



PLANNING & BUILDING CONTROL
Tracy Harvey – Head of Planning & Building Control

Our Ref: PRE/2016/0174
Please ask for: Patricia Coyle
Extension: 01727 819369
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Date: 03 February 2017

M/s L. Hannify
Iceni Projects
Flitcroft House
114-116 Charing Cross Road
UC2H 0JR

Via email

Dear M/s Hannify,

Request for Pre Application Advice

Site Address: Smallford Works, Smallford Lane, St Albans AL4 0SA

Proposal: Development of the site for upto 100 residential dwellings

Thank you for your request for pre-application advice received by the Council with appropriate details and fee on the 28th October 2016. I have previously visited the site and the vicinity in connection with the recent Environmental Impact Assessment Screening Opinion. To enable an internal consultation period and to fit in with diaries, the meeting was agreed to be held at our offices on 5th November 2016. Those who attended were yourself on behalf of Iceni Projects, David Stakbourne Ltd. (the owners), Nivedia Dhima and Nick Mann – Urban Design, Iceni Projects and myself and my colleague Laura Saxton from SADC. The following details were submitted with the request:

- OS Site Location Plan on p1 of Pre-application document (nts)
- Illustrative Masterplan on p13 of Pre-application document identified as "Residential Option and, the alternative, "Employment Option" (both nts)
- The Pre-application document and covering letter dated 26 October 2016
- Landscape and Visual Impact Appraisal

Our Informal Opinion is: - The proposal is not supported in principle.

Summary of Key Issues:

Principle of Development

Policy Background – Housing Land Supply

With the revocation of the East of England Plan there is no definitive Development Plan housing target/requirement for the District. It is accepted that there is now a vacuum in the Development Plan in this regard. Therefore, a judgment will need to be reached as to what is the most appropriate target/requirement to use as a basis for assessment of housing land supply as set out in paragraph 49 of the NPPF.

In a Court of Appeal Decision regarding Sewell Park, St Albans, on 12 December 2013 (Hunston), the judges have set out in the absence of a Development Plan figure the decision taker must use "the most up-to-date figures" (para 12) for "full objectively assessed needs" (para 26) on which to base 5 year land supply calculations.

The 2012 based Household projection figures (1991-2037) were published by the Department for Communities and Local Government (DCLG) on 27 February 2015. They identify for the District an average of 637 new households per annum for the draft SLP Plan period of 2011-2031.

Consultants commissioned by the Council have published an Independent Assessment of Housing needs and Strategic Housing Market Assessment (November 2013). This report explores the issues and uncertainties involved in assessing future "housing need" and suggest a range of dwelling growth figures that might be taken as representing "need". The Council has not taken a decision on whether or not these or any other figures may more accurately represent "the most up-to-date figures" for "full objectively assessed needs", and wholly reserves its position on this point. The Council takes the view that this matter is properly to be decided as part of the decision making process on its Strategic Local Plan. Independent consultants are in the process of updating the SHMA 2013 to include the information from the 2012 based household projections. A draft version has been published and a final version will be published in mid-2015. The Council continues to reserve its position as set out above.

At present, it is therefore considered that the latest DCLG household projection of 637 dwellings per annum is the appropriate figure to use, (as a proxy for full, objectively assessed needs for market and affordable housing, without any moderation).

The Council has updated its 5 year land supply schedule and considers that, set against this proxy need figure, at a baseline date of 1 April 2014, there is approximately 3.73 years supply, including the relevant 5% buffer.

For context, the 10 year net migration-lead figure from the SHMA of 436 dwellings per annum produces a baseline figure of 5.45 years supply, including the 5% buffer. The 5 year net migration-lead figure from the SHMA of 586 dwellings per annum produces a baseline figure of 4.05 years supply, including the 5% buffer. These baseline figures look forward in time only. There is no definitive timeframe over which any "surplus" or "shortfall" in past delivery should be measured. The independent SHMA points out that migration trend and household formation assumptions are a major consideration in interpretation and application of DCLG household projections to Plan making. This is particularly relevant when considering the household growth assumptions used for the new DCLG projections as they cover a longer projection period than those previously available.

Therefore, the Council cannot demonstrate a 5 year housing land supply as set out at paragraph 49 of the NPPF. Paragraph 14 of the NPPF is therefore engaged. In accordance with Richborough Case Law, significant and demonstrable harm must exist which outweighs the benefit of providing new housing within the District when a planning application is refused. In this location, officers considered the harm to openness from allowing inappropriate development would be regarded as significantly and demonstrably outweighing the benefit of providing additional housing within the District.

