

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**Matter 1 – Legal/Procedural Requirements (Introduction)**

**Main Issue**

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

**Plan Preparation**

**1. Question 1**

**Is the Plan compliant with:**

- (a) the Local Development Scheme?**
- (b) the Statement of Community Involvement?**
- (c) the 2004 Act and the 2012 Regulations?**

1.1 [a] Yes, the Council considers that the Plan has been prepared in accordance with the Local Development Scheme (LDS). As set out in Self-Assessment of Soundness and Legal Compliance 2019 ([CD 025](#)) on pages 51 & 78 and replicated below. The timescales (please see extract at para 1.6) which are set out in the LDS for the preparation of the plan have been met, this accords with S19 of the Act. In accordance with S15 of the Act, the Council has prepared and maintained a LDS which specifies: that the Local Plan is to be a development plan document, together with the subject matter and geographical area, please see extract at para 1.5.

1.2 A related response was made previously. Please see the Council's Response to the Inspectors Initial Questions Monday 24th May 2019 Question 2 'Has the Plan been prepared in accordance with the Local Development Scheme?' ([ED4 24.5.19](#))

1.3 The Planning and Compulsory Purchase Act 2004 S19 Preparation of local development documents states:

*(1) Local development documents must be prepared in accordance with the local development scheme.*

1.4 The Planning and Compulsory Purchase Act 2004 S15 Local Development Scheme states:

*15 Local development scheme*

*(1) The local planning authority must prepare and maintain a scheme to be known as their local development scheme.*

*(2) The scheme must specify—*

*(a) .....*

*(aa) the local development documents which are to be development plan documents;]*

*(b) the subject matter and geographical area to which each [development plan document] is to relate;*

- (c) .....
- (d) which [development plan documents] (if any) are to be prepared jointly with one or more other local planning authorities;
- (e) any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29;
- (f) the timetable for the preparation and revision of the [development plan documents];
- (g) such other matters as are prescribed.

1.5 The Local Development Scheme 2017 – 2020 ([CD 027](#)) sets out the timetable and other matters on page 4 which are replicated below.

<b>St Albans City and District Local Plan 2020 - 2036 (LP)</b>	
<b>Role &amp; Subject</b>	<p><i>This document will set out the overall development strategy for the period to 2036 for the District.</i></p> <p><i>It will include strategic policies as well as broad locations for strategic housing and employment development and infrastructure. It will provide the policy context for potential Neighbourhood Plans.</i></p> <p><i>This document will also set out the development management policies and site allocations and it will also include Policies Maps.</i></p>
<b>Coverage</b>	District-wide
<b>Timetable – Key Stages:</b>	
<ul style="list-style-type: none"> <li>• Statutory Public Consultation on Draft Plan (Regulation 18) – Jan/Feb 2018</li> <li>• Publication / Statutory Public Consultation on Pre-Submission Draft Plan (Regulation 19) – Sept 2018</li> <li>• Submission to Secretary of State (Regulation 22) – March 2019</li> <li>• Examination (Regulation 24) – Summer 2019</li> <li>• Estimated Date for Adoption (Regulation 26) – Spring 2020</li> </ul>	

1.6 Self-Assessment of Soundness and Legal Compliance 2019 ([CD 025](#)) pages 51 & 78:

<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
1. Is the DPD identified in the adopted LDS?	The Act section 15(2) and section 19(1)	NPPF para 15		i. The adopted LDS at the time of commencement, publication and submission of the DPD	The LP is identified in the LDS.
2. Have you recorded the timetable for					The LP is on time with the timetable set

<i>its production?</i>				<i>ii. The relevant authority monitoring report (if changes need to be explained)</i>	<i>out in current LDS.  The full process is set out in the LP Regulation 22 Statement.</i>
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<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
<i>1. Has the DPD been prepared in accordance with the LDS? Does the DPD’s listing and description in the LDS match the document? Have the timescales set out in the LDS been met?</i>	<i>The Act section 19(1)</i>		<i>The Act section 15(2) sets out the matters specified in the LDS. As at January 2013, no further matters are prescribed in the Regulations.</i>	<i>i. The LDS ii. Explanation of any changes from the milestones set out in the LDS iii. Relevant authority monitoring reports</i>	<i>The Plan is in the form described and on timetable in respect of the current published LDS.</i>

1.7 [b] Yes, the plan is compliant with the Statement of Community Involvement (SCI). As set out in Self-Assessment of Soundness and Legal Compliance 2019 ([CD 025](#)) on pages 51-52, 61-62, 72 & 79 which are replicated below.

1.8 S18 of the Act relating to Statement of community involvement is set out below:

*S18 Statement of community involvement*

- (1) The local planning authority must prepare a statement of community involvement.*
- (2) The statement of community involvement is a statement of the authority’s policy as to the involvement in the exercise of the authority’s functions under sections [13, 15,] 19, 26 and 28 of this Act and Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area.*

1.9 It is confirmed that the Council has complied with the Act in terms of preparing a Statement of Community Involvement. The Statement of Community Involvement Update 2017 can be found at document ([SCI 001](#)).

1.10 The Planning and Compulsory Purchase Act 2004 S19 Preparation of local development documents states:

- (3) In preparing the other local development documents the authority must also comply with their statement of community involvement.*

- 1.11 The Statement of Community Involvement Update 2017 ([SCI 001](#)) sets out the opportunity for public involvement in key stages of DPD production, the main references can be found on pages 10-13.
- 1.12 Figure 2 and 3 (page 10) of the SCI demonstrate the key stages in the production of DPDs and the stages at which the public has the opportunity to be involved.
- 1.13 Section 3 of the SCI provides a summary of how community involvement is to be achieved in the plan-making process. The section also focuses on the consultation techniques used to involve the public in planning decisions.
- 1.14 It is confirmed that these stages were complied with.
- 1.15 Regulation 22(1)c, regulation 17d and regulation 18 are set out below. The Consultation Statement can be found at document ([CD 005](#)) which contains the relevant information regarding the regulation 18 and regulation 20 stages. This provides evidence of the process undertaken in terms of: which bodies and persons the local planning authority invited to make representations and how they invited to make representations for regulation 18; a summary of the main issues raised by the representations made pursuant to regulation 18 and regulation 20, how any representations made pursuant to regulation 18 have been taken into account. It is confirmed that the requirements of the legislation have been met in this regard.
- 1.16 Regulation 22(1)(c) is set out below.

*Submission of documents and information to the Secretary of State*

22.—(1) *The documents prescribed for the purposes of section 20(3) of the Act are—*

(c) *a statement setting out—*

- (i) *which bodies and persons the local planning authority invited to make representations under regulation 18,*
- (ii) *how those bodies and persons were invited to make representations under regulation 18,*
- (iii) *a summary of the main issues raised by the representations made pursuant to regulation 18,*
- (iv) *how any representations made pursuant to regulation 18 have been taken into account;*
- (v) *if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and*
- (vi) *if no representations were made in regulation 20, that no such representations were made;*

- 1.17 Regulation 17 (d) is set out below:

*Regulation 17 Application and interpretation of Part 6*

*“proposed submission documents” means the following documents—*

(d) *a statement setting out—*

- (i) *which bodies and persons were invited to make representations under regulation 18,*
- (ii) *how those bodies and persons were invited to make such representations,*
- (iii) *a summary of the main issues raised by those representations, and*
- (iv) *how those main issues have been addressed in the local plan, ...*

1.18 Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 are set out below:

*Preparation of a local plan*

18.—

(1) *A local planning authority must—*

- (a) *notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and*
- (b) *invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.*

(2) *The bodies or persons referred to in paragraph (1) are—*

- (a) *such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;*
- (b) *such of the general consultation bodies as the local planning authority consider appropriate; and*
- (c) *such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.*

(3) *In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).*

1.19 The Act section 20(3) Independent Examination is set out below:

- (3) *The authority must also send to the Secretary of State (in addition to the development plan document) such other documents (or copies of documents) and such information as is prescribed.*

1.20 It is confirmed that the Council has complied with the requirements of the Act in sending the relevant documents to the SoS for Independent Examination.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	(Possible) Evidence – outline points and references only
<p>2. How will community engagement be programmed into the preparation of the DPD?</p>	<p>The Act section 19(3)</p> <p>Regulation 18</p>	<p>NPPF paras 16, 25</p>	<p>If the SCI is up-to-date, use that. If not set out any changes to community engagement as a result of changes in legislation.</p>	<p>i. The SCI ii. The project plan for the DPD</p>	<p>For each stage of the Plan's production, published consultation reports have been prepared detailing how community engagement has been undertaken.</p> <p>The full history consultation process is set out in the Regulation 22 Statement. The Council also maintains a Consultee Database.</p> <p>The SCI is up to date. It and earlier versions have guided the consultation process.</p>
<p>3. Have you considered the appropriate bodies you should consult?</p>	<p>Regulation 18</p>	<p>NPPF paras 24, 25</p>	<p>Regulation 2 defines the general and specific consultation bodies.</p> <p>The possible evidence may duplicate each other. Only use what you need to.</p>	<p>i. The SCI ii. Reports and decisions setting out the approach to specific and general lii. consultation bodies</p>	<p>Yes – the general range of consultees that the Council consults are set out in the SCI and reported in the Regulation 22 Statement.</p>

<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
					The Council also maintains a Consultee Database.

<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible Evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
<p>6. Is the participation:</p> <ul style="list-style-type: none"> <li>• following the principles set out in your SCI?</li> <li>• integrating involvement with the sustainable community strategy?</li> <li>• proportionate to the scale of issues involved in the DPD?</li> </ul>	The Act section 19(3)	NPPF para 16		<ul style="list-style-type: none"> <li>i. Consultation Statement</li> <li>ii. The SCI</li> <li>iii. The relevant sustainable community strategies (SCS)</li> </ul>	<p>Regulation 22 Statement demonstrates consultation / participation compliance with the SCI (available in the Document Library).</p> <p>At each stage, the Council has widely advertised consultation. The range of measures applied through development of the plan as a whole include:</p> <ul style="list-style-type: none"> <li>- Contacting people on the Consultee Database</li> <li>- Using the Council's website</li> <li>- Press releases and articles in the Council's own</li> </ul>

					publications Holding exhibitions and drop in events
7. Are you keeping a record of: <ul style="list-style-type: none"> <li>the individuals or bodies invited to make representations?</li> <li>how this was done?</li> <li>the main issues raised?</li> </ul>	The Act section 20(3)  Regulation 17	NPPF paras –26 and 35	You will need to submit a statement of representations under Regulation 22 (1) (c): see Submission stage below. Regulation 35 deals with the availability of documents and the time of their removal.	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Reports by the council on the consultation</li> <li>iii. Copies of representations and relevant correspondence Technical reports on the engagement process</li> </ul>	The Council maintains a Consultee Database, which records the individuals and bodies invited to make representations.  The Regulation 22 Statement sets out how this consultation was carried out and the main issues raised.

<b>Activity</b>	<b>Statutory requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible Evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
13. Are the participation arrangements compliant with the SCI?	The Act, section 19(3)  Regulation 18	NPPF paras 16 and 25		<ul style="list-style-type: none"> <li>i. The SCI</li> <li>ii. Consultation statement</li> </ul>	Yes – the arrangements for the consultations were in full compliance with the SCI and the following consultation reports were prepared against the SCI. This is set out in the Council's Regulation 22 Statement.

<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible Evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
2. Is the DPD in compliance	The Act section 19(3)		Before the SCI is formally	<ul style="list-style-type: none"> <li>i. The SCI</li> </ul>	All consultation has been



<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible Evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
<i>with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?</i>	<i>Regulation 22(1)(c)</i>		<i>amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).</i>	<i>ii. The Regulation 22(1)(c) statement</i>	<i>carried out in accordance with the adopted SCI. Also see Regulation 22 Statement. Prior to formal submission, the Council has identified a small number of suggested Minor Modifications to the Plan – they are minor in nature and therefore no additional formal Regulation 19 consultation stage is required.</i>

- 1.21 A related response was made previously, see the Councils Response to the Inspectors Initial Questions Monday 24th May 2019 Question 3 'Has the Plan been prepared in general accordance with the Statement of Community Involvement and public consultation requirements?' ([ED5 24.5.19](#))
- 1.22 [c] Yes, the plan is compliant with the 2004 Act and the 2012 Regulations. As set out in Self-Assessment of Soundness and Legal Compliance 2019 ([CD 025](#)), the Local Plan Legal Compliance Checklist can be found on pages 51-87.

