

Rebuttal Evidence

Planning issues

From

Greenbelt (Rule 6 Party)

Presented by David Yates
(Chair of the Parish Council)



In the appeal: APP/B1930/W/24/3343986

Planning Application Reference: 22/0267

Land between caravan site and Watling Street,
Park Street, St Albans, AL2 2PZ

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Personal Profile

My name is David Yates, and I am the Chair of St Stephen Parish Council, the civil parish encompassing the site under consideration. Additionally, I chair the Parish Planning and Environment Committee, which handles the Parish's responsibilities as a statutory consultee, and the St Albans District Association of Local Councils, which is a forum for discussion of common issues across the town and parish councils around St Albans. Although I do not possess any relevant academic qualifications to present to this Inquiry, I bring extensive practical experience.

From 2004 until 2021, I represented Park Street Ward, where the site is located, on St Albans City and District Council. I have been a resident of Park Street for 25 years, and prior to that, whilst living in Northwest London, I frequently visited the area's footpaths and countryside for 20 years. Upon returning from a period of living in India, my family and I decided to move to this area we had always enjoyed as a retreat from city life.

During my tenure as a District Councillor, I participated in, or chaired, several area and district-wide planning committees. In the last two years of my service, I chaired the District Council's Planning Referrals Committee, which handled large or complex applications. Furthermore, I served for seventeen years on the Council's Planning Policy Advisory Panel and its successor committees, the Local Plan Advisory Group and the Planning Policy Committee.

The evidence which I have prepared and provide for this appeal reference APP/B1930/W/24/3343986 in this proof of evidence, is true and I confirm that the opinions expressed are my true opinions.

1. Introduction

- 1.1 I address matters raised in the proof of evidence from Matt Hill of Maddox (CD9.2), on planning matters.



- 1.2 I will only address additional matters, or such matters that appear to be additional to my Proof of Evidence or those already presented on behalf of *Greenbelt*.
- 1.3 Lack of comment about other matters, does not represent acceptance of those matters, rather a perception that these are already covered in my, or one of the other Proofs of Evidence.

2. St Stephen Parish Neighbourhood Plan and District Plan

Paragraph references relate to Mr Hill's document references

4.22 I fail to understand how the proposal can be considered to conform to Policy S1, when that policy at point "2" specifically states that:

"Development proposals outside the Built-Up Area Boundary will not be supported"

And the proposal meets none of the exceptions to that policy statement.

4.25 The scheme would be in breach of Saved Policy 1 of the current District Plan (**CD5.1**), which aligns with NPPF paragraph 152 (**CD5.3**).

"Within the Green Belt, except for development in Green Belt settlements referred to in Policy 2 or in very special circumstances, permission will not be given for development for purposes other than that required for (a list of purposes not applicable to this scheme)"

3. NPPF

5.4 The site is not in a sustainable location and future residents would need to use a car for even basic requirements (see Terrie Smith's proof).

5.10 There is very low un-employment in the area (Claimant count in May 2024 was 2.1% – source ONS), and due to the construction of the SRFI about to start, the shortage of constructions workers will become very pressing indeed. There is little scope for any further local employment of these, so would necessitate staff being driven into the area from outside.

5.11 The scheme would not support sustainable transport (see Terrie Smith's proof).

5.12 Due to the lack of sustainable transport modes from this location, trip generation would increase along Watling Street. There would be an unacceptable impact on road safety and the effect on the Park Street roundabout is unknown due to Covid data being used to assess the current traffic levels and the effects on the Highway (see Nuala Webb's proof).

5.13 It is not common ground that the highway "*works well within capacity*", in fact there is substantial evidence that it does not (see Nuala Webb's proof).



5.14 The effect of the built-form will not be mitigated by additional planting, rather that additional planting will further eradicate the open views that currently exist (see Paul King's Landscape proof).

5.15/6 Mr Dudley's opinions are very much at odds with the true characteristics of the land (see Paul King's Landscape proof).

4. Green Belt

5.37- 5.43 Mr Dudley's opinions are in stark contrast to the reality and have been addressed in two Proofs of Evidence and one Rebuttal.

5. Draft NPPF Consultation

6.2 The consultation that started on 30 July runs to 24 September, after which the numerous responses will have to be evaluated, before adjustments could be made to the draft, considered by ministers and their advisors, then progression made towards adoption. The consultation to update the previous revision took 12 months. It is therefore difficult to see how this could be concluded in 2024, which would be a total period of only 5 months. Therefore one would expect this appeal would be judged against the existing NPPF.

6.5/6 There are a number of assumptions made here by Mr Hill, which may well not come to fruition. The Council this week set a revised, tighter timescale for proceeding with the plan. It appears that the intention is to reach examination before the revised NPPF is introduced, thus avoid the requirement to meet the enhanced building numbers.

6.11 The idea that this beautiful open farmland, with no built form could be considered Grey Belt, would be stretching the definition of this new concept a little too far. Since this land is not PDL, the question is, can it be considered to only "*make a limited contribution*" to Green Belt purposes? Arup didn't think so, they stated on page 501 of their Annex Report "*The sub-area performs strongly against NPPF purposes*" (**CD6.7**), so wouldn't fall within this paragraph 10a definition of "*Not strongly perform against any Green Belt purpose*". Indeed categorising such obviously rural land, serving an absolutely crucial purpose of separating communities and providing openness, as Grey Belt, would be quite perverse and far removed from any garage in Tottenham.

In the event that it was considered Grey Belt, it still would not meet the requirement for sustainability.

6.13 Having suggested that the scheme should be judged against the new draft Framework, in this paragraph Mr Hill suggests that it shouldn't need to conform to new paragraph 155a, which is the provision of 50% affordable housing, because "*it is not an adopted policy at this stage*", which brings to mind a certain phrase regarding cake.



6. Rule 6 Party Comments

7.1 The Rule 6 Party is Greenbelt, not the District Green Belt Alliance, of which Greenbelt is associated.

7. Planning Balance

9.9 I cannot agree with Mr Hill's assessment that the benefits clearly outweigh the harm with this scheme.

The importance of this land meeting the purposes of the Green Belt and the openness that it projects is far greater than Mr Dudley claims, thus the harm done by building 2-3 storey houses on it is extraordinary high.

There are major issues with traffic, as well as associated Highways aspects such as access and safety around the outskirts of the site. There is a loss of agricultural land and a consequential concern regarding noise intrusion, not to mention safety from the control of pigeons and other unwanted birds on the adjacent farmed land. Effective mitigation of damage to Badger's environment has not been demonstrated, and it is unknown to what extent there are setts within metres of the land.

On the other side of the argument, there is indeed a housing supply shortfall, including with affordable housing, although it is important to recognise that "affordable housing" *per se* is not adequate, rather the need is for social housing. However this needs to be in a sustainable location, which this isn't.

The other claimed benefits of the scheme, such as children's play area cannot be said to be of benefit, since it would only be the children living in the new properties that would be affected, the BNG is modest and could well be more than offset by a loss of BNG in the adjacent Wildlife Reserve, especially if it could no longer operate as such. The claimed economic benefits are more likely to be an adverse issue, during the development phase, since there will be a skills shortfall requiring the importation of skilled workers. The location is not sustainable, therefore there is no weight that can be derived from this, in fact the additionally use of private motor vehicles would be an adverse effect.

It is quite clear that the benefits do not outweigh the harm at all, let alone clearly outweigh them.