Loss of Existing Use:

There is no specific planning permission issued in relation to any activities at the application site. In fact, Certificates of Lawful Development have been refused (Planning refs:

5/1979/1162, 5/1994/1656 and 5/1995/1564). Nonetheless, the use of the site for employment goes back to its original use as a brickworks which pre-dates the Planning System introduction in 1948.

As discussed at the meeting, the site is broken up into individual fenced areas and there is no specifically confirmed planning use of any of these areas. From a limited site visit in connection with the recent EIA Screening Opinion, the main uses appear to be open storage with some ancillary offices, some of which are in permanent buildings whereas some are in temporary portacabins.

Clarifying the current use(s) on site:

It is strongly recommended that the current use(s) are clarified legally (Certificate of Lawful Development Existing) or, an appropriate planning permission for current uses on site are sought. While it is recognised that enforcement action has not been taken against any one use and that there is a general recognition of this being an employment site, to be in a position to utilise Policy 24 and to be considered not as inappropriate development under para. 89 of the NPPF, this should be on a significantly firmer footing.

It is recognised in the past that Certificates of Lawful development have been refused. Nonetheless the last of these was over 20 years ago. With Certificates of lawful development proof only has to be provided for a continuing use for 10 years (up to the day of the application) without being subject to any Planning Enforcement action.

If employment use of the site/all parts of the site can be established:

The site is not included in the list of employment areas under Policy 20 of the Local Plan, or within the Business Use Development list in Policy 23 of the Local Plan. As such, it is considered that the loss of any employment uses of a site which is not within these lists would be acceptable and in line with the NPPF which states at Paragraph 22 that employment land should not be retained where the amount of land devoted to this purpose is clearly excessive and there is no likelihood of the land being needed for employment uses in future.

In line with Policy 24 B of the Local Plan, unallocated employment sites within the Green Belt will not normally be permitted to expand, however, redevelopment of existing established sites will be permitted if clear environmental benefits would result. Improved landscaping should normally be provided and there will be a presumption against any increase in floorspace. The future use should reflect the location of each particular site and employment use may not be acceptable on certain sites.

Policy 24B predates paragraphs 89 of the NPPF which takes primacy over the Local Plan Policy where there is conflict. If the site can be proven to be Previously developed land, then the redevelopment of the site may constitute appropriate development if the proposed development would not adversely affect the openness of the Green Belt. Openness is addressed in relation to the proposed development in the Details section below

If openness would be adversely affected, then the redevelopment would be considered to be inappropriate development, and in line with Paragraph 88 of the NPPF, substantial weight would be given to the harm arising from inappropriate development and any other harm, which would only be clearly outweighed if very special circumstances exist.

If employment use of the site cannot be established or can only be partly established:

It is noted that there are employment uses at the site.

However, if the current uses are not lawful or some are not lawful uses, the proposed redevelopment of the site for housing (or housing/B1 Uses) land would be contrary to Green Belt Policy 1 of the Local Plan as it would be inappropriate development in the green belt rather than a previously developed site “PDL” (Paragraph 89 of the NPPF).

Therefore, in line with Paragraph 88 of the NPPF, substantial weight would be given to the harm arising from inappropriate development and any other harm, which would only be clearly outweighed if very special circumstances exist.

Proposed Uses:

The proposal is to redevelop the application site to either fully residential use or to a mixed use as residential with a relatively small amount of B1 (office, R & D, light industrial) Uses.

If the employment use of the site is clarified through Certificate(s) of lawful development, then in line with paragraph 89 of the NPPF, the complete redevelopment of a previously developed site may not constitute inappropriate development in the green belt providing it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. It would be for you to put forward a case in relation to existing impact/proposed impact on openness and you may wish to include a Landscape and Visual Impact Assessment to demonstrate that the proposal would not impact openness. If this is to be provided within any formal submission, you are advised to discuss the parameters for such an assessment with the Council's Landscape Officers in advance of drafting such a document. Nevertheless, given the limited amount of permanent buildings and their limited height, Officers consider that the proposal for 100 dwellings/dwellings and two-storey B1 buildings would be likely to result in harm to openness and therefore represent inappropriate development.

If Policy 24 of the Local Plan does not apply (that there is no established employment use) then redevelopment of the site rests solely on Policy 1 and paragraphs 87 and 88 of the NPPF. Policy 1 indicates that permission will not normally be given for purposes other than those listed, except where “very special circumstances” apply which outweigh in principle harm to Green Belt land and the purposes of including land within it from inappropriate development.

