point (EVCP) requirements. However, EVCPs will be provided in line with the updated June 2022 Building Regulations for England. These updated standards require that an EVCP must be provided at a ratio of 1:1 for the number of dwellings. Any remaining spaces will have passive installation/ducting to allow for easy EVCP provision in the future.

Energy and Sustainability

- 3.46 The proposed development has been designed with sustainability in mind from the outset and will incorporate a number of key measures to ensure the delivery of a high quality, sustainable development:
- The development will meet Part L 2021 notional building target emissions. Compliance with Part L 2021 demonstrates a 31% improvement upon Part L 2013 (to which local planning policy refers). The proposed energy strategy results in an overall 40.7% reduction in anticipated site wide CO₂ emissions over the Part L 2013 Baseline.
 - Flow control devices and water efficient fixtures and fittings will be installed in all dwellings to target a maximum internal daily water consumption of 105 litres per person, per day.
 - Adequate facilities will be provided for domestic and construction related waste, including segregated bins for refuse and recycling.
 - Where practical, new building materials will be sourced locally to reduce transportation pollution and support the local economy. New materials will be selected based on their environmental impact and responsible suppliers will be used where possible.
 - The proposed development site lies in a low flood risk zone and will benefit from SUDs such as permeable paving.
 - Consultation with a Security Specialist will take place to ensure the development is safe and secure for its residents.
 - The dwellings are to target an improvement on sound insulation Building Regulations Part E through party walls and floors.
 - The site benefits from access to a good existing public transport network and sustainable modes will be encouraged through the provision of cycle storage spaces and electric vehicle charging points.
 - Biodiversity and ecological enhancements will be implemented through the provision of landscaped areas, and additional tree and shrub planting across the site.

- The site will aim to achieve a Very Good score with the Considerate Constructors Scheme and will closely monitor construction site impacts.

Planning Benefits

3.47 The proposals will deliver a comprehensively planned, well-designed, efficient, accessible and high quality new residential neighbourhood and sustainable community.

The Borough's Housing Supply

3.48 To help boost housing supply, the NPPF requires local planning authorities to identify and keep up-to-date a deliverable five year housing land supply. In the absence of this, planning policies for the supply of housing will be considered out-of-date.

3.49 SADC does not currently have a five year housing land supply, as confirmed in the appeal decisions for Bullens Green. It has been estimated that St Albans District Council will need to deliver net. 890 additional dwellings per annum based on the standard methodology, to address historic housing shortfall and under-delivery. The early delivery of this application site for up to 155 homes will make a very significant contribution to addressing the housing supply shortage and help the Council to achieve the ambitious housing requirements for the Borough.

3.50 In the event that St Albans District Council elect to grant outline permission for the proposed scheme it is anticipated that the applicant would secure reserved matters approval for the detailed scheme in mid – late 2023 with the first completions on site in late 2023, early 2024. This represents a significant tangible benefit for the council through the early delivery of housing and affordable housing contributing to meeting the boroughs housing need.

3.51 The new homes will be designed to a high quality and there will be a range of unit types and sizes to meet demand. It is proposed that 45% of the new homes will be affordable alongside delivery of 8 no. custom build/self-build units. This will assist in creating and mixed and balanced community and respond to local market demand evidence.

3.52 In addition to the above, the proposals will provide a range of planning benefits, as set out below:

- High quality, accessible, inclusive and sustainable design which responds to all of the constraints and opportunities of the site, having evolved through a co-ordinated design-led approach and following extensive pre-application discussions with officers at SADC and the Local Highways Authority, Hertfordshire County Council.
- Delivery of high quality new homes which meet accessibility and internal space standards (within the new buildings); provide high levels of amenity and comfortable living environments.

- Creation of a new publicly accessible open green space at the centre of the site which will provide a high quality green setting, new play space and a focal point for future residents.
- Retention of the majority of existing trees, significant new planting, and enhancement of existing planted areas as part of a wider scheme of soft landscaping which will improve the contribution of the site to local ecology and biodiversity.
- The introduction of a number of key sustainability measures will deliver a 40.7% reduction in CO2 over the Part L 2013 Baseline.
- Financial benefits for the local economy, including creation of new jobs during the construction phase of the development, new local spend from residents moving into the development, CIL and S106 contributions.

4. Planning Policy Context

- 4.1 The proposals have taken account of relevant national and local planning policy. This section of the Planning Statement sets out a brief summary of the relevant planning policy documents and the following sections demonstrates compliance with their policies.
- 4.2 In accordance with Section 38(6) of The Planning and Compulsory Purchase Act (2004), planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.
- 4.3 The development plan comprises:
- District Local Plan Review 1994- Saved and Deleted Policies version (July 2020)
- 4.4 The National Planning Practice Guidance (NPPG) (2014, as amended), Supplementary Guidance notes (SPGs) and Supplementary Planning Documents (SPDs) are all relevant material considerations and will be referred to where necessary and appropriate. The revised NPPF (July 2021) directs a presumption in favour of sustainable development which underpins the Framework. The National Planning Practice Guidance (NPPG) provides clarity and guidance on the interpretation of policy.

National Planning Policy

- 4.5 At the national level, the Government published its revised National Planning Policy Framework (NPPF) in July 2021. The NPPF provides an overarching framework for the production of local policy documents and decision taking. At the heart of this document is a presumption in favour of sustainable development.
- 4.6 Achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). Sustainable development is defined through three, interdependent objectives:
- **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
 - **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with assessable services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- **An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.7 In the next sections of this Planning Statement, an assessment of the proposed development against the relevant paragraphs of the NPPF is undertaken. However, importantly, paragraph 11 of the NPPF is clear that development that accords with the development plan should be approved without delay.

4.8 In support of the NPPF, the Government has published an online guidance resource, known as the Planning Practice Guidance (NPPG). This covers a range of topics including procedural matters, policy application matters, extended guidance on certain topics and clarifications on processes. Where relevant, specific notes are referred to within this Planning Statement.

Local Planning Policy

4.9 As set out above, the current statutory development plan for SADC comprises the District Local Plan Review 1994- Saved and Deleted Policies version (July 2020)

4.10 SADC also has a number of Supplementary Planning Documents which comprise material considerations in respect of planning applications. Those relevant to the proposals are as follows:

- Design Advice Leaflets 1 and 2;
- Revised Parking Policies and Standards (January 2002); and
- Affordable Housing SPG (March 2004).

4.11 The whole of the application site is designated as Metropolitan Green Belt, meaning that the site is protected by national and local Green Belt policies. Under the 1994 Local Plan, the site was previously located within the Colney Heath Green Belt Settlement Boundary and within a Landscape Development Area. These designations have since been removed in the 2020 revision of the Plan.

Emerging Local Plan

4.12 SACDC sought to undertake a Local Plan Review in 2018, however this was withdrawn following submission to the Secretary of State in March 2019, due to the Inspector's concerns over the Authority's failure to meet its legal duty to cooperate with neighbouring authorities and its soundness. The Council set out that a revised Plan will be prepared with a focus upon sustainability and climate change.

4.13 The Council commenced preparations for an entirely new Local Plan and concluded the Call for Sites exercise in March 2021. Progress on the new Local Plan is delayed. In September 2022 the Local Plan Advisory Group meet and a new Local Development Scheme timetable was agreed. The Local

Development Scheme (LDS) (January 2021) sets out the following timescale for the emerging Local Plan preparations:

- Regulation 18 Consultation: July – September 2023
- Regulation 19 Pre-Submission Consultation: July – September 2024
- Submission to Secretary of State for Examination: December 2024
- Examination: December 2024 – November 2025
- Adoption: December 2025

4.14 It is noted that the LDS is out of date, discussions with Policy have confirmed that it is due to be updated. A draft has been presented to the Local Plan Advisory Group and Policy Committee, however it is subject to further amendments and is again behind schedule due to delays in the Council agreeing a new budget for resourcing. The unpublished draft LDS will need to be revised to reflect these delays.

5. Planning Assessment – Green Belt Release, Agricultural Land and Landscape and Visual Impact Assessment

5.1 This section of the Planning Statement provides a detailed assessment of the application proposals against the development plan and other material considerations with regards to its location within the Metropolitan Green Belt. (MGB)

Principle of development

5.2 The application seeks permission for up to 155 homes in Colney Heath, thereby making a very significant contribution to the housing requirements of SADC. The adopted Local Plan for St Albans DC dates back to the 1990's and is significantly out of date. Therefore the housing requirement is not reflective of the borough's up to date housing need. As explained above, SADC's Local Plan Review in 2018, was withdrawn due to concerns over the Authority's failure to meet its legal duty to cooperate with neighbouring authorities and its soundness. The Council is preparing a revised Plan, which will focus upon sustainability and climate change and strategically plan for the delivery of housing. The Local Development scheme indicates that the council will progress work on the replacement Local Plan. The draft timetable indicates that the council will be looking to implement and adopt the replacement Local Plan in December 2025 and as such the council cannot demonstrate a deliverable housing land supply.

5.3 The district is constrained by natural barriers in the form of the M1, M25 neighbouring settlements and contains a high proportion of land covered by MGB, which has contributed to preventing the delivery of much needed new housing. This is one constraints the district is faced which hinders the ability to deliver sufficient sites without green belt release to demonstrate a deliverable 5 year housing land supply.

5.4 The following paragraphs set out an assessment of the principle of the proposed development against relevant national and local planning policy.

5.5 The above considerations are now discussed in turn below.

- The site is essentially "captured" Green Belt land. That is, it contributes little or nothing to the purposes of including land within the Green Belt and was essentially included by default when large swathes of the countryside between major settlements in Hertfordshire were designated as MGB over 20 years ago;
- The considerable need for new market and affordable housing in both St. Albans District; and
- The suitability of the site in sustainability terms.
- Delivery of this site will deliver a significant tangible benefit for the council through early delivery of new housing and affordable housing units on this site in advance of the progression of the Local Plan.

5.6 Given the sites location adjoining a settlement that is washed over by the MGB, an assessment is required as to whether there are "very special circumstances" (VSC) that justify development within the

MGB. The following paragraphs identify a number of material considerations that collectively and cumulatively present the VSCs for development at the application site.