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**Sustainability Appraisal**

**2. Question 2**

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

2.1 Yes, the Council considers that the likely environmental, social and economic effects of the Plan are adequately and accurately assessed in the Sustainability Appraisal (SA). As set out in Self-Assessment of Soundness and Legal Compliance of the Plan ([CD 025](#)) at pages 74 & 80 (see below), the draft Plan has been subject to Sustainability Appraisal which assesses the likely environmental, social and economic effects of the Plan.

[CD 025](#) page 74:

<b>Activity</b>	<b>Statutory requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Evidence Base</b>	<b>(Possible) Evidence – outline points and references only</b>
1. Have you prepared the sustainability appraisal report?	The Act section 19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 32 SEA Guide Chapter 5		Sustainability appraisal report	Yes, the SA process has been conducted from the outset of LP preparation.

[CD 025](#) page 80:

<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
5. Has the DPD been subject to sustainability appraisal?  Has the council provided a final report of the findings of the appraisal?	The Act section 19(5)  Regulation 22(1)(a)	NPPF para 32  SEA Practical Guide, chapter 5		Sustainability appraisal report	Yes – DPD has been subject to a sustainability appraisal, and the council has provided a final report of its findings.

2.2 The PCPA 2004 S19(5) requires that:

*The local planning authority must also—*

- (a) *carry out an appraisal of the sustainability of the proposals in each [development plan document];*
- (b) *prepare a report of the findings of the appraisal.*

2.3 NPPF para 32 states:

*Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...*

2.4 The SA Report 2018 advises at 1.2 and 1.3 that:

*Sustainability Appraisals (SAs) are a process of evaluating the social, environmental, and economic implications of emerging strategies, policies and plans...*


*SEA is required to be undertaken alongside the preparation of the plan to which it relates ... This process, in conjunction with the requirements of the SA, should ensure that the environmental, social, and economic implications are fully integrated into emerging policies and strategies.*

2.5 The Sustainability Appraisal Report 2018 can be found at ref [CD 009](#), [CD 010](#) & [CD 011](#) and the SA Report Addendum can be found at ref [CD 012](#).

2.6 A summary of the Sustainability Appraisal assessment of Local Plan Policies can be found in The SA NTS 2018 ([CD 011](#)). Please see extract in M1Q2 Appendix 1 from the SA NTS 2018 ([CD 011](#)) which illustrates policy assessment against environmental, social and economic objectives and indicates the likely effects. It is considered that the SA adequately and accurately demonstrates likely environmental, social and economic effects of the Plan. The requirements of the Act and NPPF have been complied with.

2.7 In terms of significant effects, the SA NTS 2018 ([CD 011](#)) sets out:

*The assessment of the Publication ... Local Plan generally found that the policies are likely to have overall positive effects across the range of sustainability topics, with a number of significant positive effects having been identified, as follows:*

	<b>Reference Term</b>	<b>SA Objective</b>	<b>Significant effects identified</b>
1	Biodiversity	<i>To protect, maintain and enhance biodiversity and geodiversity at all levels, including the maintenance and enhancement of Biodiversity Action Plan habitats and species in line with local targets</i>	 <i>in relation to Policy L29 Green and Blue Infrastructure, Countryside, Landscape and Trees</i>

2	Water quality/ quantity	To protect, maintain and enhance water resources (including water quality and quantity) while taking into account the impacts of climate change	✓✓ in relation to Policy L25 Energy and Environmental Performance of New Development and Policy L29 Green and Blue Infrastructure, Countryside, Landscape and Trees.
3	Flood risk	Ensure that new developments avoid areas which are at risk from flooding and natural flood storage areas	No significant effects identified
5	Greenhouse gas emissions	Reduce the impacts of climate change, with a particular focus on reducing the consumption of fossil fuels and levels of CO2	✓✓ in relation to Broad Location S6 xi) Park Street Garden Village; and Policy L25 Energy and Environmental Performance of New Development
6	Climate change proof	Ensure that developments are capable of withstanding the effects of climate change (adaptation to climate change)	No significant effects identified
7	Air Quality	Achieve good air quality, especially in urban areas	No significant effects identified
8	Use of brownfield sites	Maximise the use of previously developed land and buildings, and the efficient use of land	No significant effects identified
9	Resource efficiency	To use natural resources, both finite and renewable, as efficiently as possible, and re-use finite resources or recycled alternatives wherever possible	✓✓ in relation to Broad Location S6 ii) East HH (central); and Policy L25 Energy and Environmental Performance of New Development
10	Historic environment	To identify, maintain and enhance the historic environment and heritage assets and their settings and cultural assets	✓✓ in relation to Policy L13 Attractive and vibrant cultural and civic areas and Policy L30 Historic Environment and Townscape Character
11	Landscape & Townscape	To conserve and enhance landscape and townscape character and encourage local distinctiveness	✓✓ in relation to Policy S3 Metropolitan Green Belt; Policy L23 Urban Design and Layout of New Development; Policy L29 Green and Blue Infrastructure, Countryside, Landscape and Trees; and Policy L30 Historic Environment and Townscape Character
12	Health	To encourage healthier lifestyles and reduce adverse health impacts of new developments	✓✓ in relation to Policy L22 Community, Leisure and Sports Facilities; and Policy L29 Green and Blue Infrastructure, Countryside, Landscape and Trees
13	Sustainable locations	To deliver more sustainable patterns of location of development.	✓✓ in relation to Broad Locations S6 i) East HH (north); S6 ii) East HH (central); and S6 iii) East HH (south)
14	Equality & social inclusion	Promote equity & address social exclusion by closing the gap between the poorest communities and the rest	✓✓ in relation to Broad Locations S6 v) East St Albans

15	Good quality housing	Ensure that everyone has access to good quality housing that meets their needs	✓✓ in relation to Policy S4 Housing Strategy and Housing Requirement / Target Broad Locations; Policy L3 Provision of and Contributions towards Affordable Housing; and all the Broad Locations in Policy S6 which would allocate > 500 homes.
16	Community Identity & participation	Enhance community identity and participation	No significant effects identified
17	Crime and fear of crime	Reduce both crime and fear of crime	✓✓ in relation to Policy L23 Urban Design and Layout of New Development
18	Sustainable prosperity and growth	Achieve sustainable levels of prosperity and economic growth	✓✓ in relation to Policy S5 Economic Development Strategy and Employment Land Provision; and Broad Location S6 ii) East HH (central)
19	Fairer access to jobs & services	Achieve a more equitable sharing of the benefits of prosperity across all sectors of society and fairer access to services, focusing on deprived areas in the region	✓✓ in relation to Policy S5 Economic Development Strategy and Employment Land Provision; Broad Location S6 ii) East HH (central); and Policy L21 Education.
20	Revitalise town centres	Revitalise town centres to promote a return to sustainable urban living	✓✓ in relation to Policy L12 Centres for Retail, Services and Leisure; and Policy L13 Attractive and vibrant cultural and civic areas

Some significant negative effects have also been identified in the assessment as follows:

	Reference Term	SA Objective	Significant effects identified
4	Soils	Minimise development of land with high quality soils and minimise the degradation/loss of soils due to new developments	✗✗ in relation to Broad Locations at: S6 i) East Hemel Hempstead (North); S6 ii) East Hemel Hempstead (Central); and S6 vi) North St Albans.

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**3. Question 3**

**Does the SA test the Plan against all reasonable alternatives?-**

- 3.1 Yes, the Council considers that the SA does test the Plan against reasonable alternatives. The NPPF para 35 advises that Plans are 'sound' if they are: ....

***Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; ....*

- 3.2 The Environmental Assessment of Plans and Programmes Regulations 2004 requirements are as follows:

*PART 3 ENVIRONMENTAL REPORTS AND CONSULTATION PROCEDURES Preparation of environmental report*

*12. — (2) The report shall identify, describe and evaluate the likely significant effects on the environment of— (a) implementing the plan or programme; and (b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.*

- 3.3 As set out in Self-Assessment of Soundness and Legal Compliance of the Plan ([CD 025](#)) at pages 35-36 (extract below) , there has been there has been extensive and detailed consideration of alternatives throughout the development of the Local Plan, including that for the Strategic Local Plan (formerly Core Strategy).

<b>Soundness Test and Key Requirements</b>	<b>Possible Evidence</b>	<b>Evidence Provided</b>
<p><i>Alternatives</i></p> <p><i>Can it be shown that the LPA's chosen approach is the most appropriate given the reasonable alternatives? Have the reasonable alternatives been considered and is there a clear audit trail showing how and why the preferred approach was arrived at? Where a balance had to be struck in taking decisions between competing alternatives, is it clear how and why the decisions were taken?</i></p> <p><i>Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the DPD from the start?</i></p>	<ul style="list-style-type: none"> <li>• <i>Reports and consultation documents produced in the early stages setting out how alternatives were developed and evaluated, and the reasons for selecting the preferred strategy, and reasons for rejecting the alternatives. This should include options covering not just the spatial strategy, but also the quantum of development, strategic policies and development management policies.</i></li> <li>• <i>An audit trail of how the evidence base, consultation and SA have influenced the plan.</i></li> <li>• <i>Sections of the SA Report showing the assessment of options and alternatives.</i></li> <li>• <i>Reports on how decisions on the inclusion of policy were made.</i></li> <li>• <i>Sections of the consultation document demonstrating how options were developed and appraised.</i></li> <li>• <i>Any other documentation showing how alternatives were developed and evaluated, including a report on how sustainability appraisal has influenced the choice of strategy and the content of policies.</i></li> </ul>	<p><i>Plan alternatives have been considered at several levels.</i></p> <p><i>Taking an overview of the whole Plan preparation process and initial consultation under Regulation 18, alternatives strategies for accommodating different levels of development have been considered. This is explained in the Regulation 22 statement and SA Reports.</i></p> <p><i>For the more recent stages of the Plan process the alternative levels of development that could be planned for and alternative development site and development strategy (of site / locations combination) options were considered. They were evaluated on the basis of the Green Belt Review and NPPF SD principles. The evaluation was integrated with the independent SA.</i></p>

3.4 The Sustainability Appraisal Report 2018 ([CD 009](#), [CD 010](#) & [CD 011](#)) sets out information about the consideration of reasonable alternatives at pages 31-49 (extracts below) and Appendix E. It is considered that the requirement to identify, describe and evaluate the likely significant effects on the environment of reasonable alternatives, has been met.

3.5 It can be seen that Plan alternatives have been considered at several levels over an extended period of time and this has included those listed below which are set out for illustration.

- Alternative development strategies for accommodating different levels of development.
  - Option 1 a) Mixed Location / Scale Development
  - Option 1 b) As 1a) with smaller, but more, sites
  - Option 2 Dispersed Development
  - Option 3 Concentrated Development

- Assessment of different levels of housing requirement ranging between 200 dpa – 1,200 dpa.
- In relation to the Broad Locations, the assessment considered 12 potential locations which received either a Green or Amber rating and had passed through to Stage 2 following the Council's three stage Site Selection Evaluation process. It included East Hemel Hempstead (North), East Hemel Hempstead (South), Land at Chiswell Green, North East Harpenden, North West Harpenden, North St Albans and East St Albans, Park Street Garden Village and North East of Redbourn. The 12 Broad Locations were shortlisted from a long-list of 70 locations at stage 1 that were capable of accommodating residential development of a minimum of circa 500 dwellings or 14 hectares of developable land.
- Park Street Garden Village Broad Location Re-evaluation, where the Council looked at six alternative strategies for delivering elsewhere the level of housing that could be delivered at Park Street Garden Village. This can be seen in the SA as quoted below at '4.4.3 Planning Policy Committee (PPC) meeting 12th June 2018 - Park Street Garden Village Broad Location Re-evaluation'. Further detail is also set out in the Council's response to M6Q19.
- In addition to these options, the SA Addendum Appendix C provides an assessment of the proposed Strategic Rail Freight Interchange (SRFI) alongside the existing assessment for Park Street Garden Village (PSGV). It shows a comparison of predicted effects for PSGV and the SRFI.