Residential redevelopment of the site is not within this list, nor is it listed in para 89 of the NPPF and is therefore a use which of itself would be inappropriate development. Similarly, office or other B1 Use development would also be inappropriate development in the Metropolitan Green Belt.

“Very Special Circumstances” Case(s):

If the site is considered to be a “PDL” site under para.89 of the NPPF, then a very special circumstances case would be required if the proposal would have an adverse impact on openness of the Green Belt.

If the site is not PDL then the site is inappropriate development and a very special circumstances case would need to be made.

Details of the scheme

Impact on the openness of the Green Belt:

With the exception of the indication that the scheme would be for up to 100 houses and the submitted master plan showing an indicative general layout of roads, building mass and

“other/landscaping”, no elevations or finer details have been submitted. The proposal is for development which would be within the Metropolitan Green Belt. Openness as a concept applies equally to open fields as it does to large sites which are surrounded by trees. The concept of Green Belt and the requirement to consider the impact on openness relates to what is currently on site and what is then proposed.

While there is little detail, the master plan shows the site to be covered to approximately 85% in buildings and hardstanding with an area of open/play space in the centre of the development and an enhanced landscape buffer to the site boundaries. The residential units are proposed to be mainly 3-bed (40%) with 25% being 4-bed and 35%, 2-bed; while not explicit it is likely that these would be on two-storeys (possibly with some accommodation in the roofspace). The Employment Option seeks to provide two buildings on two floors with 660-670 sq.m of floorspace (at the expense of housing). The new access would serve the site (still to be completed) with the existing access shown as being retained (indicated as possibly being for “emergency egress only”).

The “site surfaces and Development Plan” on p8 of the submitted Pre-application document shows one large building located to the middle of the site to the south-west of the current access driveway with a few other buildings mainly located around this large building. There is no indication of the floorspace (whether permanent or temporary) and the volumes of these buildings, however these appear to cover approximately 10-15% of the area of the application site. A chronology of the buildings on site in the past has been submitted, however, these are not currently on site and the starting point would be what is there now. In any event, from the details submitted, there appears to have been a contraction of built form since the 1960s/1980s when the site had more buildings amounting to somewhere around 20 – 25% coverage.

Any design approach will need to take into consideration the openness of the site currently. While hardstanding is extensive, as a ground covering, this does not of itself impact on openness although it does impact on character. It will be important to establish the lawful uses of the site and how openness is already affected by the open storage uses. In line with the NPPF, temporary uses are not taken into account, this would include elements such as portacabins.

On the basis of the above, it is considered that the provision of up to 100 houses and a quantum of residential development together with just under 700 sq.m employment (alternative option) would result in a loss of openness of the green belt. While it is considered that environmental improvements may be brought about, at this scale of development, the loss of openness would represent harm by reason of being inappropriate development.

The absence of a 5-year housing land supply is unlikely to be considered to be a Very Special Circumstance although this is afforded significant weight and the proposal is therefore unlikely to receive officer support.

Impact on landscape character:

The proposed development lies in the Metropolitan Green Belt and the Colney Heath Farmland Landscape Character Area.

The site also lies within the Watling Chase Community Forest and the surrounding land is a Key Biodiversity area and County Wildlife Site. The proposed development also lies within the floodplain and there are several designated footpaths in the surrounding area.

As indicated the existing land use is industrial, with several large but relatively low buildings that are well screened from the surrounding area by the hedgerows and trees, much of the site is covered by hard standing.

Although the redevelopment of the site would be contrary to Green Belt Policy 1, it would offer opportunity for landscape improvement. As the site is an existing employment site within the Green Belt, under Policy 24 development would only be permitted if clear environmental benefits would result. Improved landscaping should be provided and there would be a presumption against any increase in floorspace.

The actual area of existing floor space is shown on the plans and it is unlikely that on this basis there would be scope for the number of dwelling proposed without causing harm to the character and amenity of the surrounding Green Belt countryside.

Considering the location, although an enhanced landscape buffer is indicated, the area of public open space proposed is relatively limited and the combination of the two would be unlikely to amount to clear environmental benefit sufficient to outweigh the harm to the openness of the Green Belt.

There is little detail provided of the surrounding trees and woodland and a detailed BS Arboricultural survey would be required to assess the impact of any future development in the vicinity of existing trees.

The surrounding Smallford Pit is a poorly restored gravel workings and would benefit from improvement. A contribution to enhancing the biodiversity of the adjacent land and lake and improving public access could be regarded as a major benefit and should be considered as part of any redevelopment and would improve the commercial value of the development itself.