- 5.7 As will be explained in detail in the following paragraphs, when consideration is given to the contribution the proposed site makes toward the Green Belt purposes set out in para 134 of the Framework, it is evident that it in fact offers very little towards them and is essentially “captured” Green Belt land, i.e. it has been included by default when large swathes of Hertfordshire were originally designated as Green Belt. Furthermore, development of the site would have little impact on the openness of the Green Belt beyond the sites confines given the level of containment existing and proposed landscaping would provide and its relationship to the existing built form of Colney Heath.
- 5.8 Section 7 of the submitted Landscape Visual Impact Assessment prepared by Liz Bryant, includes an assessment of the contribution the site makes towards the Green Belt purposes, along with an evaluation of SADC’s Green Belt Review Purposes Assessment that had been prepared to inform preparation of the withdrawn Draft Local Plan and assess the contribution wider parcels of Green Belt land within which the site sits make to GB purposes for context. It is worth noting that the SADC’s Green Belt Review had been criticised by the Inspectors examining the plan for not considering the contribution smaller parcels of land, such as this, could make to the housing requirement through selective Green Belt release.
- 5.9 By way of example, the application site, which totals 5.19 ha was considered as part of a much larger 419 ha area of land. SADC acknowledged in its response to the Inspectors’ Letter for the withdrawn local plan that there is a need to undertake a new GBR to accommodate delivery of adequate housing sites to satisfy housing demand in the borough.
- a) To check the unrestricted sprawl of large built up areas
- 5.10 The first Framework purpose is to check the unrestricted sprawl of large built-up areas. SADC’s GBR concludes that the wider parcel makes limited or no contribution to this purpose. The application site lies away from large built-up areas and does not form a connection with a wider network of parcels to restrict sprawl.
- b) to prevent neighbouring towns merging into one another
- 5.11 The second Framework purpose seeks to prevent neighbouring towns merging into one another. The SADC’s GBR assesses the wider parcel makes a partial contribution to this purpose, but also concludes:
- “Overall, any minor reduction in the gap would be unlikely to compromise the separation of the 1st tier settlements in physical or visual terms, or overall visual openness”*

c) to assist in safeguarding the countryside from encroachment;

5.12 The third Framework GB purpose is that of assisting in safeguarding the countryside from encroachment. SADC conclude a significant contribution to this purpose. This may be true of the much larger parcels assessed in these GBRs, however, the site itself is a small parcel of land and is partially screened from the north by existing hedgerows to field boundary along the north western edge of the site. With further screening possible to easily implement. The north-western portion of the site immediately adjoins an agricultural field with no defined boundary. The southern, western, eastern and 50% of the northern edges of the site are defined by the existing built form within Colney Heath. The proposed scheme seeks to deliver an enhanced landscaped buffer on the exposed section of the northern edge of the site with a softening of built form to achieve a transition in scale and form of development to respond to this sensitive edge.

5.13 This boundary landscaping is largely proposed to be retained with enhancements on the north-eastern edge. The submitted parameters plan, illustrative layout and illustrative landscape strategy plan also indicate the planting along these boundaries being augmented with considerable additional landscaping, further adding to the sites containment and creating a sympathetic edge to the settlement of Colney Heath in this location. The scheme has been designed to seek to retain and enhance a section of historic hedge line on the northern edge of the site. The reinstatement of this boundary treatment along the full length of the northern boundary provides a significant environmental and ecological benefit.

5.14 Beyond the site itself toward the east and south there are open fields, with dense woodland further to the north which extends parallel to the settlements limits further reinforcing that the countryside can continue to be safeguarded even with the development of the site. The LVIA therefore concludes that the site alone makes only a limited contribution to the purpose of safeguarding the countryside from encroachment.

d) to preserve the setting and special character of historic towns; and

5.15 The fourth Green Belt purpose is 'to preserve the setting and special character of historic towns'. Colney Heath is not a historic town, and so the site makes no contribution towards this purpose. This is also the conclusion of both the LPAs' GBRs.

5.16 The final purpose is that of assisting in urban regeneration, by encouraging the recycling of derelict and other urban land. Given the scale of Green Belt land that is proposed to be released under the emerging Local Plans to meet a significant majority of the housing requirement for the LPAs it is considered opportunities for urban regeneration on previously developed land remains limited in no small part due to the extensive Green Belt boundaries which have not been revised since the current Local Plans have been adopted. This equates to 26 years for SADC. Consequently, urban regeneration has become an increasingly unviable option for (re)development. The contribution the proposed site makes toward the recycling of derelict and other urban land, then, is minimal.

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.17 The SADC GBR includes a fifth purpose of “*maintaining the existing settlement pattern*” for which the relevant parcel makes a significant contribution. This is not one of the GB purposes set out in the Framework, however, and given the criticisms of the GBR made by the Inspectors following the initial examination hearings and the fact the Council has itself accepted a new GBR will need to be carried out regardless of whether the submitted Local Plan is withdrawn or substantially amended, this aspect of the assessment can be given no weight.

5.18 In summary then, it is concluded that the application site does not make more than a limited contribution to the five purposes for Green Belt land as defined by the NPPF.

5.19 Turning to the matter of openness, whilst no clear definition is provided within the Framework it is understood to mean the absence of built form or other features which cannot be reasonably be associated with the open countryside and the vast, extensive views they provide. SADC’s GBR also includes an assessment of visual openness. It establishes that the relevant parcel as:

“The GB Review notes in relation to visual openness that Parcel GB34 ‘is generally open to the north and more enclosed to the south where it is more wooded although there are some extensive panoramas over arable fields towards the Shenley ridge to the south’.

5.20 As set out within the LVIA and this Statement, the application site is visually well enclosed and plays a minimal role in openness beyond the site itself.

5.21 Nonetheless, the Bullens Green appeal (ref: APP/B1930/W/20/3265925) which also related to a proposed development within the Green Belt. Harm to openness and encroachment into the countryside were material considerations dealt with at paragraph 15 of the decision letter. Here, the Inspector found that:

“It was generally agreed that the impact of the appeal proposal would be limited in terms of the impact on the wider integrity of the Green Belt. This is a view that I share. In terms of the impact of the development on the purpose of safeguarding the countryside from encroachment, my attention has been drawn to a number of background evidence documents including Green Belt studies. These include a report prepared by SKM Consultants in 2013 which included an assessment of Green Belt in both WHBC, SADC and Dacorum Borough Council. Here, the appeal site is assessed as part of parcel 34, a 419ha parcel of land. Reflective of the size and scale of the parcel of land, the report sets out a number of key characteristics of the land. With reference to the gap between Hatfield and London Colney, preventing the merger of St Albans and Hatfield, and preserving the setting of London Colney, Sleepshyde and Tyttenhanger Park, the report states that the parcel makes a significant contribution towards safeguarding the countryside and settlement pattern and gaps between settlements. These characteristics bear little or no relationship to the appeal site, and given the sheer size and scale of the land identified within the report when compared to the appeal site, I place only very limited correlation between the

conclusions drawn here in relation to the function of the land or assessment of its function relative to the purposes of the Green Belt when compared to the appeal site” (Para 24. Inspectors decision).

“I have already set out in my assessment of character and appearance above that the appeal site has an urban edge/ edge of settlement character. I have made a clear distinction between the appeal site and its separation from the countryside beyond to the south and east of the appeal site. In this way, the appeal site is influenced by the surrounding residential development. As a result of these locational characteristics and influences, the consequences of the development at the appeal site would mean that the proposals would have only a localised effect on the Green Belt. The broad thrust of, function and purpose of the Green Belt in this location would remain and there would be no significant encroachment into the countryside. I therefore conclude that the appeal proposal would not result in harm in term of the encroachment of the Green Belt in this location. This is a neutral factor which weighs neither in favour nor against the appeal proposals”. (Para 24. Inspectors decision) (our emphasis)

- 5.22 As this Statement, the accompanying plans and supporting LVIA make clear, the situation is no different in that the application site is well-contained, has an urban edge/edge of settlement character with there being good opportunities for retained and improved landscaping with enhancements to public accessibility.
- 5.23 In visual terms, the LVIA notes that views from residential properties towards the application site and any visual effects are likely to be minor or negligible; there are moderate visual effects observed from the public footpaths crossing the site and a minor to negligible effect from public footpaths and public rights of ways beyond the site; and road and transport users would initially observe a moderate effect, subsequently reducing to a minor effects as the new planting along the boundary establishes. Overall, the visual effects are not considered to be significantly or unacceptably harmful with the most sensitive changes understandably observed from within the site.
- 5.24 Ultimately, there is some impact on openness given the proposal seeks to introduce built form on land that is otherwise clear of structures or features that are not associated with the open countryside, however, the LVIA undertaken by Liz Bryant Architecture demonstrates that from most of the wider area, there would be little visual effect from development of the site.

“.... generally open to the north and more enclosed to the south where it is more wooded although there are some extensive panoramas over arable fields towards the Shenley ridge to the south.”

“based on the indicative layout and scale of buildings... the site’s relative containment and the opportunities for retained and improved landscaping mean that there be no significant harm to landscape character”.

- 5.25 The nature of the landscape with the surrounding built development and overlapping effects of trees and hedges, means that there are few public locations aside from the public footpaths where the site can be seen, beyond the site itself. Development of the scheme would have a minimal effect on the openness of the site beyond reducing the overall harm.
- 5.26 As already explained, it also makes a very limited contribution to the purposes of including land in the Green Belt in paragraph 134 of the Framework. It is essentially “captured” land that was included within the Green Belt along with large swathes of Hertfordshire at the time the boundaries were first defined, with little, if any, consideration given to the actual contribution it makes to the Green Belt purposes.
- 5.27 This specific site is situated within Colney Heath. Colney Heath itself is bordered very closely to the east by the A1(M). There is a virtually nil likelihood any coalescence with any settlement beyond the A1(M), nor any capacity for Colney Heath itself to ‘sprawl’ out in this direction and thereby contribute poorly to GB purposes.
- 5.28 This particularly so given that in between the A1(M) to the east and the site, as well as to the south of the site, there is very dense woodland which inherently limits the visual openness of views outward - even if we were to ignore the A1(M) further beyond. As detailed in preceding section, the site is perfectly bordered to the south, east, west and 50% of the north edge by existing residential development, formalised open space and other built development. In essence, development of this tract of land forms a very logical and assuredly reasonable expansion of Colney Heath which has experienced virtually non-existent levels of growth in recent decades.
- 5.29 It is a settlement that that has been starved and left to stagnate socially and economically due to strict technical considerations given that the practical benefits of including the site within the Green Belt are very limited. As aforementioned, it is captured land that has inhibited natural growth of the surrounding rural settlement. Few sites within the Green Belt bordering Green Belt settlements can claim to be readily integrated within said rural settlements that invariably define them.

Summary

- 5.30 Whilst acknowledging that development of the Site would represent inappropriate development in NPPF terms, it is relevant to assess whether development of the Site could cause harm to the wider Green Belt and whether it would adversely affect Green Belt boundaries and the strength/ integrity of the adjacent Green Belt.
- 5.31 the Site is enclosed by settlement on three and a half sides and development of it would therefore effectively be ‘infill’ development. Development would be well contained by the landscape and there would be no harm to any qualities which contribute to the distinct identity of Colney Heath. Development of the Site could be accommodated without giving rise to a perception of excessive encroachment into the wider countryside.