3.6 For fuller information regarding the above, please see extracts below from the SA Report. This draws from more recent work undertaken since January 2018 and which built on previous work. Work on options carried out prior to this date was undertaken and details can be found in the SA documents.

#### **4.4.1 Regulation 18 SA Working Note – January 2018**

*A Regulation 18 consultation was undertaken in Jan-Feb 2018. The Local Plan document was accompanied by an SA Working Note which provided a broad assessment of the range of topics covered by the Issues and Options questionnaire.*

*Given the 'high level' form and content of the Issues and Options questionnaire, during this stage of the SA there was no new detailed assessment against the SA framework. Where relevant the assessments that were undertaken for the equivalent topics and policies during the development of the draft Strategic Local Plan were reiterated and cross-referenced in order to identify the potential effects that could result if certain approaches are taken forwards against others. This included the options for distributing housing development, where the SA Working Note identified that the assessment carried out in 2014 remained relevant for the new Local Plan.*

*At that earlier stage the Council considered four options for distributing new housing development within the District, as follows:*

*Option 1a): Mixed Location / Scale Development;*



Option 1 b): As 1a) with smaller, but more, sites;  
Option 2: Dispersed Development; and  
Option 3: Concentrated Development. TRL 39 CPR2570

An assessment of these options was undertaken and reported in an SA Working Note (September 2014) (see Section 4.2.6 and Appendix E8). The findings of the assessment are summarised in Table 4-2. The detailed assessment for each option is provided in Appendix E8 to this SA Report.

**Table 4-2: Summary of Assessment of Development Strategy Options**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic/ Cultural Assets	11. Landscape/ Townscape	12. Health	13. Sustainable Locational Development	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity and Participation	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Option 1 a) Mixed Location / Scale Development	X	-	-	XX	X	-	X	X	✓	-	XX	✓	✓✓	✓✓	✓	?	-	✓✓	-	✓✓
Option 1 b) As 1a) with smaller, but more, sites	X	-	-	?	X	-	X	X	-	?	X	-	✓	✓	✓	?	-	✓	-	✓
Option 2 Dispersed Development	X	-	-	?	X	-	X	X	-	?	X	-	✓	✓	✓	?	-	-	-	✓
Option 3 Concentrated Development	X	-	-	XX	X	-	X	X	✓	-	XX	✓	✓✓	✓✓	✓	?	-	✓✓	-	✓

In summary, the two strategy options that would deliver significant levels of growth east of Hemel Hempstead (Options 1a and 3) were assessed as providing the greatest potential economic benefits as they would help to support the regeneration of Hemel Hempstead which is a key aim of Hertfordshire’s Strategic Economic Plan (March 2014). However the scale of development at east Hemel Hempstead under these two options was predicted to have significant adverse effects on landscape, and as the two sites at east Hemel Hempstead contain best and most versatile agricultural land, significant adverse effects were also predicted against the soil objective.

Options 1a and 3 would locate the majority of new development of the edge of the main settlements which are the most sustainable locations in terms of reducing the need to travel to access services and facilities. These two options have also been identified as providing the greatest potential benefits in terms of facilitating the provision of new services and facilities, as well as providing the potential for meeting the needs of the gypsy and traveller communities. Significant positive effects were therefore predicted against the ‘sustainable locations’ and ‘equality & social exclusion’ SA objectives.

*As Options 1b and 2 would provide the housing requirement through the utilisation of more dispersed patterns of development across smaller sites, so there would be fewer opportunities for major benefits to arise either from within the developments themselves or across the wider communities. However these two options were predicted as having less impact on the natural environment due to the smaller scale of the sites that would be used to deliver the options. No significant adverse effects were identified for these two options. The Council's preferred approach was based on Option 1a and this was therefore taken forward when developing the draft SLP which was subject to consultation in late-2014. The principles included in the assessment above from 2014 were considered to remain valid as the start point for the Local Plan 2020-2036.*

*In relation to the level of housing growth, the SA Working Note pointed out that the principles included in the SLP assessments from 2014 will remain valid for the Local Plan 2020-2036. These are that in general terms the higher the level of housing development the greater will be the positive social and economic effects but the greater will also be the negative environmental effects. However this is a simplistic view and it should be acknowledged that in some cases new development can have adverse social effects, for example by overloading existing services and facilities but can also have positive environmental effects, for example where a large new development provides new community open space or biodiversity enhancements. The actual effects that result from delivering any level of growth will be dependent on the location and characteristics of the development sites allocated.*

*The SA for the Local Plan will assess the reasonable alternatives for sites to deliver the development strategy, these sites being identified from future Plan analysis, as well as from availability /deliverability information from the Strategic Housing Land Availability Assessment (SHLAA) and from a new call for additional sites. This assessment will consider the effects that might result from development at each site, taking account of environmental, social and economic constraints and opportunities. As with previous SA work it will be recognised that the larger strategic sites provide the best opportunities for infrastructure provision and planning gain opportunities, including biodiversity enhancements, when compared to a larger number of smaller developments. The SA undertaken on the reasonable alternatives will inform the selection of sites to be included in the Publication Local Plan.*

#### **4.4.2 Options for Housing Number and Broad Locations SA Working Note – May 2018**

*Following on from the Regulation 18 stage, a second SA Working Note (May 2018) was prepared to report the findings of the assessment of options that were being considered for Broad Locations and also to consider the implications of a new potential reasonable alternative of 1,200 dwellings per annum (dpa).*

*1,200 dpa was included in the assessment in order to provide consideration of either choosing to prioritise even higher levels of housing delivery and/or potentially helping neighbouring or nearby authorities to meet any unmet need in their area.*

*The findings of the assessment are summarised in Table 4-3. The detailed assessment for each site is provided in Appendix E12.*

**Table 4-3: Summary of Assessment of Housing Requirement**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity and Participation	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
200 dpa			-			-				?		-	?			?	-	-	?	
250 dpa			-			-				?		-	?			?	-	-	?	
350 dpa			-			-				?		-	?			?	-	?	?	
450 dpa			-			-				?		✓	?			?	-	?	?	
550 dpa			-			-				?		✓	?			?	-	?	?	
750 dpa			-			-				?		✓	?			?	-	✓	?	
900 dpa			-			-				?		✓	?			?	-	✓	?	
1,200 dpa			-			-				?		✓	?			?	-	✓	?	

The assessment of the options for the level of housing provision, that have been considered during the development of the Strategic Local Plan / Local Plan, identified that the higher levels of growth could have significant adverse effects against several of the environmental SA objectives but could also result in significant positive effects against some of the social and economic SA objectives. Conversely the lower levels of growth would have less impact on the natural environment but at the same time would not provide the housing levels necessary to meet the identified need in the District.

For this assessment it was not possible to identify the exact levels of growth at which the effects predicted become significant. For this reason an approach to the ‘scoring’ of the effects against some of the objectives used a sliding scale to illustrate how the magnitude of the effect changes as the potential housing levels increase.

The higher housing levels would have greater environmental effects through increased land-take having direct impacts on biodiversity, soils and landscape, and through the increased population resulting in greater water usage, resource use, greenhouse gas emissions and other vehicle pollutant emissions. In general, these effects would all be reduced with lower housing numbers. The assessment did not identify any environmental limits that could be exceeded when moving from one housing level to another – i.e. whereby an increase from one housing level to the next highest would exceed such a threshold with a resulting step-change of the effects on the environmental topic/resource.

It should be noted however that new development can also result in positive effects against the environmental objectives, particularly in relation to the large development sites, for example through habitat creation/enhancement and ecological network links; provision of

*open space and enhanced walking and cycling routes; and the provision of public transport improvements.*

*In relation to the social and economic objectives, the higher housing levels would result in greater positive effects by contributing the most towards ensuring that everyone has access to good quality housing that meets their needs, with the associated development and higher population contributing towards supporting the viability of local centres and town centres and resulting in the provision of improved community services and facilities. However it should be acknowledged that in some cases new development can have adverse social effects, for example by overloading existing services and facilities.*

*The actual effects that result from delivering any level of growth will be dependent on the location and characteristics of the development sites allocated.*

*In relation to the Broad Locations the assessment considered 12 potential locations. These locations were those were identified as potential Broad Locations following the Council's three stage Site Selection Evaluation process. That process used a Red Amber Green (RAG) system to assess sites against three stages and eight criteria as follows:*

#### *Stage 1*

- 1. Green Belt Review (GBR) evaluation*

#### *Stage 2*

- 2. Suitability*
- 3. Availability*

#### *Stage 3*

- 4. Unique contribution to improve public services and facilities*
- 5. Unique contribution to enhancing local high quality job opportunities*
- 6. Unique contribution to other infrastructure provision or community*
- 7. Deliverable / Achievable*
- 8. Overall Evaluation*

*Seventy sites capable of accommodating residential development of a minimum of circa 500 dwellings or 14 hectares of developable land were considered at Stage 1, and of these 12 received either a Green or Amber rating and passed through to Stage 2. At Stage 2 all those 12 sites received a Green rating in relation to 'suitability' and 'availability' and passed through to Stage 3.*

*At the end of Stage 3 the evaluation forms concluded that 8 of the 12 sites had an overall evaluation of Green. These are the same 8 sites that were concluded in the Green Belt Review as making the least contribution towards Green Belt purposes. These sites are East Hemel Hempstead (North), East Hemel Hempstead (South), Land at Chiswell Green, North East Harpenden, North West Harpenden, North St Albans and East St Albans.*

*The evaluation forms concluded that the remaining 4 sites had an overall evaluation of Amber. These sites are South East Hemel Hempstead, North Hemel Hempstead, the Former Radlett Aerodrome (Park Street Garden Village) and North East Redbourn.*

The findings of the assessments of these 12 sites are summarised in Table 4-4. The detailed assessment for each site is provided in Appendix E12

**Table 4-4: Summary of Assessments of Broad Location Options SA Objectives**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
East Hemel Hempstead (North)	x	-	-	xx	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
East Hemel Hempstead (South)	x	-	-	?	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
South East Hemel Hempstead	x	-	-	?	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
North Hemel Hempstead	x	-	-	?	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
East St Albans	x	-	x	xx	✓	-	✓	x	?	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
North St Albans	x	-	-	xx	✓	-	✓	x	✓	-	x	✓	✓	✓	✓	-	-	✓	✓	✓
North West Harpenden	x	-	-	?	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	-	-	✓	-	✓
North East Harpenden	x	-	?	?	✓	-	✓	x	✓	-	x	✓	✓	✓	✓	-	-	✓	-	✓
West of London Colney	x	-	x	?	✓	-	✓	x	?	x	x	✓	✓	✓	✓	✓	-	✓	-	✓
West of Chiswell Green	x	-	-	?	✓	-	✓	x	✓	-	x	✓	✓	✓	✓	-	-	✓	-	✓
Park Street Garden Village	x	-	x	?	✓	-	✓	?	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
North East of Redbourn	x	-	x	?	✓	-	✓	x	✓	x	x	✓	✓	✓	✓	-	-	✓	-	✓

.....Of the 12 potential (Green / Amber rated) Broad Locations considered in detail, 11 were selected for inclusion in the Publication Draft Local Plan. The one Broad Location which was not taken forward was North East of Redbourn. This was because the advantages of the

other three sites which had received an Amber rating in the Council's Strategic Site Selection process were considered to be greater than those for North East of Redbourn.