The surrounding Wildlife site is a well-developed grassland community including acid grassland remnants. Various protected species, both flora and fauna have been recorded in the surrounding area and any redevelopment of the site must ensure that the adjacent species and habitats will not be harmed. There is also an area of associated broad-leaved woodland.

As the site lies within the Colney Heath Farmland Character Area and the WCCF the objectives for improving public access, managing and planting new woodland and creation of new hedgerow links and enhancement of existing ponds should be followed.

Flooding of the site could be an issue and any development would require a SUDS. Guidance from the Building Futures tool kit would also be recommended (see below for further details).

As indicated above, it is recommended that redevelopment of this site could be considered if it could result in clear environmental benefits without harming the amenity of the surrounding Green Belt countryside. Further information would be required to demonstrate that this could be achieved.

It is unlikely that the scale of development proposed could be accommodated but a more reduced scale of development, located within a similar area to the existing buildings would be recommended with major landscape improvement to the remaining site and wider area.

Contamination:

Given the history of the site as a brick works and for various open storage uses since then it is possible that there would be some ground contamination. Boreholes and monitoring equipment was allowed on site in relation to monitoring landfill gas (planning applications 5/1996/1228 and 5/200/1800) and you may need to bring forward details especially if these relate to contamination. You will need to submit a phase 1 report with any planning application. The likely contaminated nature of the site, in proximity to a river (to the west of the application site), is likely to require special treatment to enable development.

River Environment/Ecology:

Any development scheme would need to protect the water quality and ecology of the nearby river. Both the Environment Agency and Herts Ecology should be consulted in advance of making a formal submission.

The application site has a number of buildings, extensive areas of hardstanding (with containers and vehicles) with fringing trees and shrubs. It is surrounded on three sides (to the north, south and west) by Smallford Pit, which is a Local Wildlife Site (LWS) designated for its grassland interest. To the east is a mature hedgerow, road and arable field beyond. There are records of bats, birds and reptiles in the vicinity.

Given the number of buildings present on the site, bordering mature trees and the presence of protected species and LWS nearby, adverse effects on local biodiversity cannot be ruled out. A **Preliminary Ecological Appraisal (PEA) of the application site should be undertaken** that meets the expectations of best practice that as a minimum will:

- ☐ Describe the extent of the main habitats and features within the application site;
- ☐ Evaluate the potential value of these habitats, features and structures to support protected species including, but not necessarily limited to bats, breeding birds and reptiles;
- ☐ Assess the habitat quality of water bodies nearby and their potential to support Great crested newts (subject to landowner permission);
- ☐ Evaluate the impact of the proposals on the ecological interest found and provide both mitigation measures (if necessary) and actions to achieve biodiversity gain which should all be incorporated into the development proposals.

The outcomes of the survey should be submitted to the LPA for approval prior to determination to enable it to discharge its biodiversity duties. If evidence of protected species is found, further surveys may be required which can only be carried out at particular times of the year. Given these seasonal constraints it is urged that the applicant avoids unnecessary delay in pursuing this action as, otherwise, considerable delay could result.

Note re follow-up Bat surveys (if recommended)

In the event that evidence or potential is found, further bat surveys (dusk emergence / dawn re-entry surveys) may be required which can typically only be carried out when bats are active in the summer months (ideally between May and August, or September if the weather remains warm). *An Outline Mitigation Strategy should be included with the bat survey report if the LPA is to fully consider the impact of the proposals on bats.* This can be a 'worst-case scenario' solution (i.e. that a bat roost proportionate to the location is present and affected) with appropriate mitigation measures. An Outline Mitigation Strategy should be submitted to the LPA for approval *prior to determination*, in order to enable the LPA to satisfy and discharge their obligations under the *Habitats Regulations 2010 (as amended)*. This strategy

can be modified if necessary once the results of the follow-up bat activity surveys - *which must be secured as a Condition of Approval* - are known.

Great crested newts

There are a number of ponds, drains and ditches in the area which will provide breeding opportunities for Great crested newts. These amphibians spend the majority of their lifecycle on land travelling typically up to 200m from their breeding pond but can travel further if the commuting and sheltering habitat is suitable.