- 5.32 The Proposed Development would provide a new settlement edge which would be complementary to the existing situation and defensible in landscape terms, separating the Site from the wider countryside, arguably securing it from further encroachment in the future. The new permanent, defensible boundary would be defined by a physical feature – a reinstated field boundary marked by a native hedgerow – which would be readily recognisable and permanent, as required in paragraph 143 of the NPPF, and would provide a clear distinction between ‘town’ and ‘country’.
- 5.33 In terms of the effects of development on the Green Belt Purposes, the Site is located on the edge of a settlement, which wraps around the Site on three and a half sides. Development of the Site would not therefore result in unrestricted sprawl. The settlement boundary would not be extended beyond the existing boundary and, as a relatively enclosed parcel of land, development would not significantly encroach on the wider countryside and delivery of the proposed scheme would not affect the setting of any historic towns.
- 5.34 The Site is considered to currently make a weak contribution to Green Belt purposes and development of it should not weaken the integrity of adjacent Green Belt land and the contribution of the neighbouring land would not be weakened were the Site to be developed.
- 5.35 Development would affect the openness of the Site but not of the wider Green Belt. The Site is contiguous with the settlement boundary and development of it would not have an impact on openness or a significant increase in urbanising influences and would not diminish the extent to which the adjacent Green Belt would be considered countryside.
- 5.36 Visual openness is relevant to a consideration of openness. The visibility of the proposed scheme has been assessed in a Landscape and Visual Impact Appraisal (LVIA) prepared by Liz Bryant which concludes that from the wider area there would be limited to no visual effects resulting from development of the Site. Where there would be views of built form, it would be experienced within the context of the existing settlement.
- 5.37 It is considered that the Site currently makes a weak contribution to Green Belt purposes as defined in the NPPF. It is concluded that development of the Site could be compatible in terms of design, form, scale and appearance with the character of the surrounding area and would not result in unacceptable harm to the contribution made by the wider Green Belt to Green Belt purposes.

Very Special Circumstances (VSC)

- 5.38 It is acknowledged that as this planning application is submitted ahead of the new Local Plan’s adoption, it is necessary to set out the ‘very special circumstances’ case. As per the NPPF, substantial weight is to be attached to any harm to the Green Belt by reason of inappropriateness. It is acknowledged that very special circumstances will not exist unless the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (Para 148 of the NPPF (2021)). It is widely acknowledged that the definition of very special circumstances do not in themselves have to be rare or

uncommon (Wychavon DC v Secretary of State for Communities and Local Government and Butler [2008] EWCA Civ 692).

5.39 The comprehensive set of very special circumstances which support the application proposals is summarised below, and the applicant asserts that these are sufficient to outweigh any harm to the Green Belt arising from the proposals:

- Delivery of housing to meet an unmet need
- Provision of self-build / custom build housing to meet an unmet need
- Provision of a very significant quantum of affordable Housing
- Significant sustainability benefits

5.40 The section below assesses the core matters outlined above on a point by point basis outlining why the applicant considers that the very special circumstances test should be applied in this instance.

Housing land supply and lack of a 5 year HLS

5.41 Paragraph 74 of the NPPF states that *“local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old”*.

5.42 The NPPF is clear that there should be a presumption in favour of sustainable development which for decision taking means granting permission where the policies which are most important for determining the application are out of date (paragraph 11d). The footnotes of the NPPF state that ‘out of date’ includes where authorities cannot demonstrate a five year housing land supply, or the Housing Delivery Test (HDT) indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years.

5.43 As outlined in Section 4 of this statement St Albans are not able to demonstrate a deliverable 5 Year Housing Land Supply as they do not have an up-to-date Local Plan. In the determination of the Bullens Green Lane appeal decision the inspector was minded to consider that the council had a 5 year housing land supply of 2.4 years. More recently, the St Albans Housing Delivery Action Plan indicates that this position has worsened with a deliverable supply of net. 2.2 years. The majority of development in the borough is generated from development on previously developed land (‘PDL’) (net. 88%) of all completions. The borough is comprised of significant tracks of green belt which equate to 81% of the administrative area. Given that there is a limited supply of readily developable brownfield sites in the borough this provides a significant constraint on the delivery of housing. The withdrawn Local Plan outlined a defined need for net. 14,608 dwellings across the plan period 2019-2036, which equated to 903 dwellings per annum. The housing targets cannot be accommodated solely on brown field land within the borough and as such there is a readily demonstrable need for green belt release to facilitate sustainable development which will contribute to meeting the established housing need in the borough.



Contribution of green belt land to achieve housing need

5.44 Paragraph 11d excludes applications which impact on protected areas which includes land designated as Green Belt. The site is within the Green Belt but it is considered that there are 'very special circumstances' to release the site from the Green Belt to deliver housing including affordable housing where this contributes to meeting unmet housing demand.

5.45 This position had been evidenced in the determination of the Bullens Green Lane appeal scheme:

Paragraph 59 of the Framework seeks to support the Governments objective of significantly boosting the supply of homes. In order to achieve this, the Framework notes that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. (Para 46, Bullens Green Appeal decision) (our emphasis)

I am aware of the Written Ministerial Statement of December 2015 which indicates that unmet need is unlikely to clearly outweigh harm to Green Belt and any other harm so as to establish very special circumstances. However, in common with the appeal decision referred to, I note that this provision has not been incorporated within the Framework which has subsequently been updated and similar guidance within the Planning Practice Guidance has been removed. I can therefore see no reason to give this anything other than little weight as a material consideration. (Para 47, Bullens Green Appeal decision) (our emphasis)

It is common ground that neither SADC or WHBC can demonstrate a five year supply of deliverable homes. Whilst there is disagreement between the parties regarding the extent of this shortfall, the parties also agreed that this is not a matter upon which the appeals would turn. I agree with this position. Even taking the Councils supply positions of WHBC 2.58 years and SADC at 2.4 years, the position is a bleak one and the shortfall in both local authorities is considerable and significant. (Para 48, Bullens Green Appeal decision) (our emphasis)

There is therefore no dispute that given the existing position in both local authority areas, the delivery of housing represents a benefit. Even if the site is not developed within the timeframe envisaged by the appellant, and I can see no compelling reason this would not be achieved, it would nevertheless, when delivered, positively boost the supply within both local authority areas. From the evidence presented in relation to the emerging planning policy position for both authorities, this is not a position on which I would envisage there would be any marked improvement on in the short to medium term. I afford very substantial weight to the provision of market housing which would make a positive contribution to the supply of market housing in both local authority areas. (Para 49, Bullens Green Appeal decision) (our emphasis)

5.46 The NPPF also states that councils should maintain a supply of housing and monitor progress in building out sites (paragraph 76). The Housing Delivery Test (HDT) was introduced by Government to assist in monitoring delivery of sites. The 2021 Housing Delivery Test results were published in January 2022 and SADC's score was 46%. Therefore, the presumption in favour of sustainable development applies. The SADC Housing delivery action plan (2021) indicated that across the period from 1994-5 to 2020-2021 approximately 1,962 affordable housing units had been completed which equates to **73 units per annum**; compared with 10,372 total completions across the same period. The Inspectors decision from the Bullens Green Lane appeal decision disputes this figure and indicates that delivery across the period from 2012/13-2020 has worsened in recent years.

"In SADC, the position is equally as serious. Since the period 2012/13, a total of 244 net affordable homes have been delivered at an average of 35 net dwellings per annum. Again, this equates to a shortfall also in the region of 4000 dwellings (94%) which, if to be addressed in the next 5 years, would require the delivery of 1185 affordable dwellings per annum". (Para 55 of the Bullens Green Lane Appeal Decision)

5.47 There is a clear and evident housing need within the affordable housing tenure to address historic shortfall in provision.

5.48 In light of the above, it is considered that there are very special circumstances to outweigh harm to the Green Belt because there is a significant housing shortfall in SADC that is not going to be resolved until the new Local Plan is adopted. This is not currently expected until 2025. There are relevant planning decisions which demonstrate that housing need alone can constitute very special circumstances.

5.49 The NPPF recognises that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic trends, market trends and the needs of different groups should be provided.

5.50 The mix of dwellings will also be determined through consideration of the Reserved Matters and based on the prevailing local demand for house types. At this stage, it is envisaged that the scheme will provide a mix of dwelling types including 2, 3, 4 and 5 bedroom homes, and some blocks of 1 and 2 bedroom apartments for first time buyers and downsizers, having regard to the evidence in the Strategic Housing Market Assessment.

5.51 It is considered that the mix proposed provides a broad range of housing types and sizes that has been designed following careful consideration of a range of criteria including the social characteristics of the locality, market demand, the requirements of the Council and the requirements of the potential affordable housing provider.

5.52 The residential mix is illustrative at this stage and will be secured in detail at reserved matters stage.



Provision of Self-Build/Custom Build Housing to Meet an Unmet Need

- 5.53 The Self-Build and Custom Housebuilding Act (as amended) together with the PPG require local authority's to give suitable development permissions to provide enough suitable serviced plots of land to meet the demand for SBHC in their administrative area, noting that the level of demand is established by reference to the number of entries added to an authority's Self-Build Register during a Base Period.
- 5.54 In the case of St Albans, the authority has fallen substantially short of meeting their statutory duty to address demand. Resultantly, against the scale of unmet demand and the lack of a suitable strategy from the Council to address demand arising from the Self-Build Register's in St Albans, there is no doubt that the provision of up to 8 Self-Build and Custom Housebuilding plots through the application proposals will make a substantial contribution towards helping to address identified demand.
- 5.55 In the determination of the Bullens Green Lane Appeal decision the inspector had been minded to consider that delivery of self-build / custom build housing would represent a significant tangible benefit.

*“Turning to consider the issue of Self Build, as part of the overall dwelling numbers, the proposal would deliver up to 10 self-build or custom build dwellings. The Government attaches great importance to the provision of this element of the supply. Notably, paragraph 61 of the Framework identifies that planning policies should reflect the housing needs of different sectors of the community including, but not limited to people wishing to commission or build their own homes. Footnote 26 gives further explanation with reference to the requirements of the Self Build and Custom Housebuilding Act 2015 (as amended). The Planning Practice Guidance advises that local authorities 1 *Wychavon DC v Secretary of State for Communities and Local Government and Butler* [2008] EWCA Civ 692. 2 *APP/C2741/W/19/322735932 Appeal Decisions APP/B1930/W/20/3265925 and APP/C1950/W/20/3265926* 12 should use the demand data from registers, supported by additional data from secondary sources, to understand and consider future need for this type of housing in their area. Furthermore, it goes onto note that the registers are likely to be a material consideration in decisions involving proposals for self and custom housebuilding (Para 50, Bullens Green Appeal decision).*”

“In the case of these appeals, there are no development plan policies which relate specifically to the provision or delivery of self-building housing in either authority. Emerging policy SP7 at WHBC identifies four allocations which would contribute towards self-build plot provision although the allocations do not specify how many plots. Furthermore, neither authority has an up to date assessment of likely future demand for this type of housing in line with the Planning Practice Guidance. The appellant provided detailed evidence in relation to the Custom Build Register, none of which was disputed. Evidence also presented demonstrated that the statutory duty to provide for base period plot provision has also not been met in either authority, in some periods by a significant margin. Taking into account other secondary data sources, these shortfalls may well be on the conservative side”. (Para 51, Bullens Green Appeal decision).”