#### **4.4.3 Planning Policy Committee (PPC) meeting 12th June 2018 - Park Street Garden Village Broad Location Re-evaluation**

*In relation to the Park Street Garden Village Broad Location, following the overall site selection process and the findings, the Council undertook a re-evaluation to look more specifically at the relative importance and merits of using the site either for housing or as a Strategic Rail Freight Interchange. This has some general relevance for the selection of Local Plan Broad Locations for housing, as the re-evaluation looked at six alternative strategies for delivering elsewhere the level of housing that could be delivered at Park Street Garden Village. These alternative strategy options were as follows: North East Redbourn; Using Red rated sites; Different delivery trajectories; Other LPAs delivering development; Neighbourhood Plans; and Development of a number of smaller sites currently in the Green Belt.*

*Of these six alternative strategies, five were not considered by the Council to be reasonable alternatives because they involved reliance on development that was contrary to the strategy set for the plan (minimisation of adverse impacts on Green Belt purposes (Green Belt review led) and / or greater dispersal of development, with less favourable outcomes for community benefits and infrastructure improvement. They were therefore not subject to SA. The one exception was the site/alternative strategy option to develop the site at North East Redbourn Broad Location which had previously been considered to be a reasonable alternative in the wider context of the Local Plan site evaluation process and had therefore been subject to SA alongside the 11 other 'Green' and 'Amber' rated sites... However, as noted above the advantages of the other sites were considered to be greater than those for North East of Redbourn. Additionally, in relation to the particular consideration of that site being an alternative to Park Street Garden Village, the Council considered that the North East Redbourn option would not deliver the equivalent quantum of housing development required within the Plan period and it would also not generate as many other significant benefits as those identified in association with the Park Street Garden Village.*

#### **4.5 Summary of the consideration of alternatives**

*As described in Sections 4.2 to 4.4 there has been extensive and detailed consideration of options throughout the development of the Local Plan, including that for the Strategic Local Plan (formerly Core Strategy). The sustainability appraisal has provided continual input into this process, through helping to develop and refine options and emerging policies and by reporting the findings of the assessments undertaken at each stage of the plan making process. These assessments have provided the decision makers with information on the likely sustainability implications of pursuing one option over another and have therefore been an important part of both the evidence base and the decision making process itself, when deciding the preferred options for including in the Plan.*

*It should be noted however that the reasons for taking forward some options and rejecting others are not restricted to the findings of the sustainability appraisal but also cover wider planning issues such as deliverability, views of the local community and infrastructure availability/constraints. The findings of the technical studies undertaken*

by SADC on the potential Broad Locations are an example of such an influencing factor for selecting preferred options and rejecting others.

Due to the change in planning context and the 'passage of time' some of the options considered at the earlier stages during the development of the SLP and Local Plan can no longer be considered as reasonable alternatives. For example some of the locations considered for inclusion in the Plan have already been developed or granted planning permission, whilst others have a limited capacity which falls below the criterion for a Broad Location that does not make them appropriate for inclusion in the Local Plan.

Conversely, the change in context that resulted from the publication of the NPPF (as described in Section 4.2.6) has meant that some of the options that were previously rejected have now been reconsidered as being reasonable alternatives to deliver the strategy. This is the case for some Broad Locations which have been brought back into consideration given the significantly higher level of growth that is now proposed when compared to the Core Strategy that was consulted on in December 2010. In addition, the further technical work that has been undertaken has meant that the relative performance of Broad Locations may have changed over time and this may have influenced the selection of one option over another when considering which broad location to include in the Plan.

The options that have been selected for inclusion in the Publication Local Plan are those that are considered to be the most appropriate, based on studies and assessments, to deliver the objectives of the Plan, whilst the options that have not been taken forward are those that have not performed as well against the criteria in the studies and assessments that have been undertaken to inform the development of the Plan.

Assessments for the preferred options that have been taken forward into the Publication Local Plan are included in Appendix F, whilst Appendix E provides summaries of the assessments of those options that are not included in the Publication Local Plan.

- 3.7 SA Addendum Appendix C shows a comparison of predicted effects for PSGV and SRFI, a comparison is set out below:

**Table 4-1: Comparison of predicted effects for PSGV and SRFI**

<b>SA Objective</b>	<b>Comparison of effects</b>
1. Biodiversity	Both PSGV and SRFI will result in some habitat loss, but also some enhancements relating to proposed Country Parks.
2 Water quality/ quantity	No predicted effects for either PSGV or SRFI.
3.Flood risk	Both PSGV and SRFI will be able to avoid having built development in the flood risk zone.
4.Soils	Both PSGV and SRFI would result in soil sealing from new development.
5. Greenhouse gas emissions	<b>Significant positive effects</b> have been identified for PSGV due to the range of non-car based transport improvements that the development would be required to deliver. <b>Significant positive effects</b> have been identified for SRFI as moving freight from road onto rail will result in an overall reduction in CO2 emissions from freight operations.

	<i>Minor adverse effects were identified for both PSGV and SRFI in relation to the increased vehicle activity that would result.</i>
<i>6. Climate change proof</i>	<i>No predicted effects for either PSGV or SRFI.</i>
<i>7. Air quality</i>	<i>Minor positive effects have been identified for PSGV due to the range of non-car based transport improvements that the development would be required to deliver. Minor positive effects have been identified for SRFI, as moving freight from road onto rail will result in an overall reduction in airborne emissions at a regional level. Minor adverse effects were identified for both PSGV and SRFI in relation to the increased vehicle activity that would result.</i>
<i>8. Use of brownfield sites</i>	<i>The majority of the site area is not classified as previously developed land. Minor adverse effects have therefore been predicted for PSGV and SRFI.</i>
<i>9. Resource efficiency</i>	<i>Minor positive effects have been identified for both PSGV and SRFI in relation to their respective proposals for sustainable developments.</i>
<i>10. Historic environment</i>	<i>Both PSGV and SRFI have the potential to have minor adverse effects on the same set of heritage assets and have therefore been assessed to have the same effects.</i>
<i>11. Landscape &amp; Townscape</i>	<i>Both PSGV and SRFI have the potential to have minor adverse effects on landscape at this open site and have therefore been assessed to have the same effects. However the creation of Country Parks has resulted in minor positive effects also being identified for both.</i>
<i>12. Health</i>	<i>Minor positive effects have been identified for both PSGV and SRFI due to their proposed Country Parks and increased opportunities for walking and cycling. Uncertainty relating to noise has been identified for both sites, but for different reasons. For PSGV it relates to the potential effects on new residents from noise from the M25, whilst for SRFI it relates to the potential for noise being generated from the SRFI to have effects on nearby residents.</i>
<i>13. Sustainable locations</i>	<i>Minor positive effects have been predicted for PSGV and SRFI.</i>
<i>14. Equality &amp; social inclusion</i>	<i>Minor positive effects have been predicted for PSGV. No predicted effects for SRFI.</i>
<i>15. Good quality housing</i>	<i>Significant positive effects have been identified for PSGV as it could provide a minimum of 2,300 new homes. No predicted effects for SRFI.</i>
<i>16. Community identity &amp; participation</i>	<i>Minor positive effects have been predicted for PSGV. No predicted effects for SRFI.</i>
<i>17. Crime and fear of crime</i>	<i>No predicted effects for either PSGV or SRFI.</i>
<i>18. Sustainable prosperity &amp; growth</i>	<i>Minor positive effects for PSGV given the potential to contribute to the local economy. Significant positive effects have been identified for SRFI as it would be likely to provide direct and indirect benefits for the wider local economy.</i>
<i>19. Fairer access to jobs &amp; services</i>	<i>Minor positive effects have been predicted for PSGV as it would provide some new job opportunities. Significant positive effects have been identified for SRFI as it would provide in the region of 3,400 new jobs.</i>
<i>20. Revitalise town centres</i>	<i>Minor positive effects have been predicted for PSGV. No predicted effects for SRFI.</i>



## **Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

### **4. Question 4**

#### **Have any concerns been raised about the SA?**

- 4.1. Yes. Details of the representations received and the responses to these representations at Publication Stage are provided in Appendix A to the SA Report Addendum.
- 4.2. None of the representations have resulted in major changes being made to the information or findings that were included in the Publication SA Report ([September 2018](#)). However the representations have resulted in a few minor updates to the assessments for the some of the Broad Locations. These are detailed in Appendix D to the SA Addendum and summarised in Section 5.
- 4.3. The Sustainability Appraisal Report 2018 can be found at ref [CD 009](#), [CD 010](#) & [CD 011](#) and the SA Report Addendum can be found at ref [CD 012](#). SA Report 2018 Appendix D sets out SA comments 2006-2018 together with responses. Those comments received in response to Reg 18 SA Working Note (January 2018) can be found in M1Q4 Appendix 1 to illustrate the approach. It can be seen that matters have been considered and addressed in an appropriate manner. Queries have been raised about both the overall approach and the approach to specific issues. Overall, the Council and the SA consultants consider that there are no outstanding matters of concern about the SA.
- 4.4. It can also be noted that the extracts from the SA Addendum in M1Q4 Appendix 2 shows the representations made at Reg 19 stage and the SA/SEA response to representation. SA Addendum paragraph 5.3 provides a summary of implications for the SA.

#### **5.3 Implications for the SA**

- *As described above the proposed Minor Modifications would have positive effects against several SA objectives, but would not result in any changes to the assessment 'scoring'.*
- *No adverse effects or negative implications have been identified in the screening of the Minor Modifications.*
- *Therefore the proposed changes would not result in any new significant effects, nor would they change significant effects previously reported. However they would contribute positively to the cumulative effects of the Local Plan which were reported by SA topic in Section 5.3 of the SA Report (September 2019).*

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**5. Question 5**

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

5.1. Yes, as set out in Self-Assessment of Soundness and Legal Compliance of the Plan ([CD 025](#)) at pages 74 & 80 (extracts below), the Council considers that it has complied with TCPA 2004 S19(5) which requires that:

*The local planning authority must also—*

- a) *carry out an appraisal of the sustainability of the proposals in each [development plan document];*
- b) *prepare a report of the findings of the appraisal.*

5.2. The Sustainability Appraisal Report 2018 can be found at ref [CD 009](#), [CD 010](#) & [CD 011](#).

**Stage four: Publication**

<b>Activity</b>	<b>Statutory requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Evidence Base</b>	<b>(Possible) Evidence – outline points and references only</b>
1. <i>Have you prepared the sustainability appraisal report?</i>	<i>The Act section19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</i>	<i>The Act section19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</i>		<i>The Act section19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</i>	<i>Yes, the SA process has been conducted from the outset of LP preparation.</i>

**Stage five: Submission**

<b>Activity</b>	<b>Legal requirement</b>	<b>Guidance reference</b>	<b>Additional notes</b>	<b>Possible Evidence</b>	<b>(Possible) Evidence – outline points and references only</b>
<p>5. <i>Has the DPD been subject to sustainability appraisal?</i></p> <p><i>Has the council provided a final report of the findings of the appraisal?</i></p>	<p><i>The Act section 19(5)</i></p> <p><i>Regulation 22(1)(a)</i></p>	<p><i>NPPF para 32</i></p> <p><i>SEA Practical Guide, chapter 5</i></p>		<p><i>Sustainability appraisal report</i></p>	<p><i>Yes – DPD has been subject to a sustainability appraisal, and the council has provided a final report of its findings.</i></p>

## Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.

### 6. Question 6

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

6.1 No, it has not been consulted on and it is considered that consultation was not required.

6.2 Regulation 13 of the Environmental Assessment of Plans and Programmes 2004 requires consultation of the plan and the accompanying report. By regulation 2(1), a Plan includes modifications to it.

6.3 As set out in the Planning and Compulsory Purchase Act 2004 (c. 5) Part 2 — Local development

*19 Preparation of local development documents*

(5) *The local planning authority must also—*  
(a) *carry out an appraisal of the sustainability of the proposals in each document;*  
(b) *prepare a report of the findings of the appraisal.*

6.4 The SA Report Addendum can be found at ref [CD 012](#). It has 4 main elements:

- Analysis and responses to the representations made during the consultation on the Publication Local Plan and its accompanying sustainability appraisal;
- Assessment of proposed Minor Modifications to the Local Plan;
- Assessment of the proposed Strategic Rail Freight Interchange and
- Updates to the information in the SA Report ([September 2018](#)).