It is not considered that the proposed development will not destroy any ponds that support breeding Great crested newts, or any important Great crested newt terrestrial habitats. The greatest risk to Great crested newts during development is from construction activities, when they may take refuge under building materials (when they are terrestrially active typically March-April and June-Oct) and become trapped or harmed. To minimise the risk of Great crested newts being harmed and of an offence being committed, Reasonable Avoidance Measures should be adopted and if appropriate the following **Informative** should be added to any permission granted:

- ☐ *Keep any areas of grass around the development site as short as possible (<3cm in height) up to, and including, the time when the works take place so that it remains / becomes unsuitable for Great crested newts to cross.*
- ☐ *Stored materials (that might act as temporary resting places) are raised off the ground e.g. on pallets or batons; and any rubbish is cleared away to minimise the risk of Great crested newts using the piles for shelter.*
- ☐ *Any trenches or excavations are backfilled before nightfall or a ramp left to allow Great crested newts (and other animals) that become trapped to escape easily. This is particularly important if a trench fills with water.*
- ☐ *In the event of Great crested newts being found, work must stop immediately and ecological advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.*

Further details see 'Planning guidance on applying Herts ecological networks_Final Oct 2014')

Further comments on the proposed layout:

As part of the development of this site, a substantial landscape buffer/tree screen is to be provided/retained/augmented. While this may assist in screening the site from the wider area, this would not of itself mean that the openness and character of the green belt would not be affected.

Without any specified details of the forms of residential development, it is not possible to fully analyse the effect of the development in terms of its impact on visual amenity. Presently the entrance to the site, at its south-eastern corner is unobtrusive. The proposal to allow a new access wide enough for easy use by HGVs, including widening of the highway to provide a right hand turn lane would open up the site to new views from the public highway and residential properties opposite. In approving the access road it was not considered that there would be any significant impact on visual amenity as while the front hedge would be removed for the access and visibility splays a rear hedge was to be retained close to the new driveway. It was not intended that the new access would provide any pedestrian access to the site (this may need to be reviewed) however, it is likely that any revisions to the access may widen the access and require less foliage close to the carriageway. Views into the current site would be of the various open uses with the existing buildings, which are mainly single-storey located towards the back (west). For residential development, it is

considered likely that houses would be either side of any access and are likely to be 2-storey. While it is proposed that there would be an open space area which would be visible from Smallford Lane, the main views in would be of substantially bulkier/higher, solid built forms.

In terms of visual amenity, this would mean a significant change in character, however, without further details and exact locations of built form and any landscaping, assessment is limited at this stage.

Private Amenity Space per dwelling:

Your attention is drawn to the Council's Design Advice Leaflet No. 1 – Design and Layout of New Housing and Local Plan Review Policy 70 which specifies sizes for private amenity areas and window to window distances which are regarded as a minimum standard for new residential developments.

Impact on the Character and Appearance of the locality:

Little detail has been submitted as to the form of development which would be provided with the exception that the employment option indicates that the buildings would be 2-storey with upto 670 Sq.m floorspace located to the south of the site. It does not appear that there is any 2-storey development currently on site. Screening to the boundary may mean that this may not have any significant impact on character and appearance, albeit that there is no similar development in the area currently.

In the locality, residential development tends to be either single- or two-storey. If the issues relating to inappropriate development and/or openness of the Green Belt are to be outweighed and the development accord with paragraph 89 of the NPPF and, as appropriate, Policy 24 of the Local Plan, development of a similar scale and appearance with that in the locality would be more likely to be acceptable.

Housing Density/ Dwelling Size:

Housing density is indicated as being 28 units per hectare. While this is an indicator of quantum, any development in this location will be dependent on the constraining factors identified elsewhere in order to protect the Green Belt.

You have indicated a range of 2, 3 and 4 bedroom dwellings. What is required will depend on the character of the locality and local need. Unit sizes will need to be in conformity with the Strategic Housing Market Area requirements.

It is recognised that there is a high proportion of larger housing in the District and, in order to provide for those on lower incomes and to enable younger residents to remain in the District, that there is a need for smaller dwellings (and affordable housing) including one and two bedroom flats and houses. Sizes of the buildings will affect other factors and a larger block of flats/duplex units with communal gardens with greater landscaping may prove to be a better solution than semi- or detached houses, although a mix of unit sizes would seem appropriate so that the site relates more closely to existing nearby residential development.

It is recommended that the Parish Council would be best placed to advise on their local house size needs.

There is no made Neighbourhood Plan, however, Colney Heath Parish has started this process and their Neighbourhood Plan Area designation was approved on 27 February 2014 (<http://www.stalbans.gov.uk/planning/Planningpolicy/neighbourhoodplanning.aspx>). The

SLP/DLP process, while not yet adopted, indicates that housing allocations can be made through this localised process.

