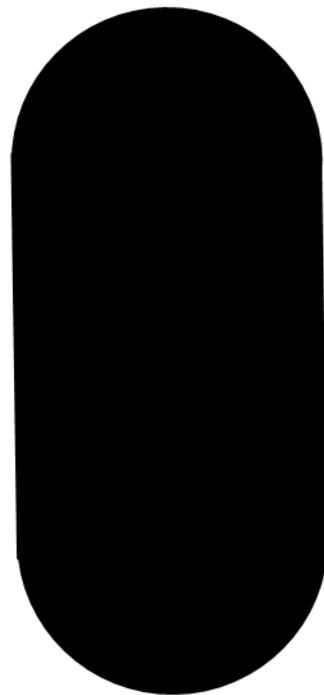
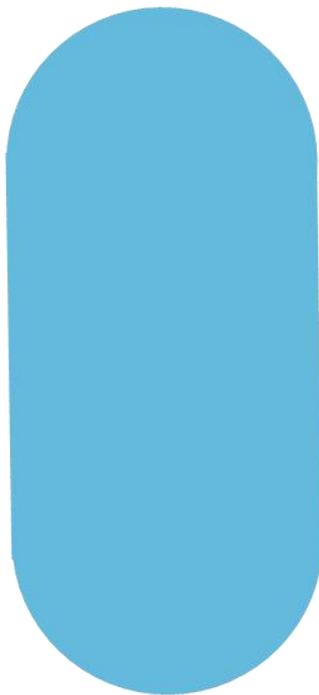


**WRITTEN STATEMENT IN RESPECT OF THE ST ALBANS CITY  
AND DISTRICT LOCAL PLAN EXAMINATION**

**MATTER 1 – LEGAL/PROCEDURAL REQUIREMENTS**

On behalf of Martin Grant Homes and Kearns Land Ltd



## 1. INTRODUCTION

1.1 This Written Statement is made on behalf of our clients, Martin Grant Homes and Kearns Land Ltd, in respect of their interests in land to the east of Redbourn, as part of the forthcoming examination (EIP) of the St Albans City and District Local Plan.

## 2. MATTER 1 – LEGAL/PROCEDURAL REQUIREMENTS

2.1 The representations made below respond to specific questions raised in the Inspector's Matters, Issues and Questions paper for the Examination in so far as they are relevant to our clients.

***Main Issue – Whether the Council has complied with the relevant procedural and legal requirements.***

2.2 *Sustainability Appraisal*

*2. Are the likely environmental, social and economic effects of the Plan adequately and accurately assessed in the Sustainability Appraisal (SA)?*

*3. Does the SA test the Plan against all reasonable alternatives?*

2.3 The St Albans Local Plan Publication Sustainability Appraisal Report 2018 (CD009) sets out in chronological order the myriad SA documents that have been prepared between 2006 and 2018. Not unsurprisingly for a local plan that has been in gestation for well over a decade, the significant paper trail presents a considerable challenge to those who wish to engage with the process.

2.4 The Appendices which accompany the SA Report 2018 (CD010) attempt to present an overview of the process. We have some concerns about the approach taken to refine the strategy and the reasonable alternative options that have been tested.

- 2.5 The spatial strategy for the Local Plan appears to have been progressed, principally, on the basis of testing:
- the options for the overall housing number; and
  - a series of broad locations for development which respond to the settlement hierarchy.
- 2.6 The Council's Green Belt Topic Paper (ED25C) confirms that "In taking forward the current draft LP, the Council decided that only strategic scale Green Belt sites – as Broad Locations - would be taken forward. In the context of potential Green Belt release, the advantages of strategic scale sites over smaller ones was an explicit evaluative choice made by the Council. The consideration was based on a judgment that the strategic scale sites offer infrastructure and community benefits in a way that small sites do not - for example, "all of the Broad Locations in the draft LP will be providing at least one school within the Broad Location" (paragraph 1.24).
- 2.7 We are not clear how this "explicit evaluative choice" has been tested against the reasonable alternatives. Similarly, it is not clear how the judgement referred to (that broad locations are an appropriate strategy) has been taken. It is not apparent that there has been any testing of the options for spatial distribution (urban concentration, sustainable urban extensions, dispersed approach, new settlement etc) with regard to geography or settlement hierarchy.
- 2.8 At worst, it appears as though the approach taken to pursue broad locations has been predicated on a desire to see growth in those locations rather than through a refining exercise that has regard to harm to the Green Belt (see Martin Grant Homes and Kearns Land Matter 4 statement) or the sustainability appraisal objectives.
- 2.9 In our view, the Sustainability Appraisal has not tested an appropriate set