6.5 The PPG indicates (reference ID: 11-021-20140306) that sustainability appraisal should only occur if the changes to the Plan would be likely to have significant effect. Consequently, if a sustainability appraisal is undertaken but was not required because there would be unlikely to be significant effects, no further consultation is required.

6.6 None of the changes to the Plan required sustainability appraisal, given that they are not significant. Consequently, although the appraisal addendum was undertaken, this did not engage the need to consult.

6.7 The additional work in the SA addendum was undertaken primarily to assist in consideration by the Council regarding whether or not to submit the Plan and then to assist the Examination process. This was done by addressing matters arising between publication and submission stages, mainly associated with consultation responses, minor modifications and minor updates associated with the 'passage of time'.

6.8 The SA Addendum assessment was not undertaken in respect of any Main Modifications to the draft Plan, as there were none.

**Habitat Regulations Assessment**

**7. Question 7**

**Have the Council complied with the requirement of the Conservation of Habitats and Species Regulations 2017 with regards to Habitats Regulations Assessment (HRA)?**

7.1 Yes, the Council considers that it has complied with the Conservation of Habitats and Species Regulations 2017 (as amended).

7.2 The legislation requires that:

**The Conservation of Habitats and Species Regulations 2017**

***Assessment of implications for European sites and European offshore marine sites 105.—(1) Where a land use plan—***

- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
- (b) is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.*

7.3 A HRA Screening Update 2019 has been undertaken and can be found at ref [CD 013](#). It concluded that there will be no likely significant effects on any European Site and considered that Appropriate Assessment will not be required. The 'Conclusion of Screening Update' on page 12 states:

*'Based on the information provided in Sections 1 to 3, it is considered that it remains the case that the findings of the 2008 HRA Screening Report remain valid and the replacement to the St Albans Local Plan 1994, namely the Publication Draft St Albans Local Plan 2018, will not have likely significant effects on the Chilterns Beechwoods SAC, either alone or in combination with other plans and projects. As a result it is considered that Appropriate Assessment will not be required.'*

7.4 The Regulation 19 response from Natural England in relation to the Local Plan and accompanying Sustainability Appraisal/HRA stated that "Natural England does not consider that this St Albans District Council Local Plan Publication 2018 poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation."

7.5 In March 2019, Natural England confirmed that they:  
*...agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site.*

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**8. Question 8**

**[i] Has the assessment taken account of the EU Court of Justice Judgement (12 April 2018) and the updated PPG? [ii] Have any concerns been raised about the HRA and [iii] are there any outstanding concerns from Natural England?**

8.1 [i] Yes the Council considers that the HRA Scoping Assessment Update has taken account of the EU Court of Justice Judgement (12 April 2018) and the updated PPG.

8.2 The HRA Screening Update March 2019 can be found at ref [CD 013](#).

8.3 A ruling by the Court of Justice of the European Union (CJEU) in April 2018 has resulted in a change to how and when mitigation can be taken into consideration in the HRA process, as described in the extract from [PINS Note 05/201815](#) below:

*“... on 12 April 2018, the Court of Justice of the European Union (CJEU) issued a judgment which ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an appropriate assessment (AA) and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.*

*Prior to this judgment, case law in England and Wales had established that avoidance or reduction measures that form part of a proposal could be taken into account when considering whether the plan or project would be likely to have a significant effect on a European site. If the risk of a significant effect could be excluded on the basis of objective information, there was no need to undertake an AA.”*

8.4 The Planning Practice Guidance includes the following advice related to HRA Screening:

***What are the implications of the People over Wind Judgment for Habitats Regulations Assessments?***

*In April 2018, the Court of Justice of the European Union delivered its judgment in [Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta \('People over Wind'\)](#). The judgment clarified that when making screening decisions for the purposes of deciding whether an appropriate assessment is required, competent authorities cannot take into account any mitigation measures.*

*As a result, a competent authority may only take account of mitigation measures intended to avoid or reduce the harmful effects of a plan or project as part of an appropriate assessment itself.*

*This is a departure from the approach established by domestic case law, which had permitted mitigation measures to be taken into account at the screening stage.*

*Paragraph: 005 Reference ID: 65-005-20190722*

*Revision date: 22 07 2019*

**What are the key principles which can be considered by competent authorities when considering whether appropriate assessment is required?**

**Measures which have been specifically added to achieve the purpose of avoiding or reducing its harmful effects on a habitats site should not be considered at the screening stage.**

*One way of determining whether measures should not be considered at the screening stage may be to consider whether the particular aspects have been included primarily to mitigate the likely habitats-related effects on the site. If they have, this may suggest that an appropriate assessment is required. In many cases, this may not give rise to significant practical difficulties since, if the measures proposed are sufficiently robust and achieve the required certainty then they will be considered as not giving rise to an adverse effect on integrity of the site at appropriate assessment.*

*For example, it would appear that off-site Suitable Alternative Natural Greenspaces may be considered as a mitigation measure under People over Wind as their primary purpose is to draw recreational pressure away from sites and so prevent an adverse effect from occurring. In these cases the competent authority must now assess the robustness of mitigation measures through an appropriate assessment.*

*Paragraph: 006 Reference ID: 65-006-20190722*

*Revision date: 22 07 2019*

**Features that are integral to the design or physical characteristics of the project that is being assessed, for example, the layout, timing and location of a scheme, may be considered at the screening stage.**

*Whether or not something is integral to the project and not a mitigation measure will have to be determined on a case by case basis on its particular characteristics at the screening stage. Some features of a plan or project may be the product of other considerations, irrespective of any nature conservation issues, for example safety considerations. The design of a development may also have been devised to take account of the distance from or relationship to the site and intervening physical matters. A competent authority may wish to consider whether the measures have been included in a plan or project only to respond to likely effects on a habitats site.*

*Paragraph: 007 Reference ID: 65-007-20190722*

*Revision date: 22 07 2019*

- 8.5 [ii] Yes concerns have been raised about the HRA by the Leverstock Green Village Association. A summary of their representation and the Council's response to that representation can be found in the St Albans Local Plan - SA Report Addendum March 2019 ([CD 012](#)) at pages A10 & A11. It is replicated below.
- 8.6 A related Council response was made previously. See Council's Response to Inspectors Initial Questions Friday 24th May 2019 Question 6 'Have any significant concerns been expressed by interested parties about the Habitat Regulations Assessment?' ([ED8 24.5.19](#))

## Response from Leverstock Green Village Association

Leverstock Green Village Association	TRL Response
<p><b>5. Habitats Regulations Assessment</b></p> <p><b>5.1 Annex 1 of the SA (2018) of the St Albans Local Plan includes a copy of the HRA Screening update (originally prepared in 2008). This considers the impact of the recent EU Court Judgment of the ‘People Over Wind’ case and determines that the findings of the 2008 HRA Screening remain valid and that the current version of the Plan will not have likely significant effects on the Chilterns Beechwoods SAC.</b></p> <p><b>5.2 The Screening is reliant on assessment of earlier work including, for example, potential growth sites included in the 2006 Issues and Options Paper: Growth at Hemel Hempstead. Although it is acknowledged that this did consider a wide range of growth options the document is dated and must be considered in combination with growth that has taken place since then and potential impacts on the SAC.</b></p> <p><b>5.3 The Screening also suggests that because the remainder of the 2008 HRA Screening (i.e. that beyond issues associated with out-commuting for employment) concluded that there was no need for mitigation measures to conclude ‘no likely significant effects’, the ‘People Over Wind’ ruling does not have any implications for this update and, as such, an Appropriate Assessment is not required.</b></p> <p><b>5.4 Natural England is being consulted on the HRA Screening alongside consultation on the Local Plan and so, as yet, their response is unknown. We suggest that it is inappropriate to rely on evidence and material prepared more than a decade ago and that all up-to-date and current evidence must be considered before a conclusion can be satisfactorily made.</b></p>	<p><i>The SA Screening Update reviewed the findings of the previous HRA and considered new evidence relating to the Chiltern Beechwoods SAC as well as other factors, including recreational disturbance and air quality effects, in order to confirm whether the findings still stood. Natural England agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site.</i></p>

8.7 [iii] There are no outstanding concerns from Natural England.

8.8 The HRA Screening Update 2019 concluded that there will be no likely significant effects on any European Site and considered that Appropriate Assessment will not be required. The ‘Conclusion of Screening Update’ on page 12 states:

*‘Based on the information provided in Sections 1 to 3, it is considered that it remains the case that the findings of the 2008 HRA Screening Report remain valid and the replacement to the St Albans Local Plan 1994, namely the Publication Draft St Albans Local Plan 2018, will not have likely significant effects on the Chilterns Beechwoods SAC, either alone or in combination with other plans and projects. As a result it is considered that Appropriate Assessment will not be required.’*



8.9 The Regulation 19 response from Natural England in relation to the Local Plan and accompanying Sustainability Appraisal/HRA stated that “*Natural England does not consider that this St Albans District Council Local Plan Publication 2018 poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.*”

8.10 In March 2019, Natural England confirmed that they:

*...agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site.*

## Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.

### 9. Question 9

#### **Are the likely environmental, social and economic effects of the Plan adequately and accurately assessed in the HRA?**

- 9.1. Yes, it is considered that the likely significant effects of the Plan are adequately and accurately assessed in the HRA Screening process.
- 9.2. A HRA Screening Update 2019 has been undertaken and can be found at ref [CD 013](#).
- 9.3. The conclusion of the screening update and consultation response from Natural England are set out below:

#### *Conclusion of Screening Update*

*Based on the information provided in Sections 1 to 3, it is considered that it remains the case that the findings of the 2008 HRA Screening Report remain valid and the replacement to the St Albans Local Plan 1994, namely the Publication Draft St Albans Local Plan 2018, will not have likely significant effects on the Chilterns Beechwoods SAC, either alone or in combination with other plans and projects. As a result it is considered that Appropriate Assessment will not be required.*

- 9.4. Consultation with Natural England  
The information, findings and conclusions that were contained in the HRA Screening Update (September 2018) were subject to consultation with Natural England and other stakeholders as part of the Regulation 19 stage for the St Albans Local Plan.
- 9.5. The Regulation 19 response from Natural England in relation to the Local Plan and accompanying Sustainability Appraisal/HRA stated that “Natural England does not consider that this St Albans District Council Local Plan Publication 2018 poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.”
- 9.6. Further clarification in relation to the HRA was sought from Natural England in March 2019 and in the resulting correspondence Natural England confirmed that they “agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site”.

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**10. Question 10**

**There is a HRA screening update March 2019. Has this been consulted on?**

- 10.1 No, the HRA Screening Update March 2019 has not been consulted on because it is not required. Consultation did however take place, on the previous version of the HRA Screening Update produced in 2018 at the LP Regulation 19 publication stage. The Council consulted on the HRA Screening Update alongside the Sustainability Appraisal at Regulation 19 stage, during Sept – Oct 2018. The document consulted upon was called the 'Habitats Regulations Assessment Screening Update September 2018' and can be found at Annex 1 of the SA Report 2018 in document ref [CD 010](#).
- 10.2 The HRA Screening Update 2019 was a factual update only, primarily to include comments from Natural England (and other respondents) made at the Regulation 19 stage. Therefore consultation was not needed in March 2019 as consultation on the substantive aspects of the HRA Screening Update had already taken place. A copy of the HRA Screening Update 2019 can be found at [CD 013](#).