“In common with both market housing and affordable housing, the situation in the context of provision of sites and past completions is a particularly poor one. To conclude, I am of the view that the provision of 10 self-build service plots at the appeal site will make a positive contribution to the supply of self-build plots in both local planning authority areas. I am attaching substantial weight to this element of housing supply”. **(Para 52, Bullens Green Appeal decision)**

- 5.56 The Housing delivery action plan demonstrates that housing delivery both within the conventional housing product and self – custom build product has not improved post determination of the Bullens Green Lane appeal decision. In line with the direction from the inspectorate it is considered that substantial weight should be afforded to the provision of 8 no. Self-Build and Custom Build homes in the determination of this application.

Provision of a Very Significant Quantum of Affordable Housing

- 5.57 NPPF Paragraph 64 states that “*where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership*”. Affordable Housing is defined in Annex 2 of the NPPF which states that it 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); and which complies with one or more of the following definitions: Affordable Housing for Rent, Starter Homes, Discount Market Sales Housing (DMSH) and Other Affordable Routes to Home Ownership*”.
- 5.58 The proposals will make a valuable contribution to the delivery of much needed housing and affordable housing. Given the significant housing shortfall outlined above, the delivery of the policy compliant level of affordable housing at the site (and policy compliant tenure split) comprises very special circumstances this position had been confirmed in the appeal decision for the Bullens Green Lane site.

“The uncontested evidence presented by the appellant on affordable housing for both local authorities illustrates some serious shortcomings in terms of past delivery trends. In relation to WHBC, the affordable housing delivery which has taken place since 2015/16 is equivalent to a rate of 23 homes per annum. The appellant calculates that the shortfall stands in the region of 4000 net affordable homes since the 2017 SHMA Update, a 97% shortfall in affordable housing delivery. If the shortfall is to be addressed within the next 5 years, it would require the delivery of 1397 affordable homes per annum. In SADC, the position is equally as serious. Since the period 2012/13, a total of 244 net affordable homes have been delivered at an average of 35 net dwellings per annum. Again, this equates to a shortfall also in the region of 4000 dwellings (94%) which, if to be addressed in the next 5 years, would require the delivery of 1185 affordable dwellings per annum” **(Para 53. Bullens Green Lane Appeal decision).**

“The persistent under delivery of affordable housing in both local authority areas presents a critical situation. Taking into account the extremely acute affordable housing position in both SADC and

WHBC, I attach very substantial weight to the delivery of up to 45 affordable homes in this location in favour of the proposals". (Para 54, Bullens Green Lane Appeal decision)

5.59 The scheme involves provision of 45% of the proposed dwellings as affordable homes, which is above the Policy requirements of 35% in St Albans District Council administrative area. At present, it has been evidenced that St Albans District Council have a shortfall in provision within the administrative area. The Housing delivery action plan (2021) indicated that across the period from 1994-5 to 2020-2021 approximately 1,962 affordable housing units had been completed which equates to 73 units per annum; compared with 10,372 total completions across the same period. The Inspectors decision from the Bullens Green Lane appeal decision disputes this figure and indicates that delivery across the period from 2012/13-2020 has worsened in recent years.

"In SADC, the position is equally as serious. Since the period 2012/13, a total of 244 net affordable homes have been delivered at an average of 35 net dwellings per annum. Again, this equates to a shortfall also in the region of 4000 dwellings (94%) which, if to be addressed in the next 5 years, would require the delivery of 1185 affordable dwellings per annum". (Para 55 of the Bullens Green Lane Appeal Decision)

5.60 There is a clear and evident housing need within the affordable housing tenure. Failing to deal with affordable housing in the swiftest possible way just leaves people languishing on the councils waiting lists. The grant of planning permission at this site will therefore enable up to 67 additional affordable homes to be delivered within the next five years, helping to meet the Council's existing identified need sooner. This is at a proportion well in excess of provision that is to be provided under either LPA's adopted or emerging Local Plans. Households needing affordable housing will also spend less time on the waiting list stuck in unsuitable accommodation. This will improve the lives of those real households who will benefit from the provision of high quality, affordable homes that meet their needs.

5.61 The proposed development will also mean the Councils will be better placed to address the most severe housing issues such as those households facing crisis through homelessness. The proposed affordable housing will come forward in a mix of tenures including affordable rented housing and affordable routes to home ownership, therefore helping to meet the needs of different parts of the housing market. The delivery of 45% affordable housing on this site therefore represents a significant tangible benefit in support of the proposed development.

Significant Sustainability Benefits

5.62 The NPPF places the presumption in favour of sustainable development at the heart of the planning system (paragraph 10). This is reflected in Policy CP1 of the adopted Core Strategy, which seeks to deliver the Council's overarching policy on sustainable development.

5.63 A detailed Sustainability Statement has been submitted in support of the application and this summarises a number of key measures which have been incorporated into the proposed development from the outset.

These are summarised above in Section 3 of this Planning Statement and are not repeated here, but do demonstrate the applicant's commitment to meeting and exceeding local planning policy expectations with regards to climate change and sustainable development.

5.64 In addition to the above, paragraph 8 of the NPPF sets out the three overarching objectives for the planning system to achieve sustainable development. The planning application proposals are considered to contribute to the aims of sustainable development, and will deliver the following environmental, economic and social benefits as detailed below.

- **Economic Benefits:** The proposed development will contribute to economic growth, both during construction, and over the life of the development. The construction of new housing creates a range of employment opportunities within the local and wider economy, and has been acknowledged by the Government as a key driver for boosting housing delivery (as required by the NPPF). Construction of the proposed development will provide a significant number of full time equivalent jobs, along with indirect and induced jobs. The proposals will also contribute to the economic role of sustainable development by delivering land to improve choice and competition in the residential market place. During the operational phase of the development, new residents will spend within the local economy which will assist in sustaining the local services and infrastructure in the wider area.
- **Social Benefits:** The delivery of new homes meets the social role of sustainable development in accordance with paragraph 7 of the NPPF, and will assist in creating a strong and balanced community within the wider area. In addition to this, the introduction of a range of types of residential units will assist in creating a diverse new community to the benefit of wider area and assist in meeting the Council's housing needs. The proposals will provide a well-designed built environment and open spaces that will assist to create a new sustainable community.
- **Environmental Benefits:** The application proposals will deliver a series of environmental benefits. A detailed landscape strategy has been produced to ensure the highest quality of design for the open space, and this will deliver biodiversity and ecological enhancements as well. The village green at the centre of the site will be welcoming, of a high quality and usable by all. Active streets and spaces will form an attractive public realm which will encourage people to walk, cycle, play and socialise.

5.65 Based on the above, it is considered that the proposed development meets the three key requirements which comprise the mutually connected dimensions of sustainable development in line with paragraph 7 of the NPPF.

5.66 This Planning Statement demonstrates that the proposals represent sustainable development and will result in a range of social, economic and environmental benefits. This comprises very special circumstances.

Conclusion on Green Belt Considerations

- 5.67 Overall, it is concluded that whilst there is 'definitional harm' that arises from inappropriate development in the Green Belt, the harm to the Green Belt arising from the development proposals can be considered to be very limited.
- 5.68 The limited definitional harm to the Green Belt that is generated by these proposals is outweighed by the very special circumstances that have been outlined above. Paragraph 148 of the NPPF makes reference to any other harm also being taken into account in the consideration of planning applications. The technical assessments undertaken and summarised in Section 6 of this Planning Statement do not identify any other harm that outweighs the very special circumstances that support the development proposals.
- 5.69 Therefore, in the context of paragraph 148, it is considered that very special circumstances, as identified above, outweigh the harm to the Green Belt and any other harm.

6. Planning Assessment - Other Planning Considerations

6.1 In addition to the balancing exercise contained at Section 5 of this Planning Statement, this section sets out the main planning consideration arising from the application proposals with reference to the planning policy framework set out at Section 4.

6.2 This section of the statement covers the following topics:

- Access, Highways and Transport (secured in detail under this application);
- Design and Heritage considerations;
- Landscape and Visual Impact Assessment
- Noise and Vibration
- Flood Risk and Drainage
- Utilities Assessment
- Land Contamination
- Archaeology
- Trees & Ecology
- Sustainable Development
- Planning Obligations

Access, Highways and Transport

6.3 Chapter 9 of the NPPF considers transport related matters and places an emphasis on sustainable transport. Paragraph 110 sets out that in assessing sites for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;

- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.4 Paragraph 111 advises that development should only be refused on highways grounds if there would be unacceptable impacts on highway safety, or if cumulative impacts would be severe. In promoting sustainable transport, the NPPF (paragraph 112) encourages applications to prioritise pedestrian and cycle movements, facilitate access to higher quality public transport networks and provide facilities that encourage public transport use. Together with ensuring layouts create places that are safe, secure and attractive to minimise highway conflicts, address the needs of people with disabilities and reduced mobility, policy also seeks to allow for the efficient delivery of servicing and promotion of the use of green vehicles
- 6.5 To accompany the planning application a Transport Assessment (TA) and Green Travel Plan have been prepared by Ardent.
- 6.6 The TA includes an assessment to calculate the likely vehicular trip generation of the proposed development and based upon figures extracted from the TRICS database, the development is predicted to generate 68 two-way trips during the AM peak hour and 72 two-way trips during the PM peak hour. This equates to approximately less than one vehicle per minute travelling in either direction either to or from the site at peak times, which is unlikely to have a significant impact on the local highway network. Detailed modelling is included within the Transport Assessment prepared by Ardent.
- 6.7 In terms of accessibility, the TA and GTP also set out details of the services and facilities that are conveniently and safely accessible by foot, bicycle or bus from the site as summarised below and in doing so, demonstrating that this is a sustainable location for new housing:
- All of Colney Heath is accessible within 2km of the proposed site, which is the preferred walking distance for the purposes of commuting / school journeys / sightseeing as set out in Providing Journeys on Foot.
 - Within Colney Heath, cars, cyclists and pedestrians are able to follow the same routes which are easily navigable towards the village centre which in light with recommendations detailed in Manual for Streets for pedestrians, and these provisions will continue within the site as part of the proposals.
 - A number of Public Rights of Way are situated within the site boundary and the surrounding area all of the existing public rights of ways will be retained as per the existing situation.