of options. In relying on a strategy for broad locations it does not appropriately consider the likely environmental, social and economic effects of the Plan on the settlement hierarchy by having regard to how growth is distributed.

2.10 The Sustainability Appraisal Report 2018 concludes that Policy S1 provides a balance between focusing the majority of development in the key settlements whilst allowing for some limited development in the smaller settlements (CD009: 5.2.1.2). This focus on broad locations, and lack of assessment for strategic distribution, has also meant that the SA has failed to consider medium and small scale sites. The Framework stresses the importance of small and medium sized sites in meeting the housing requirement of an area (paragraph 68).

2.11 A call for sites submission for land east of Redbourn was made on behalf of our clients in February 2018. The Council discounted the site without assessment on the basis that it was not capable of accommodating residential development of a minimum of c.500 dwellings or 14 hectares of developable land. The justification for this is not made explicitly clear in the evidence base / Sustainability Appraisal and as a result, the case has not been made for reasonable alternatives for sustainable sites which will not adversely impact upon the purposes of the Green Belt.

*4. Have any concerns been raised about the SA?*

2.12 Yes. ED7a p.9 notes concerns from not only our client but a significant number of stakeholders on the approach taken towards Sustainability Appraisal. In respect of our client, it confirms that Martin Grant Homes and Kearns Land do not consider the SA to give clear reasons why the Land East of Redbourn was rejected. The response from the Council points to Section 4.4.2. of the SA Report noting that it provides an explanation of why the Land East of Redbourn was not included as an allocation in the Publication Local Plan.

2.13 Paragraph 4.4.2 of the SA report provides no such explanation; it reports some information in respect of broad locations. In doing so, it refers the reader to an Appendix E (which can be found at CD010: page 227) which, amongst other assessments, also reports against these broad locations.

2.14 The SA assessment for the broad location 'North East of Redbourn' shows no significant negative effects and is comparable with other broad locations and in some instances the potential for negative impacts is less than some of the Broad Locations selected for the final plan. For example, each of East of Hemel Hempstead (North), East of St Albans and North St. Albans are broadly comparable in general terms but have the potential to introduce significant negative effects on soil whereas land at Redbourn does not.

2.15 Notwithstanding the above, and to reiterate, no assessment of our client's site to the east of Redbourn has been undertaken.

*5. Have the Council complied with the requirements of section 19(5) of the 2004 Act with regards to SA?*

*6. There is a Submission addendum to the SA Report dated March 2019. Has this been consulted on? If not, should it have been?*

2.16 It is our view that the Council has not complied with Section 19(5) of the Planning and Compulsory Purchase Act 2004.

2.17 We have no record of being consulted on the SA Addendum 2019 and consider that consultation should have been undertaken.

*16. Are there any 'made' Neighbourhood Plans or any being prepared or in the pipeline? If so, how have these been taken into account and where is this evident?*

- 2.18 The Redbourn Neighbourhood Plan 2017-2031 Pre-Submission (Regulation 14) Draft was published in November 2017. The Neighbourhood Plan has recommended the release of sites from the Green Belt for residential development and our client's site is identified through Policy RED7. Progress on the Redbourn Neighbourhood Plan has been halted pending the examination of the SADC Local Plan.
- 2.19 We understand that SADC has not objected to the Neighbourhood Plan. Our clients' position is that there is a need for medium sized sites in the category 2 villages to meet local need (for example as evidenced in the emerging Redbourn Neighbourhood Plan).
- 2.20 It appears that the SADC Local Plan has not taken account of the Neighbourhood Plan. Neither the development strategy, approach to Green Belt at Redbourn or aspirations of the Redbourn Neighbourhood Plan have been considered.