**Other matters**

**11. Question 11**

**Having regard to paragraphs 20-23 and 28 of the NPPF are there any policies in the strategic section of the Plan that should be in the non-strategic section?**

- 11.1. The Council considers that the distinction between strategic policies in S1-S6, including S6 (i-xi), with local policies in L1-L30 is an appropriate approach. The Council has specifically considered whether or not there are any policies in the strategic section of the Plan that should be in the non-strategic section and considers that there are not. SADC has specifically had regard to paragraphs 20-23 and 28 of the NPPF in coming to this view. SADC is happy to consider this further if required.
- 11.2. It can be noted that a Question on a broadly similar theme was raised in the 'Inspectors' Letter to the Council' of 2 July 2019 ([ED23](#)) and addressed in the Council's response of 31 July 2019 ([ED25B](#)). That document set out:

**'9. The Guidance states that the non-strategic policies should be clearly distinguished from the strategic policies. Has that been done and where is it evident?**

1.6 – Yes, the Council considers that the strategic policies are clearly distinguished. As set out in the draft LP at paragraphs 2.2 and 2.4, the structure of the draft LP follows what was set out in the NPPF (2012) and draft NPPF (2018). The strategic policies are those which were and are considered under NPPF (2019) paras 20 and 21:

20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision<sup>12</sup> for:
- (a) housing (including affordable housing), employment, retail, leisure and other commercial development;
  - (b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
  - (c) community facilities (such as health, education and cultural infrastructure); and
  - (d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
21. Plans should make explicit which policies are strategic policies<sup>13</sup>. These should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any nonstrategic policies that are needed. Strategic policies should not extend to

*detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies.*

<sup>12</sup>*In line with the presumption in favour of sustainable development.*

<sup>13</sup>*Where a single local plan is prepared the non-strategic policies should be clearly distinguished from the strategic policies.*

*1.7 - These strategic policies have been labelled S1-S6, including S6 (i-xi). The local policies are those labelled L1-L30. SADC is happy to consider this distinction further if required as part of the examination process.'*

- 11.3. The Council considers that the distinction between strategic policies in S1-S6, including S6 (i-xi), with local policies in L1-L30 is an appropriate approach. The Council has specifically considered whether or not there are any policies in the strategic section of the Plan that should be in the non-strategic section and considers that there are not. SADC has specifically had regard to paragraphs 20-23 and 28 of the NPPF in coming to this view. SADC is happy to consider this further if required.

**Councils Response to Stage 1 Matters, Issues, Questions Thursday - 12 December 2019.**

**12. Question 12**

**Does the overarching strategy of the Plan secure the development and use of land which contributes to the mitigation of, and adaptation to, climate change consistent with S19(1A) of the Planning and Compulsory Purchase Act 2004? If so, which are the relevant policies?**

12.1. Yes the Plan (taken as a whole) involves an overarching strategy (and policies) designed to secure the development and use of land which contributes to the mitigation of, and adaptation to, climate change. There is a strong and consistent thread of the importance of climate change running through the Vision, Strategic Policies, Objectives and Local Policies. Climate change is also a key part of the SA work. The Council considers that the requirements of PCPA 2004 S19(1A) are met.

12.2. PCPA 2004 S19 Preparation of local development documents states:

*(1A)Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.*

12.3. The NPPF paragraph 8 c) seeks to achieve sustainable development and includes the following environmental objective:

*c) ...to contribute to protecting and enhancing our natural, built and historic environment; including ... mitigating and adapting to climate change, including moving to a low carbon economy.*

12.4. The PPG – Climate Change

**Why is it important for planning to consider climate change?**

...  
*... To be found sound, Local Plans will need to reflect this principle and enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework. These include the requirements for local authorities to adopt proactive strategies to mitigate and adapt to climate change in line with the provisions and objectives of the Climate Change Act 2008, and co-operate to deliver strategic priorities which include climate change.*

...  
*In addition to the statutory requirement to take the Framework into account in the preparation of Local Plans, there is a statutory duty on local planning authorities to include policies in their Local Plan designed to tackle climate change and its impacts...*

*Paragraph: 001 Reference ID: 6-001-20140306*

*Revision date: 06 03 2014*

12.5. In relation to meeting the challenge of climate change, flooding and coastal change, the Self-Assessment of Soundness and Legal Compliance of the Plan 2019 ([CD 025](#)) sets out the Councils response on pages 24-26 which is replicated below.

<b>Soundness Test and Key Requirements</b>	<b>Possible Evidence</b>	<b>Evidence Provided</b>
<b>14. Meeting the challenge of climate change, flooding and coastal change ( NPPF paras 148 – 169)</b>		

<p><i>Adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, coastal change and water supply and demand considerations (149)</i></p>	<ul style="list-style-type: none"> <li><i>Planning of new development in locations and ways which reduce greenhouse gas emissions.</i></li> </ul>	<p><i>One of St Albans District Council's Local Plan objectives (para 2.3) seeks to design, conserve and enhance the natural environment. This includes addressing the challenges associated with climate change such as flood risk, water supply and demand considerations.</i></p> <p><i>Policy S1 &amp; S2: The plan's spatial strategy is based upon delivering the district's housing needs in sustainable, accessible locations.</i></p> <p><i>Policy L18: The policy will give consideration to planning for infrastructure for sustainable travel within new development and support the provision of improvements of existing infrastructure and networks. The council encourages the use of sustainable modes of transport, particularly for shorter journeys, to enable significant changes in travel behaviour to take place.</i></p> <p><i>Policy L23 also provide soundness in respect of the energy and environmental performance in the built environment by setting out a number of design and layout requirements for new builds. This is also evidenced by policy S6 (i-x) require energy efficiency and renewable energy production in all the Broad Locations.</i></p> <p><i>Policy L25: The Council encourages the use and supply of renewable low carbon energy for new development.</i></p> <p><i>Policy L29 provides soundness in respect of the water environment and flood risk.</i></p> <p><i>See also:</i></p> <ul style="list-style-type: none"> <li><i>Herts. Renewable and Low Carbon Energy Study</i></li> <li><i>St Albans Energy Opportunities Study</i></li> <li><i>St Albans Water Cycle Study Report</i></li> </ul>
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		<ul style="list-style-type: none"> <li>• <i>Strategic Flood Risk Assessment</i></li> <li>• <i>Infrastructure Delivery Plan (IDP)</i></li> </ul>
<p><i>Help increase the use and supply of renewable energy and low carbon energy and heat (151)</i></p>	<ul style="list-style-type: none"> <li>• <i>A strategy and policies to promote and maximise energy from renewable and low carbon sources,</i></li> <li>• <i>Identification of suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources (see also NPPF footnote 17)</i></li> <li>• <i>Identification of where development can draw its energy supply from decentralised, renewable or low carbon supply systems and for co-locating potential heat customers and suppliers. (97)</i></li> </ul>	<p><i>Policy L25: Renewable energy encourages the use and supply of all renewable and low carbon energy provided any adverse impacts can be satisfactory addressed. See above.</i></p> <ul style="list-style-type: none"> <li>• <i>Policies L23 and / 25 provide soundness in respect of this energy and environmental performance in the built environment. Policy S6 (i-x) requires energy efficiency and renewable energy production in all the Broad Locations.</i></li> </ul> <p><i>See also:</i></p> <ul style="list-style-type: none"> <li>• <i>Herts. Renewable and Low Carbon Energy Study</i></li> <li>• <i>St Albans Energy Opportunities Study</i></li> <li>• <i>St Albans Water Cycle Study Report</i></li> <li>• <i>Strategic Flood Risk Assessment</i></li> <li>• <i>Infrastructure Delivery Plan (IDP)</i></li> </ul>
<p><i>Avoid increased vulnerability to climate change and manage the risk of flooding (150)</i></p>	<ul style="list-style-type: none"> <li>• <i>Account taken of the impacts of climate change. (99).</i></li> <li>• <i>Allocate, and where necessary re-locate, development away from flood risk areas through a sequential test, based on a SFRA. (158)</i></li> <li>• <i>Policies to manage risk, from a range of impacts, through suitable adaptation measures.</i></li> </ul>	<p><i>Policy L23: Applications for 'major development' must include a detailed drainage, surface water management and flooding assessment/ strategy. The policy states that Sustainable Urban Drainage Systems (SUDS) will be applied in deciding on the acceptability of the proposal.</i></p> <p><i>Policy L29: the policy states that the council will seek to avoid development in areas at risk from flooding in accordance with national policy and ensure that water management and flood risk issues are fully addressed by new development. Additionally, SUDS approaches should be taken for all new development schemes.</i></p>



		<p>See above.</p> <p><i>Policy L29 provides soundness in respect of seeking to avoid development in areas at risk of flooding, and for flood risk issues to be fully addressed in new development.</i></p>
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12.6. The SA has sought to consider climate change. The SA Report 2018 can be found at [CD 009](#). The plan has been considered in respect of relevant climate change considerations including SA/SEA objectives such as:

5. *Reduce the impacts of climate change, with a particular focus on reducing the consumption of fossil fuels and levels of CO2*
6. *Ensure that developments are capable of withstanding the effects of climate change (adaptation to climate change)*

12.7. While there are a number of policies and evidence base documents which address various aspects of climate change to a greater or lesser extent, the Council considers that the key policies are:

- Policy S1 Spatial Strategy and Settlement Hierarchy
- Policy S2 Development Strategy
- Policy S6 Broad Locations for Development
- Policy L18 Transport Strategy
- Policy L23 Urban Design and Layout of New Development
- Policy L25 Energy and Environmental Performance of New Development
- Policy L29 Green and Blue Infrastructure, Countryside, Landscape and Trees

<b>Policy Ref</b>	<b>Policy Summary</b>	<b>SA Extract</b>
<p><i>Policy S1 Spatial Strategy and Settlement Hierarchy</i></p> <p><i>Policy S2 Development Strategy</i></p>	<p><i>Policy S1 &amp; S2: The plan's spatial strategy is based upon delivering the district's housing needs in sustainable, accessible locations.</i></p>	<p><i>By giving priority to urban locations for new developments, particularly the larger urban centres, the impacts on the District's natural environment, in particular the wider Green Belt will be minimised. There will also be a reduced need to travel, which will help to reduce the growth in greenhouse gas emissions, as well as provide increased opportunities for people to take up healthy travel options, such as walking and cycling.</i></p>
<p><i>Policy S6 Broad Locations for Development</i></p>	<p><i>Policy 6: The policy identifies a series of "Broad Locations" for development to contribute to meeting housing, infrastructure and other development needs over the plan period.</i></p>	<p><i>By concentrating new development at 11 Broad Locations on the edge of major settlements, rather than at a larger number of small sites, the Plan will provide increased opportunities for reducing the need to travel through provision of on-site services and facilities, improving public transport provision, as well as increasing the opportunity for combined heat and power and on-site energy generation, both of which will support a reduction in the level of growth of greenhouse gas emissions. Significant positive effects in relation to SA5 have been identified for the Park Street</i></p>