- It is noted that the eastern extents of St. Albans and the southern extents of Hatfield are accessible within a 5km cycling distance of the site.
 - National Cycle Route 61 is accessible within approximately 3km of the site off Smallford Lane, equating to a short 9-minute cycle journey. Route 61 facilitates access to St. Albans to the West and links to Route 6 which provides access to Watford to the southwest, and Leighton Buzzard to the north west.
 - Furthermore, National Cycle Route 12 is accessible within 2km of the site off Dixons Hill Road, which equates to a 7-minute cycle journey. Route 12 facilitates access to South Mimms to the south, and Welwyn Garden City to the north.
 - Welham Green Railway Station is an approximate 12-minute cycling distance from the site and provides cycle storage facilities, as to Hatfield Railway Station and St. Albans Railway Station, thereby further encouraging use of sustainable transport solutions for users of the site.
- 6.8 The nearest bus stop to the site is located approximately 50m from the site on Roestock Lane which equates to a short walk and is therefore easily accessible for any future residents. The bus stop serves the Routes 200, 230, 305, 312, 355, 614/44 and 653 which facilitate access to Essendon, Brookmans Park, London Colney, Welwyn Garden City, St. Albans, Potters Bar, Sandridge and Hatfield. The TA details a number of these destinations together with journey times and service frequency, All are noted to be no more than 30-minutes by bus, with services operating throughout the week for users. .
- 6.9 The location of the site in relation to the surrounding land uses thus ensures it is well placed with regard to a mix of services, facilities and employment opportunities within a 2km walk and 5km cycle, to include retail facilities, education establishments and recreation facilities.
- 6.10 The Green Travel Plan prepared by Ardent outlines the measures to be implemented by the applicant to facilitate uptake in sustainable modes of travel in line with the priorities of the National Planning Policy Framework.
- 6.11 Given the sustainable transport links available to the users of the site, including access to bus services, it is considered that the site lies in a sustainable location and there would be no unacceptable impacts on the surrounding highway network as a result of the development. The proposals are compliant with, or are capable of being compliant with, the below policies of the adopted Local Plans:
- Policy 34 (SADC) Highways Considerations; and
 - Policy 36A (SADC) Sustainable Transport.

Access

- 6.12 Access is a matter for detailed approval and is not 'reserved' for later consideration.
- 6.13 Access into the site is currently available along the public footpaths leading to / from Roestock Lane.

- 6.14 Vehicular access is proposed from Roestock Lane in the form of a new priority junction arrangement to the north-east of the site.
- 6.15 This will form the access road through the site which has been designed in accordance with the standards set out in the HCC Highway Design Guide (Section 4 – Design Standards and Advice). The proposed access has been designed with a carriageway width of 5.5m and kerb radii of 10m. 2m footways will be provided on both sides of the access road and will tie-in to the existing provision to the east. An uncontrolled pedestrian crossing is proposed to the west of the site access for users to access the footway on the opposing side of the carriageway.
- 6.16 The proposed access design can be seen in **ACE Drawing Number 2204060-001**. The drawing also contains swept path analysis of the proposed access which has been undertaken to demonstrate that the access is suitable for refuse vehicles.

Pedestrian access

- 6.17 Footways measuring 2m wide will be provided on both sides of the access road. These will continue on the main spine road throughout the site. As mentioned previously, the existing PROWs that run through the site will be retained as part of the proposals. These footpaths provide additional pedestrian access points onto Roestock Lane (to the south) and High Street (to the west). The internal layout will be subject to a separate Reserved Matters application.

Car Parking

- 6.18 An assessment of the required parking provision in relation to the relevant local parking standards has been undertaken for both car parking and cycle parking provision.
- 6.19 The scheme is seeking to provide 342 spaces comprised of 119 on street allocated spaces, 133 on plot allocated spaces, 57 visitor spaces, 17 garage spaces and 13 car port spaces. With regards to electric vehicle parking, the current Local Plan makes no mention of electric vehicle charging point (EVCP) requirements. However, EVCPs will be provided in line with the updated June 2022 Building Regulations for England. These updated standards require that an ECVP must be provided at a ratio of 1:1 for the number of dwellings. Any remaining spaces will have passive installation / ducting to allow for easy EVCP provision in the future.

Cycle Parking

- 6.20 The proposed cycle parking numbers have been calculated using the standards set out within the District Plan. As such, the proposed cycle parking provision has been provided in accordance with this guidance so that units with a back garden will be provided with a shed to store cycles. Proposed dwellings within the scheme without gardens will be provided safe storage at a ratio of 1 space per unit (standards require 1 space per 2 units), which exceeds the policy requirements.

- 6.21 The provision therefore exceeds the local cycle parking standards and actively promotes sustainable travel in accordance with the national and local planning policy requirements.

Emergency Vehicles

- 6.22 The proposed layout will be designed in accordance with the Department for Transport document Manual for Streets (MfS) which states that “*There should be vehicle access for a pump appliance within 45m of every dwelling entrance for single-family houses, flats and maisonettes.*” The layout of the site has been designed to ensure that emergency vehicles can access the development. Full swept path analysis of overrun areas for emergency vehicles can be found in the Transport Statement submitted in support of this application.

Refuse and Servicing

- 6.23 Adequate storage for refuse and recycling will be provided in accessible locations and sufficient space will be provided in each collection location as well as a turning area for refuse vehicles to manoeuvre so that they can enter and exit the Site in a forward gear.
- 6.24 Full swept path analysis of overrun areas for refuse and servicing vehicles can be found in the Transport Statement submitted in support of this application.
- 6.25 On the basis of the findings within the Transport Statement, and in the context of the guidelines within NPPF and local planning policy, it is considered that there are no residual cumulative impacts in terms of highway safety or the operational capacity of the surrounding transport network.

Design & Heritage considerations

- 6.26 National, regional and local planning policy promotes high quality and inclusive design in new development. The NPPF makes it clear that the Government attaches great importance to the design of the built environment. As such, good design is considered to be a key aspect of sustainable development and is indivisible from good planning.
- 6.27 Paragraph 9 of the NPPF seeks to achieve sustainable development through positive improvements of the building environment, including replacing poor design with better design and improving the conditions in which people live, work, travel and take leisure. The 12 core principles set out at paragraph 17 of the NPPF include taking account of the different roles and character of different areas, and seeking to secure high quality design and a good standard of amenity for existing and future occupiers.

Design and Layout

- 6.28 A detailed Design and Access Statement (DAS) has been prepared to accompany this planning application and sets out the considerations that have informed the key design principles incorporated in the illustrative layout submitted to demonstrate that the site is capable of accommodating 155 dwellings in an appropriate and sympathetic form.
- 6.29 The DAS notes some features and broad characteristics that can be observed with a degree of regularity as to contribute to perception of a particular character for Colney Heath. These include simple rectangular forms with ridge lines and the long axis predominantly parallel to the streets, symmetrical layout of fenestration and doors, and predominantly 2 storey dwellings.
- 6.30 Accounting for the character of the settlement, together with the surrounding layout and pattern of development, the scheme has been designed to front onto the eastern and southern boundaries and the building line set back to create a green corridor along the northern and north-eastern boundaries. This green corridor has been introduced to accommodate a new footpath link and also a landscape buffer to help create a soft edge to the development, marking the transition from settlement to countryside beyond. A sizeable area of open space has been indicated in the northern of the site to provide a heart to the new community delivering amenity space and child play provision.
- 6.31 The proposed dwellings have been deliberately sited and oriented to ensure the sense of arrival is well defined and that no unacceptable overlooking is promoted between interfacing new dwellings. Furthermore, and despite design being a reserved matter, the intention for this scheme is to produce a traditional architectural response to context.
- 6.32 With respect to footpaths and shared surfaces, these will be overlooked by active frontages and will be appropriately lit, providing safe and convenient routes throughout the site. Deflections in the street layout and tight corners will help to calm traffic speeds through reduced forward visibility.

6.33 Thus, the illustrative site layout indicates how the proposed development will provide a high-quality residential environment with landscaping, good amenity space levels and sufficient resident and visitor parking. Details of the actual scale, appearance and design of the dwellings will be reserved matters however it is expected that the development can respond positively to the general character of the area as set out within the accompanying DAS. The proposals are compliant with, or are capable of being compliant with, the below policies of the adopted Local Plans:

- Policy 39 (SADC) Parking Standards, General Requirements;
- Policy 40 (SADC) Residential Development Parking Standards;
- Policy 69 (SADC) General Design & Layout;
- Policy 70 (SADC) Design & Layout of New Housing;

Heritage considerations

6.34 The NPPF establishes national level policy on the conservation and preservation of the historic environment. Paragraph 189 requires planning applications to include a description of the significance of any heritage assets affected, including any contribution made by their setting. In accordance with paragraph 193, great weight has been given to the asset's conservation and under paragraph 193-196, opportunities sought for the new development to enhance and better reveal the significance of the heritage asset.

6.35 Section 66 of the Listed Buildings and Conservation Areas Act (1990) states that that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.36 The effect of this section of the Listed Building Act is that there is a statutory presumption in favour of the preservation of the Listed Buildings and their setting. Considerable importance and weight is attached to the preservation and enhancement of the assets. Any proposal which causes harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption against development.

6.37 The NPPF (July 2021) at Paragraph 190 outlines a requirement for Local Planning Authorities to identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage assets) taking into account the available evidence and any necessary expertise. In determining applications, local planning authorities should take account of:

6.38 In considering the impact of new development on the significance of the designated heritage asset, great weight should be afforded to the conservation of the asset, this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (Para 193).

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

6.39 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.*

6.40 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.41 A Built Heritage Statement has been prepared by RPS to assess the potential impact on the historic built environment arising from the proposed development of land at Roundhouse Farm, Colney Heath.

6.42 While there are a number of listed buildings proximate to the Site, the Site does not form part of their settings due to a lack of any visual, historical and functional relationship between them. As such, the proposed development of the Site for residential use would not impact the significance of any of the identified listed buildings.

6.43 The Site does form part of the extended setting of the non-designated heritage asset of Roundhouse Farm. While there is a limited visual relationship between the two, they share an historical functional relationship. The proposed development would cause a negligible level of harm to the significance of the farmhouse, which is the very lowest level of less than substantial harm. As such, NPPF paragraph 202 is engaged, and the negligible level of harm balanced against the public benefits of the scheme. It is therefore considered that the proposed development is acceptable in planning terms.