Flood Risk:

According to the current Environment Agency flood risk map, the majority of the site is within Flood Zone 3, part in Flood Zone 2 and a smaller section within Flood Zone 1. You indicate in the planning statement/covering letter that hydraulic modelling has been carried out by Arcadis on behalf of the owner and that this has demonstrated that the site is only within Flood Zone 1. You also indicate that the results of this modelling have been agreed with the EA, however, you have not submitted either the modelling itself, nor the EA's response at this stage of the pre-application process. A Flood Risk Assessment will need to be submitted with any planning application which should include, as appropriate details of the sequential and exceptions tests. Residential properties should not generally be located in Flood Zones 2 or 3 whether there is land within Flood Zone 1 available. There is no specific flood risk objection to the proposed development on site within the Flood Zone 1.

It is recommended that if you wish to meet again before submitting a planning application, that you agree the parameters of the sequential/exceptions tests with us, if needed.

The EA should be consulted prior to submission of an application. They have advised that: "We are no longer able to respond to you [the Council] directly for pre-applications where you consult us on behalf of a developer. This is to ensure that customers are not indirectly charged for advice that the Environment Agency would provide for free. This is in line with Treasury guidance. We can still discuss sites and share any concerns with you.

Please advise the developer to contact us directly at HNL.SustainablePlaces@environment-agency.gov.uk so that we can provide advice on these proposals."

A surface water drainage strategy would also be required; this should include details of sections across the site. The Flood Risk Management Team at Hertfordshire County Council also charge separately for their input. The Team advises that this is "at a cost of £85 per hour per officer. This will include any preparatory work, attendance at meetings and the provision of follow-up advice to the applicant. If they still wish to obtain pre-application advice on drainage matters, information on the service we provide can be found at:

<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/preappguide/> . This link will take you to a pre-application advice request form which should be completed and returned to FRMConsultations@Hertfordshire.gov.uk

As a further point of reference for information required to support a planning application you are advised to consult the developers checklist and guidance which is available at: <http://www.hertsdirect.org/docs/pdf/g/developerguide.pdf>

It is strongly recommended that you seek the views of the Environment Agency and the Lead Local Flood Authority Teams prior to making any submission. Objections from either would result in a likely refusal reason.

Archaeology:

Although the proposal site is not in a nationally or locally designated area of archaeological significance there are several Hertfordshire Historic Environment Record entries close by. Although the majority of these relate to the railway or buildings in Sleafshyde, approximately 180m to the north east there are indications of pits, boundaries and a possible track (MHT18091) that may continue into this site. In addition, the site is close to a water course. These are known to be a focus for activity for tens of thousands of years.

In consequence, there is the potential for such a development could have a significant impact on the historic environment. It is therefore recommended that any application includes a Desk Based Assessment to assess the potential for archaeological remains. Additionally, should the risk of encountering archaeology be considered of sufficient magnitude, a trial trenching survey may be deemed applicable to help manage this possibility. There should be an option of pre-application investigations. This should to help manage the risk of encountering unexpected significant archaeological assets during development and will help to define the archaeological consultation response should there be an application. This would comply with the National Planning Policy Framework (Section 12, paragraphs 128 ff.).

Vehicle Access:

The site currently has a single vehicle access to the public highway to the south-eastern corner. It is not an easy access for HGVs entering and leaving the site and to this end, planning permission was granted in 2012 for a new access road centrally within the site.

As HCC Local Highway Authority charge for their pre-application service, no comments are made as to whether this proposed access or the proposed internal layout roads would be acceptable in respect of highway requirements or access/turning facilities for use by refuse/recycling and other emergency vehicles (please see below re fire hydrants). It is recommended that you seek Highways views on any revised plans before any further pre-application meeting is held.

Notwithstanding the advice to contact the Local Highway Authority directly for further advice, you are advised that any formal submission should be supported by a Transport Assessment together with swept-path analysis and tracking diagrams to demonstrate that the site is accessible for refuse/recycling and other emergency vehicles.

Transport and Parking provision:

Policy 40 of the Local Plan (saved) indicates that for dwellings with 2 bedrooms they would need to provide 2 or 2.5 spaces; for 3, 2.5 spaces; and, for 4 or more bedrooms - 3.5 spaces (partly allocated and partly unallocated). A lower parking requirement will be applied to affordable housing (35% of 100 units = 35), if 35 of the 100 units were affordable, you could put forward a scheme with a lower parking provision for these units. However, this should take into account the limited public transport availability.

The submission does not appear to include any parking provision details. There is no rail link from Sleafshyde and it therefore unlikely that less parking could be justified on the basis that this being a highly-sustainable location.

It is expected that full parking needs should be met on site given the location of the site and likely car useage which would result from the proposed development.