		<i>Garden Village Broad Location (Policy S6 xi)) as the development would be required to provide a new park and rail facility, as well as exploring opportunities for other rail related enhancements, all of which would provide alternatives to private car use.</i>
<i>Policy L18 Transport Strategy</i>	<i>Policy L18: The policy will give consideration to planning for infrastructure for sustainable travel within new development and support the provision of improvements of existing infrastructure and networks. The council encourages the use of sustainable modes of transport, particularly for shorter journeys, to enable significant changes in travel behaviour to take place.</i>	<i>The requirement that new development should be concentrated in accessible locations thereby reducing the need to travel, encourage walking and cycling, and where good public transport can be provided or connected into, should have a positive effect on 'greenhouse gas emissions' and 'air quality' by reducing growth in emissions from transport. In addition, the wide range of measures outlined in the policy to encourage sustainable travel (public transport, walking and cycling), reduce traffic congestion and the required production of travel plans (for all major developments) should also have positive effects on these objectives.</i>
<i>Policy L23 Urban Design and Layout of New Development</i>	<i>Policy L23 also provide soundness in respect of the energy and environmental performance in the built environment by setting out a number of design and layout requirements for new builds. This is also evidenced by policy S6 (i-x) require energy efficiency and renewable energy production in all the Broad Locations. Applications for 'major development' must include a detailed drainage, surface water management and flooding assessment/ strategy. The policy states that Sustainable Urban Drainage Systems (SUDS) will be applied in deciding on the acceptability of the proposal.</i>	<i>For the 'flood risk' objective positive effects relate to the policy requiring that all applications for 'major development' must include a detailed drainage, surface water management and flooding assessment / strategy which will help to avoid adverse effects relating to flood risk. In addition, the Hertfordshire Building Futures Guide provides guidance on minimising water consumption, managing surface water drainage and climate change adaptation, which has also resulted in a positive effect being identified for the 'climate change proof' objective.</i>
<i>Policy L25 Energy and Environmental Performance of New Development</i>	<i>Policy L25: The Council encourages the use and supply of renewable low carbon energy for new development.</i>	<i>Minor positive effects have been identified for the environmental objectives for 'flood risk' and 'climate change proof' as the Hertfordshire Building Futures Guide provides guidance on SUDS and climate change adaptation in new developments which should help to reduce flood risk. The policy also requires the use of water efficiency measures which could help new developments to cope with drier summers.</i>
<i>Policy L29 Green and Blue Infrastructure, Countryside, Landscape and Trees</i>	<i>Policy L29: the policy states that the council will seek to avoid development in areas at risk from flooding in accordance with national policy and ensure that water management and flood risk issues are fully addressed by new development. Additionally, SUDS</i>	<i>For 'climate change proof', as requiring SUDS, including flood storage areas, to be incorporated into new developments should progress this objective. The policy also aims to create new wildlife routes which should help progress this objective by helping biodiversity adapt to the changing climate. In addition, the promotion of green infrastructure and encouraging greening of</i>

	<i>approaches should be taken for all new development schemes</i>	<i>the urban environment (through tree planting, green roofs and green walls) will help with adaptation to climate change through urban cooling and the attenuation of flooding.</i>
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**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**13. Question 13**

**How have issues of equality been addressed in the Plan?**

13.1 The Council has directly addressed issues of equality in both the preparation of the Plan and in the content itself of the Plan. During development of the Plan, the consideration and addressing of equality issues has involved a number of aspects including those listed below:

- The iterative SA process which included a specific objective to ‘Promote equity & address social exclusion by closing the gap between the poorest communities and the rest’. See Sustainability Appraisal Report 2018 ([CD 009](#)).
- Also other SA Objectives that relate to equality including Health, Good Quality Housing and Community Identity.
- Undertaking the Equalities Impact Assessment ([CD 026](#)),
- Evidence base work such as for Education ([EDU 001-010](#)) and the IDP ([INFR 001 & 002](#)).
- Addressing equality matters during policy development and in consideration of consultation responses.

13.2 The Council has provided a previous related response to Inspectors Initial Questions Friday 24th May 2019 Question 7 ‘Have any concerns been expressed about the Equality assessment?’ See document [ED9 24.5.19](#)

13.3 There are a number of policies and evidence base documents which address various aspects of equality to a larger or lesser extent, the Council considers that the key policies in the plan are:

- Policy S1 Spatial Strategy and Settlement Hierarchy
- Policy S2 Development Strategy
- Policy S6 Broad Locations for Development
- Policy L1 Housing Size, Type, Mix and Density
- Policy L2 Older Persons Housing and Special Needs Housing
- Policy L3 Provision of and Contributions towards Affordable Housing
- Policy L7 Gypsies, Travellers and Travelling Show People
- Policy L21 Education
- Policy L22 Community, Leisure and Sports Facilities

<b>Policy</b>	<b>SA Extract</b>
<i>Policy S1 Spatial Strategy and Settlement Hierarchy Policy S2 Development Strategy</i>	<i>Concentrating development in urban areas will also result in increased population densities within these areas and this should mean that homes, employment and other services are within close proximity thereby potentially encouraging travel by more healthy modes, such as walking and cycling, with an associated positive effect on the health of the local community. It will also result in improved accessibility for those without access to a private car. Positive effects are therefore predicted for the ... ‘equality &amp; social inclusion’ objectives.</i>
<i>Policy S6 Broad Locations for Development</i>	<i>Equity (SA14), Communities (SA16) and Crime (SA17) - In general positive effects have been forecast in relation to these social objectives from across the full range of Local Plan policies, although there is some uncertainty arising from whether the planned levels of growth would put additional strain on existing services and facilities. The provision of,</i>

	<p>amongst others, new housing to meet the needs of all sections of the population, new and enhanced education, community and recreational facilities, improvements to the public realm and natural environment, and sustainable transport measures will all help to meet the needs of the community in general. No adverse effects were identified against these three SA objectives.</p> <p>Significant positive effects have been forecast against SA14 for the East St Albans Broad Location (Policy S6 v)) as new development would enable significant improvements to the education and training provision at Oaklands College as well as other wider community benefits.</p>
Policy L1 Housing Size, Type, Mix and Density	<p>In terms of the social objectives, requiring all housing sites to provide a mix of house types and styles should progress the objectives on 'housing', 'equality &amp; social inclusion', and 'community identity &amp; participation'. For example, the provision of a mix of housing should help to enable the younger and more elderly groups to remain living in the community. In addition, the promotion of an affordable housing mix in a development that broadly reflects the market housing on that same development will help to integrate the affordable housing element and therefore help to increase equality and reduce social exclusion.</p>
Policy L2 Older Persons Housing and Special Needs Housing	<p>Positive effects have been forecast for Policy L2 against the SA objectives for 'health', 'equality' and 'housing' as setting minimum levels of provision of housing for older people and those with special needs will help to provide the specialist housing required to meet the needs of these groups and improve the wellbeing of those people who will be able to remain independent.</p>
Policy L3 Provision of and Contributions towards Affordable Housing	<p>Positive effects have been forecast in relation to the 'health' objective, as the provision of a range of affordable housing type should help to reduce the likelihood of lower income households living in deteriorating housing and poorer living conditions, which can have negative effects on health and wellbeing.</p> <p>Positive effects have also been identified for the 'equality' objective, because for developments over 100 dwellings the policy requires the integration of affordable housing into the community by requiring it to be provided on-site alongside market housing. In addition, the policy also includes a target to provide approximately 60% of the affordable housing in the 'social rent'/'affordable rent' categories, which will help to meet the needs of the least affluent groups in society.</p>
Policy L7 Gypsies, Travellers and Travelling Show People	<p>Providing pitches for Gypsies, Travellers and Travelling Show People should improve accommodation for these minority groups and therefore a positive effect has been identified against the 'housing' objective. Positive effects are also identified for the SA objectives on 'equality' and 'community identity &amp; participation', with the policy recognising the needs of these different groups and making it easier for these groups to be able to access services, whilst also restricting sites to a maximum of 15 pitches which should help with wider community cohesion.</p>
Policy L21 Education	<p>For the social objectives, the provision of new or expanded educational facilities should have a positive effect on the 'equality &amp; social inclusion' objective, as the new or expanded schools will provide facilities that can be used by the wider community.</p>
Policy L22 Community, Leisure and Sports Facilities	<p>Minor positive effects have been identified for the 'sustainable locations' objective, as the policy requires that new sport and recreation facilities will be concentrated in sustainable and accessible locations and the 'equality' objective, in relation to the provision of new community, leisure and sports facilities, as well as the creation of new places of worship at Local Centres in the Broad Locations and the policy's support for the retention of public houses; should have a positive effect on this objective.</p>

14. Question 14

**Why is the Plan start date be in the future?**

- 14.1. A Question on a broadly similar point was raised in the 'Inspectors' Initial Questions to the Council' of 17 April 2019 ([ED2 17.4.19](#)) and addressed in the Council's response of 24 May 2019 ([ED12 24.5.19](#)) under [ii] (underlining added). That document set out:

**'10. Question 10**

***NPPG Paragraph: 008 Reference ID: 2a-008-20190220 advises that strategic policymaking authorities will need to calculate their local housing need figure at the start of the plan-making process. [i] Has this been done and [ii] why is the Plan start date 2020?***

...

10.4. [ii] *Because 2020 is the earliest realistically possible date of adoption of the Plan and is therefore appropriate in the context of the District, the NPPF and PPG.*

10.5. *It can be noted that the PPG sets out an important context with regard to the Plan start date:*

***Can strategic policy-making authorities take account of past under delivery of new homes in preparing plans?***

*The affordability adjustment is applied to take account of past under-delivery. The standard method identifies the minimum uplift that will be required and therefore it is not a requirement to specifically address under-delivery separately. Where an alternative approach to the standard method is used, past under delivery should be taken into account.*

*Paragraph: 011 Reference ID: 2a-011-20190220*

*Revision date: 20 02 2019*

***How can plan-making authorities apply the method to the overall plan period?***

*The method provides authorities with an annual number, based on a 10 year base line, which can be applied to the whole plan period. The National Planning Policy Framework requires strategic policies to look ahead over a minimum 15 year period from adoption, although authorities are required to keep their policies under review.*

*Paragraph: 012 Reference ID: 2a-012-20190220*

*Revision date: 20 02 2019*

10.6. *Whilst only informal, in discussions with MHCLG officers and members of PAS at events in 2017 and 2018 this 'forward-looking Local Plan from point of earliest realistic adoption' approach was considered potentially acceptable.'*

- 14.2. The Council considers that 2020 is the earliest realistically possible date of adoption of the Plan and is therefore appropriate in the context of the District, the NPPF and PPG. This

includes taking into account the important context with regard to the Plan start date set out in the PPG (as above).

- 14.3. As set out above, in discussions with MHCLG officers and members of PAS at events in 2017 and 2018 this 'forward-looking Local Plan from point of earliest realistic adoption' approach was considered potentially acceptable.

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**15. Question 15**

**Do the revisions to the National Planning Practice Guidance (PPG) introduced in June and July 2019 (after the submission of the Plan) have any implications for any policies in the Plan?**

15.1. The Council has considered in particular these revisions (after the submission of the Plan) and does not think that they have any direct implications for the Plan.

Revisions to PPG for June and July 2019:

<b>PPG Revision Date</b>	<b>Guidance Topic</b>	<b>New or Updated</b>
26 June 2019	<a href="#">Housing for older and disabled people</a>	New
21 July 2019	<a href="#">Natural environment</a>	Updated
22 July 2019	<a href="#">Appropriate assessment</a>	New
	<a href="#">Effective use of land</a>	New
	<a href="#">Green Belt</a>	New
	<a href="#">Housing needs of different groups</a>	New
	<a href="#">Housing Supply and delivery</a>	New
22 July 2019	<a href="#">Advertisements</a>	Updated
	<a href="#">Enforcement and post-permission matters</a>	Updated
	<a href="#">Housing and economic land availability assessment</a>	Updated
	<a href="#">Housing and economic needs assessment</a>	Updated
	<a href="#">Land affected by contamination</a>	Updated
	<a href="#">Land stability</a>	Updated
	<a href="#">Noise</a>	Updated
	<a href="#">Strategic environmental assessment and sustainability appraisal</a>	Updated
	<a href="#">Town centres and retail</a>	Updated
	<a href="#">Water supply, wastewater and water quality</a>	Updated
<a href="#">When is permission required?</a>	Updated	
23 July 2019	<a href="#">Consultation and pre-decision matters</a>	Updated
	<a href="#">Historic environment</a>	Updated
	<a href="#">Plan-making</a>	Updated
	<a href="#">Use of planning conditions</a>	Updated

15.2 As dealt with in more detail in response to other MIQs, of particular note is the Government's new approach to 'compensatory improvements' where it has been demonstrated that it is necessary to remove land from the Green belt (Paragraph: 002 Reference ID: 64-002-20190722). This is being substantively considered as part of the ongoing Masterplanning work for the Broad Locations regarding "compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land".



**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**16. Question 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?**

16.1. Yes, within the Council's area there is currently one 'made' Neighbourhood Plan, the Harpenden Neighbourhood Plan. This covers the geographic areas of Harpenden Town and Harpenden Rural Parish Councils. This NP was 'made' in February 2019 after a successful referendum. This Plan has been included in evidence base labelled [HNP001 - HNP030](#).