Landscape and Amenity Space

- 6.44 All of the proposed houses are provided with policy compliant private external amenity space comprising rear gardens. Where individual apartments are not provided with the full amenity space requirement as private amenity space, these dwellings are provided with private terrace / balconies and shared communal gardens for the blocks. The dwellings are also located in close proximity to the central landscape open space, benefitting from easy access to high quality communal open space.
- 6.45 Open space has been incorporated throughout this scheme, with areas of formal open space at the northern boundary in linear form, and with smaller areas of open space across the site which can incorporate playspace for young children. The inclusion of green spaces across the site will help to create a sense of openness and support the countryside feel to the development. The details of the open space provision will be confirmed during the Reserved Matters submission and (“The Applicant”) will seek to ensure that this provides opportunities for habitat creation to help strengthen the wider Green Infrastructure Network.
- 6.46 It is also envisaged that the open space provision will be supported by a clear long term management plan.

Density

- 6.47 At the national level, whilst the NPPF does not set out any prescriptive guidance with regards to residential density, it encourages new development proposals to optimise the capacity of sites in a manner that is compatible with the use, intensity, scale, character and grain of the surrounding area and the size of the site.
- 6.48 The residential density of the site will be determined through a future Reserved Matters application. The density of the scheme will accord with the parameters established by the Density Parameter Plan submitted with this application, with a variation of density across the site with higher density development focussed within the central portion, and a softer looser character present on the fringes to achieve a design which responds to context. Based on 155 dwellings at a site of 5.19 hectares, the density will be 30 dwellings per hectare which is considered to be appropriate for this location and makes optimum use of the site whilst being compatible with the existing properties in Colney Heath and the sensitive landscape and historical features within the vicinity.

Landscape and Visual Impact Assessment

- 6.49 A Landscape and Visual Impact Assessment (LVIA) has been carried out by FPCR Environmental and Design Ltd to support the planning application and describes in detail the landscape character of the site and its surroundings, the wider landscape character baseline and the landscape sensitivity, together with details on the impact on openness of the Green Belt as a result of the proposed development. Whilst the

LVIA's evaluation on the Green Belt has been detailed in the preceding section, outlined below are the impacts of the changes in landscape and visual terms.

6.50 The landscape proposals include:

- An area of informal green space to the north of the site, including some sustainable drainage features. These will be designed with shallow banks and will allow for different levels to enable a range of habitats to develop. This could include areas of reed. Other parts of the space will include small areas of copse planting, and open grassland.
- Within the residential area there would be a series of smaller green spaces, mainly simple in design, with regularly mown grass and individual trees. These would be overlooked by the adjacent housing and would form softer entrance spaces to the scheme from Bullens Green Lane.
- Retained footpath routes. These routes would be in areas of new greenspace, with additional planting and overlooked by the new housing areas, providing attractive and safe routes.
- New pedestrian routes. A new traffic free link would be established through the green spaces within the site, from Roestock Lane, through to Fellowes Lane/Bullens Green Lane in the south east

6.51 The LVIA notes that the completed scheme is likely to result in a range of landscape effects at different scales. The LVIA has been founded on a thorough study of the Site and its setting; through understanding these features and resources, a robust appraisal of the landscape and visual effects of the Proposed Development has been undertaken.

6.52 The Site is not covered by any national or regional landscape designations, is not located within a conservation area and does not contain any listed buildings or scheduled monuments.

6.53 At a national level, the landscape character of the Site and the surrounding area have been considered in line with the NPPF and it is considered that the Proposed Development is "sympathetic to local character and history, including the surrounding built environment and landscape setting", as set out in paragraph 130.

6.54 The Proposed Development is for residential development, providing up to 155 dwellings with associated open space and infrastructure. The landscape character of the Site would be changed rather than the overall character of the wider rural landscape to the north. Albeit that the Proposed Development, by replacing the existing field with residential development, would not enhance or reinforce the rural characteristics of the wider area, neither would it damage or detract from them.

6.55 This appraisal concludes that the Proposed Development can be accommodated without any adverse effects on the prevailing landscape character of the wider area and would create a new permanent, edge to the village, defined by a reinstated field boundary.

- 6.56 With the implementation of the Proposed Development, visibility of the Site would increase and the proposed built form would be visible from some locations, however it would not be experienced as a discordant or inappropriate addition to the settlement. Overall, it is concluded that the visual receptors who would experience adverse visual effects as a result of the Proposed Development would be users of the public footpaths which cross the Site, users of PRoW 24 on the Site's northern boundary and residents of some properties on the Site's boundaries. From locations beyond the settlement to the north, the Proposed Development would be seen in the context of the existing settlement. Where visible, the Proposed Development would be perceived as built form which complements the existing settlement.
- 6.57 Overall development of the site would have very limited landscape or visual effects. Most effects would only be experienced within or adjacent to the site, with very little change to the wider landscape. The site itself makes a minor contribution to the purposes of Green Belt, and development of it would have very little effect on Visual Openness, beyond the site itself. The proposals are compliant with, or are capable of being compliant with, the below policies of the adopted Local Plans:
- Policy 74 (SADC) Landscaping;
 - Policy R11 (WHBC) Biodiversity & Development;
 - Policy R17 (WHBC) Trees, Woodland & Hedgerows; and
 - Policy D8 (WHBC) Landscaping

Best & Most Versatile Land

- 6.58 An Agricultural Land Quality Assessment has been carried out by Kernon Countryside Consultants in support of this application and concludes there would be no significant loss of agricultural land.
- 6.59 The survey result reports that the land quality across the site is limited by the interaction of soil texture and wetness to sub-grade 3a.
- 6.60 The guidance within paragraph 170 and 171 of the NPPF does not prohibit the use of the Best or Most Versatile ("BMV") agricultural land for development and nor is it a restriction of development in principle. It requires recognition of the economic and other benefits of BMV land and, where significant development of agricultural land is involved, directs that development to land of a poorer quality in preference to that of a higher quality.
- 6.61 The Agricultural Land Classification report considered the quality of land at Roundhouse Farm, Colney Heath, and assessed the planning considerations relevant to the non-agricultural development of that site. The land was surveyed in October 2022. This identified the site to comprise a mixture of Grade 2 (2.5 ha or 48%) and Subgrade 3a (2.7 ha or 52%).

- 6.62 Planning policy in the NPPF and Local Plan requires that the economic and other benefits of best and most versatile land be recognised. In plan making the Framework advises that where significant development of agricultural land is necessary, poorer quality land should be used in preference.
- 6.63 At approximately 5.2 ha of BMV the site is only 26% of the threshold for consultation with Natural England. It is not “significant development” of agricultural land. The NPPF requires that the economic and other benefits of BMV land be considered. In this case the economic benefits are estimated to be less than £2,000 (£1,300 - £1,700) per annum. This is a fairly modest sum, therefore. There are no significant adverse effects on any active farming business. There is no knock-on implication for any other land farmed. There are no obvious areas of poorer quality land available locally in this part of the settlement. Therefore the economic benefits of the land have been considered, and poorer quality land is not available. In those circumstances the non-agricultural development of the area is in accordance with the planning policy
- 6.64 A Further study of appeal and SoS decisions relating to the loss of agricultural have been evaluated to determine whether an alternative threshold exist. Analysis indicates that very few cases exist where loss of less than 10ha of agricultural comprises significant development.
- 6.65 Additionally, there is noted to no significant adverse effects on the farm viability of any local farming business due to loss of this agricultural land. Accordingly, the existence of a modest area of best and most versatile agricultural land within the site, should be accorded only limited weight. The proposals are compliant with, or are capable of being compliant with, the below policies of the adopted Local Plans:
- Policy 102 (SADC) Loss of Agricultural Land; and
 - Policy RA15 (WHBC) Agricultural Land.

Noise and Vibration

6.66 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

6.67 Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

6.68 Ardent has been instructed to prepare the Noise Assessment which accompanies the planning application which determines the impacts of noise sources on the site to determine what harm, if any, this would have on residential amenity. It should be noted the National Planning Policy Framework does not set out specific targets for internal noise levels, but does require that the planning system should seek to avoid noise giving rise to significant adverse impact. Detailed noise monitoring has been undertaken to determine the existing environmental noise climate at the site given the proximity to the neighbouring site in use for light industrial purposes.

6.69 The potential risk of the site for residential development has been assessed in line with a ProPG Initial Site Noise Risk Assessment. In light of the above, consideration has been given to *BS8233:2014* and *World Health Organisation (WHO)* standards for noise levels. These indicate that internal noise targets for the daytime are 35 and 40 dB LAeq for bedroom and living spaces, respectively. For night time, these are 30 and 40 dB LAeq, respectively.

6.70 The site would be considered low risk when compared with ProPG Guidance. This would not prohibit the development as good acoustic design principles will be followed to reduce sound levels to as low as practicably possible across the site as the design of the site layout progresses. Initial recommendations have been made in this report in line with these principles.

6.71 In more sensitive locations closed, but not sealed, windows are recommended and alternative ventilation, e.g., trickle ventilation, will need to be provided for dwellings at the boundaries of the site. Where dwellings are sufficiently set back from and/or screened by intervening buildings from these

boundaries, it is expected that open windows would be suitable. Residents will have the choice to open windows, whilst noting elevated internal sound levels.

- 6.72 The provision of closed windows, but not sealed, and alternative ventilation for these dwellings means that residents have the choice to close windows whilst still having the provision of suitable background ventilation. The risk of noise impact under overheating conditions has been considered in accordance with AVO Guidance. Noise levels place the site in the low risk category of noise impact during overheating condition during the daytime and night-time. In these circumstances a Level 2 noise impact during overheating conditions assessment is not required for the site.
- 6.73 External sound levels at external amenity areas across the site will meet the guidance criteria set out in the standards across the site. An assessment of the impact of noise from the neighbouring site has been conducted for the site in accordance with BS4142. When the context of the site is properly considered, noise from the scrapyards results in a low impact.
- 6.74 The change in noise levels due to operational traffic at the site when compared to the future baseline is negligible.
- 6.75 Summarily, the proposed residential use of this development would not subject future intended occupiers to excessive levels of noise as the assessment clearly demonstrates that current noise levels would not result in any significant adverse impact as per Paragraph 180(a) of the NPPF. Measures have been identified in the Assessment which would sufficiently mitigate internal noise levels produced from commercial premises nearby.
- 6.76 In light of the above, it is concluded that the proposed development should not raise any residual significant or other adverse impacts on the health and / or quality of life for existing neighbouring dwellings in the vicinity of the site, or dwellings to be created by the development. It is therefore concluded that the proposed development fully complies with the relevant noise-related national and local planning policy documents.