Other sustainable transport measures are also expected to be provided. The Highways Authority at Hertfordshire County Council provide their own pre-application advice and I would recommend that you contact them to discuss details of what would be needed.

Your attention is drawn to the redevelopment of the Harperbury Hospital site where there is a resolution to grant planning permission for 206 dwellings subject to the completion of a S106 (see planning application ref: 5/2016/0990). This scheme included maximum parking standards together with sustainable transport measures to mitigate the impact of the proposed development on highway infrastructure. Regard should also be had to the BRE

site (planning application ref: 5/2013/0406) which received outline permission for up to 100 dwellings where sustainable transport measures were provided to mitigate the impact of the proposed development on existing highway infrastructure.

S106 agreement/Affordable Housing:

Policy regarding Affordable Housing indicates that 35% of overall development will normally be required. The only exception will be where it is clearly demonstrated that this is not economically viable when the Council will consider a lower negotiated affordable housing provision. A 60/40 split between rented/intermediate housing would meet identified needs.

In relation to this pre-application, the Housing department indicate that for any development of this size the Housing department would expect for a policy compliant scheme that delivers at least 35% affordable housing. Further discussions would be welcome with regards to the proposed size and tenure of the units.

The Alban Way lying close to the application site, to the north, provides a strategic transport link and it is likely that a contribution would be sought to improve the route. Details of a specific amount have yet to be decided but may depend to a degree on the scale of development submitted with any application.

No further requests for contributions have been received. However at this stage, without Leisure Services, Highway Authority and County Council S106 Officer comments, further contributions may be requested in respect of leisure contributions for infrastructure or highway matters, especially if the internal roadway is to be adopted/maintenance of any street and landscaping is required.

Other Matters:

Fire service and emergency vehicles:

Fire hydrants are likely to be required (and are normally secured through a Section 106 legal agreement). Details are required on the basis of "Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed."

Refuse Collection:

For each house a 1 x 180 litre bin is needed for residual waste and 1 x 240 litre bin for green waste (garden waste) along with a 240lt wheeled bin for cans plastic and glass and a 55lt box for paper and cardboard and a 23lt food waste caddy.

It is recognised that on some developments, the roads may remain private i.e. un-adopted. They may also be constructed in high quality finishes such as block paving. Nevertheless they will need to be constructed to an appropriate standard in terms of loading (to withstand the weight of the refuse vehicles e.g. up to 32 tonnes Gross Vehicle Weight. and various recycling collection vehicles) and layout (turning circles etc). Generally, the Refuse Collection vehicles have a turning circle of between 18.3 and 22.3 metres and their size is

approx 8.4 metres in length and 2.5 metres width. Care should also be taken to ensure that there are no height restrictions that would prevent access by the collection vehicles. Parking should be planned and designed to ensure that the access routes for the above vehicles are maintained at all reasonable times.

The maximum trundle distance from bin store to waste vehicle is 9 metres.

Conclusion

The application site lies within the Metropolitan Green Belt (MGB). New buildings, including residential properties, are regarded as inappropriate development within the Metropolitan Green Belt and are harmful in principle, Harm by definition, together with other harm to the purposes of including land within the Metropolitan Green Belt cannot be outweighed except where very special circumstances exist.

While the site's lawful use is currently unclear, a new access road was recently approved and is under construction. Nonetheless there is very limited built form at the site. While the master plan is illustrative, it is considered that 100 houses would represent inappropriate development in the Green Belt (even if the site is "PDL") and would be contrary to the purposes of including land within it. Reference is made to the need for housing in the District and that the site is a "bad neighbour" use such that environmental improvements could be made. However, given that the NPPF strongly supports the Green Belt, at this stage, insufficient justification has been submitted which would amount to the very special circumstances needed to outweigh the "in principle" harm.

Other harm is identified such that this would also need to be out-weighted by the harm identified if this quantum of development is to be supported.

Given that the details of any scheme will be fundamental to whether the harm could be outweighed, I would strongly recommend that any formal submission is made as a full planning application to allow for a detailed assessment.

If you wish to have further pre-application meetings to discuss a more detailed scheme, I would advise that each meeting is separately charged. However if you wish to do so, it would be reasonable as we progress that other Officers are involved in such meetings and I look forward to receiving further pre-application enquiry(ies) if you wish to bring forward further/more detailed information for consideration.

You may wish to enter into a PPA which covers the pre-application process, the application stage (and Legal Agreement) and the clearance of details (conditions discharge). If you are interested please advise and we can supply a draft Agreement.