Construction Matters

- 6.77 A framework construction management plan has been prepared in support of this application to outline application. The CEMP provides information to illustrate how any environmental effects of the proposed construction works are to be mitigated during the course of the construction phase. The statement outlines that with the mitigation measures in place development on this site will not generate significant effects. Measures set out in these other documents to mitigate the impact of the proposed works will be adopted by Bellway during the course of the Construction Works. A detailed construction management plan will be secured by condition.

Flood Risk and Drainage

- 6.78 Paragraph 159 of the NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (paragraph 167). Paragraph 167 sets out that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 6.79 This site lies within Flood Zone 1 on the Environment Agency's Indicative Flood Maps and therefore has an annual probability of flooding of less than 1 in 1,000. Notwithstanding this Ardent have prepared a Flood Risk Assessment (FRA) to accompany the application on the basis that the site has an area greater than 1 ha.
- 6.80 The FRA demonstrates that the site will not be at risk of flooding and the proposed development will not exacerbate the risk of flooding elsewhere within the vicinity of the site.
- 6.81 The FRA also includes a Surface Water Drainage Strategy that identifies a suitable sustainable strategy for the disposal of surface water from the developed site.
- 6.82 According to the EA flood maps, the Site is located in Flood Zone 1. Under the NPPF the proposed development is classified as 'more vulnerable', is located within a sequentially appropriate fluvial and tidal Flood Zone and does not require the application of the exception test. The potential risk of flooding from other sources at the Site including surface water, groundwater, sewers and artificial sources are considered medium under the current arrangements due to localised ponding of surface water. This risk would be reduced to low following the development of the Site, with implementation of appropriate drainage.
- 6.83 The surface water drainage strategy will manage flood risk by restricting surface water to a combined total of 9.5l/s (Qbar equivalent) for all return period events up to and including the 1 in 100-year critical event (with 40% allowance for climate change).
- 6.84 The surface water from the Site will be attenuated and temporarily stored on Site within a combination of cellular storage and detention basins, with a total volume of circa 1,500m³ required. It is proposed that foul flows from the development will discharge into a Thames Water sewer, with connections to this made toward the south-east and north-west corners of the Site.
- 6.85 A management company will be appointed to maintain the SuDS within the development. Funding of the maintenance regime will likely to be via the yearly maintenance fees from the development. All maintenance will be in accord with the best practices and the CIRIA Manual C753.
- 6.86 The Flood Risk Assessment demonstrates that the proposals are consistent with the aims of the NPPF and planning guidance. The Site will not be at significant risk of flooding or increase the flood risk to others. In terms of sustainable drainage or flood risk, there is no reason why the residential development

proposed should not be fully supported. The proposals are compliant with, or are capable of being compliant with, the below policies of the adopted Local Plans:

- Policy 84 (SADC) Flooding and River Catchment Management;
- Policy 84A (SADC) Drainage Infrastructure;

Utilities Assessment

6.87 A Foul Sewerage and Utilities Assessment has been prepared by Ardent and demonstrates that the site can be satisfactorily serviced by all utilities. It can therefore be concluded that, in terms of utility constraints and supply, the proposed development should be supported through the planning process.

Land Contamination

6.88 Paragraph 178 of the NPPF encourages sites to be suitable for its proposed use by taking into account ground conditions and any risks arising from contamination.

6.89 Idom were commissioned to undertake a Geo-Environmental Investigation and this has been submitted with the application together with the results of infiltration testing. The site is arable farmland and has been undeveloped since 1873. A portion contained within the western vicinity of the site used to be allotments, in addition a substation, builder's/scrap yard were identified along the southern boundary of the site.

6.90 A site investigation has been undertaken by Chelmer Ltd. This provides good coverage of the site, and the analytical suite is consistent with the potential contaminants of concern highlighted by the desk study. The Chelmer report is a purely factual account. However, the data has been assessed against current screening criteria protective of human health and groundwater. This has not identified significant contamination that would require remediation.

6.91 Ground gas data does not indicate a significant ground gas risk; however, further monitoring is required to confirm this, this could be achieved through suitably worded planning conditions attached to the redevelopment of the site.

6.92 Material imported for the formation of domestic gardens and landscaped areas should be obtained from a validated source. The validation should incorporate an assessment of the provenance of the material and chemical analysis. This could incorporate existing site won soils..

6.93 Summarily, there is no reason why this application should not be granted outline consent as per the findings of the above contamination and geotechnical risk assessments.

Archaeology

- 6.94 The Site has been assessed for its below ground archaeological potential.
- 6.95 In terms of designated heritage assets, as defined above and as shown on Figure 2a, no designated World Heritage Sites, Registered Parks and Gardens, Historic Wrecks or Historic Battlefields are located on the Site or within the Search Area.
- 6.96 No non-designated heritage assets are recorded on the Site but it is considered possible that the limited evidence regarding non-designated archaeological assets within the surrounding area is due to limited fieldwork in advance of development activity. From the available baseline information it is considered that there may be 'negligible to low development impacts on non-designated archaeological assets that are potentially on the Site.
- 6.97 Paragraph 194 states that planning decisions should be based on the significance of the heritage asset and that level of detail supplied by an applicant should be proportionate to the importance of the asset and should be no more than sufficient to review the potential impact of the proposal upon the significance of that asset.
- 6.98 The site is circa 5.22 hectares. No designated or non-designated heritage assets are recorded on the Site in the HER data received. It is considered that if the LPA do have any archaeological planning requirements these could be secured by a planning condition on any consent that is granted.

Trees & Ecology

- 6.99 Chapter 15 of the NPPF seeks the conservation and enhancement of the natural environment. Paragraph 174 specifically requires planning policies to recognise the intrinsic character and beauty of natural features, including the benefits of trees.

Minimising loss of existing vegetation

- 6.100 In line with the requirements of the NPPF and St Albans City and District Council Council's Policy requirements, the proposals have been informed by a survey of the existing tree stock using the guidance provided at BS5837:2012. The scheme has been designed to minimise loss of coverage across the site.
- 6.101 As outlined on the proposed Parameters Plan, the direct arboricultural effect of the proposed development is projected to be low, and limited to the partial removal of four agricultural hedgerows of low arboricultural quality. Accordingly, the proposals are not anticipated to result in any unacceptable tree loss or threaten the well-being of any important trees. Retention of existing landscaping is included,

including significant healthy trees and other important landscape features, including the historic hedge line on the north western edge of the site along with other notable Ash trees present on site.

6.102 Owing to their low contribution to amenity, it will be possible to mitigate for the loss of hedgerow through the introduction of new hedgerow and tree planting. A preliminary scheme for safeguarding retained trees has been prepared which relies on the use of standard barrier techniques and recognised construction methodologies. The details of the tree protection strategy

Enhancements to vegetation present on site

6.103 The scheme has been designed to optimise the provision of new planting in the form of low level cover and new semi mature and mature tree cover present on site to achieve delivery of a high quality standard of design, which achieves a significant increase on the existing situation. The scheme includes delivery of areas of structural landscaping along the boundary of the site which provide additional screening alongside enhancements to the existing buffer. The proposed scheme involves delivery of greening to the main routes and secondary streets in the form of tree planting.

6.104 New planting will provide a significant uplift in tree numbers and a considerable net gain in canopy cover, which will enhance the site's green infrastructure credentials and provide public amenity benefits, tangible to both the existing and proposed setting.

Tiny Forest initiative

6.105 The scheme incorporates space for the delivery of the 'tiny forests initiative' on the south-eastern corner of the site. This involves delivery of land for community planting project with engagement covering installation, monitoring and wider recreational opportunities. The delivery of the scheme provides a wide range of benefits from environmental, ecological and social and educational.

6.106 It is anticipated that local schools or wider community organisations could be involved in the planting and maintenance of the 'tiny forest' on this site as well as providing more general recreation benefits for the wider community.

6.107 The proposed development is considered acceptable from the arboricultural perspective and the adoption of safeguards for protecting trees throughout the development. It is concluded by Aspect Trees that the arboricultural impacts of the proposed development are negligible. The proposed works to trees and replacement tree strategy is considered to accord with the aspirations of the NPPF and the adopted Local Plan.

Ecological enhancements

6.108 Paragraphs 179 - 182 of the NPPF sets out how planning decisions can conserve, protect and enhance habitats and biodiversity. Planning decisions should protect and enhance valued sites of biodiversity value and recognise the wider benefits from natural capital and ecosystem services. Opportunities to

incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

6.109 An Ecological Report is submitted as part of this planning application, and a number of ecological surveys have been carried by Cherryfield Ecology to support its preparation. This has concluded that there are no habitats of international, national, county or local importance that would be directly affected by the proposals. There are considered to be no over-riding ecological constraints to the re-development proposals that would preclude planning permission being granted.

- To enable proposals to deliver the desired net gains, the following measures have been considered and will be implemented on site:
- Use of tree and shrub planting that are of known value to wildlife as well as being resilient to change
- Installation of bird, bat boxes and insect box enhancement measures
- Installation of commuting bat tubes within the grounds and surrounding area
- Installation of swift boxes and swift bricks to be integrated into the design of the proposed scheme
- Hedgehog mitigation in the form of retention of existing hedgerows and additional onsite measures in the form of hedgehog highways and small mammal connection corridors
- Reptile habitat enhancement in the form of log and brash piles

6.110 The scheme includes deliver of a significant package of environmental enhancements to compensate for any harm generated from development of the site.

6.111 The PEA outlines the measures to be implemented during the construction, development and post development stages to mitigate harm to sensitive species and receptors. The management strategy for the development secured by condition will incorporate provision of for long term maintenance and management of the ecology enhancements delivered on site in perpetuity. It is considered that the proposals will deliver a tangible enhancement on existing site condition.

6.112 The Biodiversity Net Gain Baseline Assessment indicates that the proposed scheme would generate an uplift in the ecological value of the site. The scheme will align with the national requirement for achieving 10% net gain on new developments and will therefore accord with the requirements of the relevant policies.