Requirements if an application (for all matters to be considered) is to be submitted

Document(s) Required	Comments
Application Form(s)	Form number 4 on the Council website. Completed ownership certificate and combined agricultural land declaration.
Fee	£385 x no of dwellings and £385 per each 75 sq.m of B1 use (or part thereof)
Drawings	- Site Location Plan (1:1250) - Existing and Proposed Block Plans (1:100 or 1:200) showing any site boundaries and neighbouring dwellings including extensions and indication of one or

	<p>two storey, car parking and access arrangements</p> <ul style="list-style-type: none"> - Existing and Proposed Elevations (1:50 or 1:100) - Existing and Proposed Floor Plans (1:50 or 1:100) - Existing and Proposed Roof Plans (1:50 or 1:100) - Existing and Proposed site sections with drainage details - Cross-sections at 1:200 (existing and proposed) - Streetscene views showing an changes in levels from outside and within the application site - topographic survey preferably with spot heights/contours - proposed ground levels and finished floor levels - Design and Access statement - Statement of Community Involvement - Affordable Housing Statement - Arboricultural Implications Assessment and Method Statement - Ecology Statement - Drainage Strategy (in line with HCC Sustainable Urban Drainage advice) - Planning Statement including Detailed Green Belt Assessment which demonstrates compliance with the National Planning Policy Framework or sets out Very Special Circumstances - Landscaping Scheme and Landscape and Visual Impact Assessment - Archaeological Desk-Based Assessment and details of intrusive investigation, if needed - Heads of Terms/Draft S106 legal agreement - Viability Assessment - Flood Risk Assessment and mitigation measures - Foul Sewerage Assessment - Utilities statement - Contamination – Phase 1 Report, if available Phase 2 Report, and including proposed mitigation works - Transport Assessment including swept-path analysis and tracking
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If you do wish to submit an outline scheme, I would strongly recommend that details submitted in outline cover scale and landscaping. It should also clarify the position on the access road and the related changes to the public highway (including the right-turn lane).

Disclaimer

The advice given in this document responds to the information and proposals submitted to us and based on our knowledge of the site. This advice is offered in good faith and it neither conveys planning permission nor binds the Local Planning Authority to any decision on future planning applications. Any future application will be subject to public consultation and may ultimately be decided by a relevant Council Committee.

This pre-application advice note will be considered by the Council as a material consideration in the determination of the future planning related applications, subject to the proviso that circumstances and information may change or come to light that could alter the position.

It should also be noted that little or no weight will be given to the content of the advice on schemes which are submitted more than 1 year after the date of this advice.

Yours faithfully,



Tracy Harvey
Head of Planning & Building Control

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Key Policy Issues & Constraints

National Planning Policy Framework:

Paragraph 17: Core Planning Principles

Section 1: Building a strong, competitive economy

Section 3: Supporting a prosperous rural economy

Section 4: Promoting Sustainable Transport

Section 7: Requiring Good Design

Section 8: Promoting healthy communities

Section 9: Protecting Green Belt land

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

<http://planningguidance.planningportal.gov.uk/>

National Planning Practice Guidance:

Para. 23: Design: How Should Buildings and the Spaces Between Them Be Considered?

<http://planningguidance.planningportal.gov.uk/>

St Albans District Local Plan Review 1994:

Policy 1: Metropolitan Green Belt

Policy 5: New Housing Development in Specified Settlements

Policy 8: Affordable Housing in the Metropolitan Green Belt

Policy 19: Overall Employment Strategy

Policy 23: Business Use Development

Policy 24: Unallocated Employment Sites

Policy 34: Highways Considerations in Development Control

Policy 35: Highway Improvements in Association with Development

Policy 37: Commercial Servicing

Policy 39: Parking Standards, General Requirements

Policy 40: Residential Development Parking Standards

Policy 44: Business Use, Industrial, and Storage and Distribution Parking Standards

Policy 69: General Design and Layout

Policy 70: Design and Layout of New Housing

Policy 74: Landscaping and Tree Preservation

Policy 75: Green Space within Settlements

Policy 84A: Drainage Infrastructure

Policy 143B: Implementation

<http://www.stalbans.gov.uk/planning/Planningpolicy/currentadoptedlocalplan.aspx>

Supplementary Planning Guidance:
Revised Parking Policies and Standards, January 2002
Design Note 1 – Residential Layout and Design

Emerging Strategic Local Policy (SLP) and Detailed Local Policy (DLP) Documents - The consultation draft of the Detailed Local Plan (DLP) was issued for consultation until 21 December 2016. Depending on when a scheme comes forward, these documents may (or may not) be material considerations.

Planning History

None relating to residential development (except an EIA screening opinion)