Sustainable Development

- 6.113 Policy SD1 encompasses the principles of sustainable development, and as explained in Section 4 sets out that development will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they accord with the objectives and policies of the local plan. Detailed below is the manner in which this scheme comprises sustainable development as per the plan and the NPPF.
- 6.114 A number of benefits are associated with the scheme that are mutually supportive and, when taken together, contribute to the three overarching objectives of sustainable development of which there is a presumption in favour as established in Paragraph 11(d) of the National Planning Policy Framework. balancing exercise required by the NPPF should therefore determine whether there are adverse impacts that would significantly and demonstrably outweigh the benefits.
- 6.115 With respect to the economic benefits of the proposed scheme, the development is well located in close proximity of existing facilities and services essential for day-to-day needs, with further, greater provision at nearby settlements. This development would encourage use of these facilities and service is thereby supporting local businesses. Additionally, the construction period would make a small but important contribution to this industry via the creation of jobs and demand. In the long term, the Council Tax that will be collected will also make important contributions in enhancing the social, economic, environmental conditions of the area.
- 6.116 Social benefits that arise as a result affordable housing contribution together with mix of housing provided to address local housing need in Colney Heath and the wider area for small households. Notably, the scheme makes provision for 45% affordable housing, together with 5% self-build and custom housing. It facilitates social inclusivity and enhances community cohesion. This provision of affordable and open market housing, then, should be given significant weight in the context of Paragraph 59 of the NPPF as it is a substantial social benefit with very little, if any, social disbenefits produced by the scheme. While a reserved matter, the design of the site will be in accordance with the *Secured by Design* principles to enhance safety and mitigate opportunities and potential for crime and anti-social behaviour. Details of this can be found within the Design & Access Statement.
- 6.117 Insofar as the environmental benefits are concerned, the site incorporates green infrastructure and enhances permeability in addressing the need for sustainable urban drainage systems. Connectivity with the with PRoW promotes healthier and more active lifestyles within the community – not only for the future residents of the scheme, but for those to be housed and currently houses in nearby dwellings. The wider picture of the scheme would then present an opportunity for net biodiversity gains as a result of the proposals and changes which enhance the immediate and wider environmental landscape. Furthermore, a number of detailed design considerations have been given toward the effects of climate change and the need for sustainability in this context.

6.118 Measures to be incorporated within the scheme include:

- Delivery of a tiny forests initiative on the south-eastern edge of the site which generates, environmental, ecological, educational and varied social and recreational benefits for the wider community.
- Helping to reduce the urban heat island effect by planning green space and using appropriate shade when locating the development;
- All homes will be delivered to meet the minimum requirements of Part L 2021 and therefore will exceed a 31% reduction target over Part L 2013. This approach presented delivers a reduction of 12,915 Kg CO₂ / year over Part L 2021 equating to a further improvement of 9.07%.
- Using flood prevention/mitigation techniques including landscape features such as ponds. The Surface Water Drainage Strategy includes a 40% allowance for climatic change;
- Reducing the ratio of building height to the spacing between buildings to have a positive effect on natural ventilation;
- Planting deciduous trees to provide shade in summer, while permitting solar gain in winter when it is useful;
- Inclusion of larger floor-to-ceiling heights in buildings to help in allowing later addition of any cooling mechanisms. In addition, higher ceilings also trap hot air above the heads of people using the room, making the room feel cooler and negating the need for A/C, fans, etc.;
- Using permeable paving anywhere that loadings will not cause structural failure.
- Using surface treatments which reflect heat in summer, such as light coloured block-paving or render on buildings;
- Incorporating electric vehicle charging points;
- Ensuring effective orientation and layout to maximise solar-passive strategies;
- Adding or increasing insulation levels and using well-designed, climate-appropriate, insulation solutions
- Using appropriate glazing and window styles for climate (e.g. low U-value; high solar heat gain coefficient in cold climates and low in warmer climates);
- Sizing and orientating windows to minimise summer heat gains and maximise winter solar gains;
- Using renewable energy systems.
- These benefits must be factored into the planning balance. The balancing exercise undertaken in this section clearly demonstrates that:

- Very substantial weight should be given to the provision of market housing as per the Government's objective of significantly boosting the supply of housing;
- Very substantial weight should be given to the provision of affordable housing;
- Substantial weight should be given to the economic, social and environmental benefits of the scheme in the context of a presumption in favour of sustainable development as per the NPPF and in the context of the Coronavirus pandemic

6.119 There is no significant and demonstrable harm which outweighs the aforementioned substantial benefits of this scheme. Indeed, this scheme is compliant with relevant policies in the NPPF, and the NPPF when taken as a whole. There is very limited conflict with the NPPF.

6.120 Thus, in accordance with Section 38 (6) of the Planning & Compulsory Purchase Act (2004), the scheme should be approved without unnecessary delay.

Planning Obligations

6.121 Regulation 122 (2) of the Community Infrastructure Levy Regulations states that: “A *planning obligation* may only constitute a reason for granting planning permission for the development if the obligation is –

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.”

6.122 Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Draft Heads of Terms

6.123 In addition to the wide range of planning benefits that the proposed development will deliver, it is anticipated that an appropriate package of Section 106 obligations and contributions will be negotiated and agreed with the Council in accordance with the statutory tests contained at paragraph 56 of the NPPF and Regulation 122 of the CIL Regulations, and the overall viability of the proposals.

6.124 At this stage it is anticipated that the Heads of Terms could comprise:

- Affordable Housing;
- Transport;
- Education;
- Libraries.

6.125 Exact amounts payable would be subject to viability. If any additional site specific obligations directly related to the development are identified as being required to make the application acceptable in planning terms, we would expect to agree these with officers subject to viability and compliance with the tests outlined above.

7. Planning Balance & Conclusions

- 7.1. Section 38 (6) of the Planning & Compulsory Purchase Act (2004), states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. This is reinforced by the National Planning Policy Framework (NPPF), which has at its heart the presumption in favour of sustainable development and requires the approval of development proposals that accord with an up-to date development plan without delay. Equally, where a departure from the development plan is justified by material considerations, development proposals should also be approved without delay.
- 7.2. This planning application seeks outline planning permission for the erection of up to 155 dwellings, including 45% affordable and 5% self-build, and ancillary on Land Off of Rosestock Lane, Colney Heath. All matters are reserved except access.
- 7.3. It is acknowledged that the site lies within the metropolitan green belt and that there will be some harm to the “openness” of the land from its development for housing, although perception of this will largely be limited to within the site itself. The LVIA produced by Liz Bryant Architecture also demonstrates that the site makes only a very limited to no contribution to the purposes for including land within the Green Belt.
- The very limited to no contribution the application site makes toward the purposes of including land within the Green Belt, together with the localized impacts on openness of the Green Belt. This should invariably be considered in the context of a new, more defensible settlement edge being proposed as a result of the scheme and the proposed mitigation to the east, meaning the development would remain entirely constrained.
- 7.4. This Planning Statement has evidenced that there are a number of compelling VSCs, which in this case justify the approval of this development. These include:
- The very considerable need for housing in both SADC, at present to meet unmet needs;
 - The cataclysmic under-delivery of affordable housing within SADC that has left many households within these local authorities in need without any realistic prospect of having their needs met now or under the emerging Local Plans;
 - The sustainability credentials of the proposed development and the proposed location; particularly, the benefits in improving the social, economic and environmental conditions within SADC
 - It is clear from the preceding sections that Colney Heath is a sustainable location when judged in the context of the proposed residential development. The existing services and facilities available within the settlement and within neighbouring settlements are accessible by sustainable, public transport, reducing the need to rely on the car.

- 7.5. There are then, very special circumstances here which justify the development proposed in the manner allowed for by both the Framework and Policy of the St Albans Local Plan Review 1994. Thus, the principle of development is considered acceptable. Careful consideration has been given to the immediate wider context of the application site over the evolution of the development proposals has resulted in a high quality and technically robust proposal which accords with the relevant plans and policies as set out in the Planning Policy section. These include, but are not limited to, noteworthy policies such as.
- Policy 2 (SADC): Settlement Strategy
 - Policy 34 (SADC): Highways Considerations
 - Policy 36A (SADC): Sustainable Transport
 - Policy 74 (SADC): Landscaping & Tree Preservation
 - Policy 102 (SADC): Loss of Agricultural Land
- 7.6. Ultimately, together with the supporting documents, this Planning Statement sets out how this scheme can be achieved on this site that is sensitive to the surrounding pattern of development and, more importantly, meets the very special circumstances needed to justify development within the Green Belt whilst creating a new and more defensible boundary to the Green Belt.
- 7.7. The proposed harm is relatively limited and is not considered to be significant or demonstrable enough to outweigh the very substantial benefits of this scheme which replicates sustainable patterns of development which is a key objective of the NPPF. This harm includes and is restricted to:
- Very limited landscape or visual effect, with the majority of effects only experienced within or adjacent to the site and only very little change to the wider landscape. The development of the site would have very little effect on visual openness beyond the site itself; and
 - Less than substantial harm to the setting of neighbouring listed buildings. As acknowledged within this Statement and established within the accompanying archaeology and heritage statement, this 'less than substantial harm' is identified as being at the very lowest end of the spectrum and has to be balanced against the public benefits the proposal would deliver in accordance with paragraph 196 of the NPPF.
- 7.8. The NPPF sets out that there are three overarching objectives to sustainable development, 'economic, social and environmental', which are interdependent and should be pursued in mutually supportive ways.
- 7.9. The manner in which this development scheme meets these objectives has been detailed in the preceding section and is considered to comprise sustainable development with very clear and highly desired public, planning benefits that overwhelmingly outweigh the proposed harm detailed above and earlier in this Statement. These benefits are:

- The provision of market housing which significantly boosts the supply of housing and helps contribute to meeting the LHN of St Albans District Council;
- Affordable homes provision at 45% of the scheme which significantly increases access for income-constrained households in a region where affordable homes are provided at a proportion far lower than is recommended by the relevant SHMAs;
- Associated support to the local economy, inc. construction, following the economic recession incurred by the Covid-19 pandemic and the Ukraine conflict;
- An overall improvement of the character and appearance of the area;
- Ecological enhancements to the site.
- Net biodiversity gain;
- A new and more defensible Green Belt boundary.

7.10. It is settled planning law that a development proposal does not need to comply with every single policy in the development plan in order to be considered compliant with the development plan read as a whole. When considering the bucket of relevant planning policies for this application, we submit that the application complies with the overwhelming majority of these and does indeed comply with the development plan read as a whole

7.11. St Albans District Council have been minded to acknowledge the significant constraints present in the borough which hinder them from being able to readily demonstrate a deliverable housing land supply. The need for release of green belt sites in areas which are suitable is prevalent driver for the emerging Local Plan. In the determination of the Bullens Green Lane appeal decision and other applications including Harpenden Road at local level the presumption in favour of release of greenfield sites for development had been supported where the impacts of doing so can be mitigated appropriately and the benefits offset any harm. The proposed scheme has been designed to achieve a sensitive extension to Colney Heath. The scheme delivers a significant package of public benefits in the form of 45% affordable housing and custom build housing alongside contributions to delivery of enhancements to social and physical infrastructure necessary to facilitate delivery of this site.

7.12. It is considered that the same principles apply in this instance and as such delivery of this site could be supported in planning terms. In accordance with s. 38 (6) of the Planning & Compulsory Purchase Act (2004), the Council are respectfully advised to grant outline planning permission for the proposed development.