16.2. As well as Harpenden, seven other Neighbourhood Areas have been designated. This total of eight comprises eight of the nine Parishes in the District, with only St Michaels not progressing a Neighbourhood Plan currently.

16.3. It can be noted that only the central part of St Albans city is unparished in the District. Of the seven NPs that are progressing, four – namely Redbourn, Sandridge, St Stephens and Wheathampstead are currently most progressed in the process of developing Neighbourhood Plans, all at varying stages;

- Redbourn Parish undertook a Neighbourhood Plan Regulation 14 Pre-Submission Consultation in 2018 and is actively moving forward.
- Sandridge Parish undertook a Neighbourhood Plan Regulation 14 Pre-Submission Consultation in 2019 and is actively moving forward.
- Wheathampstead Parish is undertaking its Neighbourhood Plan Regulation 14 Pre-Submission Consultation in 2019 and is actively moving forward.
- St Stephens has produced its Draft Neighbourhood Plan, and is nearly ready to be consulted upon under Regulation 14 Pre-Submission Consultation (in 'early' 2020). A technical report screening for environmental impact is being produced before this can be carried out.

16.4. There has been ongoing dialogue and support from SADC in regards to these emerging plans (including the one now 'made') and how these relate to the Local Plan. Paragraph 1.2 of the Plan sets out the role of Neighbourhood Plans and how the Council looks to work with Parishes and Neighbourhood Forums in supporting their development.

*“As community-led initiatives, the role of the Council is not to create Neighbourhood Plans, but to assist communities in developing them for themselves. Neighbourhood planning work is already underway in many parts of the District and the Council is committed to continue supporting it”*

16.5. Neighbourhood Plans have been taken into account throughout the preparation of the Local Plan. Their role is specifically set out in relevant policies:

*L4 - Affordable housing development in the Green Belt (rural exceptions sites)*

*L5 - Small Scale Development in Green Belt Settlements*

*L23 - Urban Design and Layout of New Development*

*L26 – Local Green Space*

- 16.6. It should also be noted that, as set out in the proposed Minor Modification to S3, submitted under [CD 024](#) “...” ‘for clarity’....

*If detailed local evidence supports a Neighbourhood Plan that justifies development at a neighbourhood scale on land currently designated as Green Belt, that is supported in principle.*

*Justification:*

*The NPPF and draft Local Plan support Neighbourhood planning. The Local Plan deals with the overall need for new housing and is not reliant on Neighbourhood Plans. Neighbourhood Plans must make their local own justification for additional housing provision (and for other uses); this is their intended role. Given the specific wording used in the final NPPF 2018 (after the Council decision on 11 July 2018 based on the draft NPPF) a minor modification should be made to make clear that if detailed local evidence justifies development at a neighbourhood scale, on land currently designated as Green Belt, it is supported in principle.*

- 16.7. This is to be explicit about the role of Neighbourhood Plan’s in being able to allocate more land (including for housing) where justified in evidence and as demonstrated through the Neighbourhood Plan Examination process.
- 16.8. It can be noted that the emerging Redbourn and St Stephens Neighbourhood Plans are both intending to propose additional housing as supported by the Local Plan. It can also be noted that unless the Local Plan is adopted these Neighbourhood Plans will not be able to provide the additional housing that these Parishes and communities have identified as being needed and actively want to bring forward.
- 16.9. The NPPF sets out at paragraph 136:

*Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.*

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**17. Question 17**

**In light of the Council's response to the Inspectors' letter of 2 July 2019, please can a running list of draft Main Modifications be provided and put on the Examination website?**

17.1. Yes the Council is happy to keep a running list of Main Modifications but we do not have any yet. During the hearing sessions the Council will keep a list of Main Modifications and update as necessary during the Examination.

17.2. The Council can also confirm that a list of draft Minor Changes, can be found on the Examination website, please see link below. CD24 will be a live document which can be updated with any Minor Changes emerging during the examination process.

[https://www.stalbans.gov.uk/Images/CD%20024%20Local%20Plan%202020-2036%20Table%20of%20Minor%20Modifications\\_tcm15-67046.pdf](https://www.stalbans.gov.uk/Images/CD%20024%20Local%20Plan%202020-2036%20Table%20of%20Minor%20Modifications_tcm15-67046.pdf)

17.3. It is confirmed that both lists, Main Modifications and Minor Changes, will be kept on the Examination Website.

17.4. The Council would like to reiterate that it is willing to take a pragmatic approach to modifications put forward through the Examination process.

**Councils Response to Stage 1 Matters, Issues, Questions - Thursday 12 December 2019.**

**Matter 1 – Legal/Procedural Requirements (Introduction)**

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**Table 2: Summary of assessment  
Development Strategy and Metropolitan Green Belt**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Policy S1 Spatial Strategy/Settlement Hierarchy	✓	-	-	✓	✓	-	✓	✓	-	✓	✓	✓	✓	✓	✓	-	-	✓	✓	✓
Policy S2 Development Strategy	-	-	-	-	✓	-	✓	-	✓	-	✓	✓	✓	✓	-	?	-	-	-	✓
Policy S3 Metropolitan Green Belt	✓	✓	?	✓	✓	✓	✓	✓	-	?	✓	✓	✓	✓	-	✓	-	✓	✓	?
	?										?	✓	✓	✓				✓	✓	

**Homes, Affordable Homes and Workplaces**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Policy S4 Housing Strategy / Housing Requirement/Target	x	x	-	x	x	-	x	x	x	?	x	✓	x	✓	✓	?	-	✓	✓	✓
	?	?	-	x	?	-	?	x	x	?	?	?	✓	✓	✓	?	-	✓	✓	✓
Policy S5 Economic Devt Strategy and Emp Land Provision	?	?	-	x	✓	-	✓	✓	✓	?	?	✓	✓	✓	-	-	-	✓	✓	✓
Policy S6 i) East Hemel Hempstead (North)	x	-	-	xx	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
	✓	-	-	xx	x	-	x	x	✓	?	✓	?	✓	✓	✓	✓	-	✓	✓	✓
Policy S6 ii) East Hemel Hempstead (Central)	x	-	-	xx	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	-	-	✓	✓	-
	x	-	-	xx	x	-	x	x	✓	?	✓	?	✓	✓	✓	✓	-	✓	✓	✓
Policy S6 iii) East Hemel Hempstead (South)	x	-	-	x	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
	x	-	-	x	x	-	x	x	✓	?	✓	?	✓	✓	✓	✓	-	✓	✓	✓
Policy S6 iv) North Hemel Hempstead	x	-	-	x	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
	x	-	-	x	x	-	x	x	✓	?	✓	?	✓	✓	✓	✓	-	✓	✓	✓
Policy S6 v) East St Albans	x	-	?	x	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
	✓	-	?	x	x	-	x	x	✓	?	✓	?	✓	✓	✓	✓	-	✓	✓	✓
Policy S6 vi) North St Albans	x	-	-	xx	✓	-	✓	x	✓	-	x	✓	✓	✓	✓	-	-	✓	✓	✓
	✓	-	-	xx	x	-	x	x	✓	-	✓	✓	✓	✓	✓	-	-	✓	✓	✓
Policy S6 vii) North East Harpenden	x	-	?	x	✓	-	✓	x	✓	-	x	✓	✓	✓	✓	-	-	✓	-	✓
	x	-	?	?	x	-	x	x	✓	-	✓	?	✓	✓	✓	-	-	✓	-	✓
Policy S6 viii) North West Harpenden	x	-	-	x	✓	-	✓	x	✓	?	x	✓	✓	✓	✓	-	-	✓	-	✓
	x	-	-	?	x	-	x	x	✓	?	✓	✓	✓	✓	✓	-	-	✓	-	✓
Policy S6 ix) West of London Colney	x	-	?	x	✓	-	✓	x	✓	x	x	✓	✓	✓	✓	✓	-	✓	✓	✓
	x	-	?	?	x	-	x	x	?	x	✓	?	✓	✓	✓	✓	-	✓	✓	✓
Policy S6 x) West of Chiswell Green	x	-	-	x	✓	-	✓	x	✓	-	x	✓	-	✓	✓	-	-	✓	-	✓
	x	-	-	?	x	-	x	x	✓	-	✓	✓	✓	✓	✓	-	-	✓	-	✓
Policy S6 xi) Park Street Garden Village	x	-	x	x	✓	-	✓	?	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓
	✓	-	x	?	x	-	x	?	✓	?	✓	?	✓	✓	✓	✓	-	✓	✓	✓

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Policy L1 Housing Size, Type, Mix and Density	✓	-	-	✓	✓	-	-	-	✓	✓	✓	-	✓	✓	✓	✓	-	-	-	✓
Policy L2 Older Persons Housing and Special Needs Housing	-	-	-	-	-	-	-	-	-	-	-	✓	-	✓	✓	-	-	-	-	-
Policy L3 Provision of and Contributions towards Affordable Housing	-	-	-	-	-	-	-	-	-	-	-	✓	-	✓	✓	✓	-	-	-	-
Policies L4, L5 and L6 – Green Belt developments	-	-	-	✓	-	-	-	✓	-	✓	?	-	✓	-	✓	✓	-	-	-	-
Policy L7 Gypsies, Travellers and Travelling Show People	?	-	-	-	-	-	-	-	-	?	?	-	✓	✓	✓	✓	-	-	-	-
Policy L8 Primarily Residential Areas	-	-	-	-	-	-	-	-	-	-	-	✓	-	✓	✓	-	-	-	-	-
Policy L9 Primarily Business Use Areas and Policy L10 Strategic Office Locations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	✓	✓	-
Policy 11 - BRE, Bricket Wood	?	-	-	-	✗	✓	✗	✓	✓	-	-	✓	✗	✓	-	✓	-	✓	✓	-
Policy 11 - Rothamsted Research, Harpenden	✗	-	-	✗	✓	-	✓	✓	-	?	✓	✓	✓	-	-	-	-	✓	✓	✓

**Retail, Leisure and Commercial Uses and Development**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Policy L12 Centres for Retail, Services and Leisure	-	-	-	-	✓	-	✓	✓	-	-	-	✓	✓	✓	-	✓	-	✓	✓	✓
Policy L13 Attractive and vibrant cultural and civic areas	-	-	-	-	?	-	?	-	-	✓	✓	✓	✓	✓	-	✓	✓	✓	✓	✓
Policy L14 Location of Non-residential uses serving residential areas	-	-	-	-	-	-	-	-	-	-	-	✓	✓	✓	-	✓	✓	-	-	-
Policy L15 Leisure Uses	-	-	-	-	-	-	-	-	-	-	✓	✓	-	-	-	-	-	-	-	-
Policy L16 Mixed Use Opportunity Areas	?	-	-	✓	✗	-	✗	✓	-	?	✓	-	✗	✓	✓	✓	-	✓	✓	✓

**Infrastructure and Community Facilities Thriving Economy**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Policy L17 Infrastructure	?	✓	-	-	-	-	-	-	✓	?	?	✓	✓	-	-	✓	-	✓	-	-
Policy L18 Transport Strategy	?	-	-	?	✓	-	✓	?	-	✓	✓	✓	✓	✓	-	✓	-	✓	✓	✓
Policy L19 Highways / Access for New development	-	-	-	-	✓	-	✓	-	-	-	-	✓	-	-	-	-	-	-	-	-
Policy L20 New Development Parking Guidance and Standards	-	-	-	-	?	-	-	-	-	✓	✓	-	-	-	-	-	-	-	-	-
Policy L21 Education	?	-	-	?	-	-	-	?	-	?	?	✓	-	✓	-	-	-	-	✓	✓
Policy L22 Community, Leisure and Sports Facilities	?	-	-	?	✓	-	✓	?	-	?	?	✓	✓	✓	-	✓	?	-	✓	✓

**Design, Conservation and Enhancement of the natural, built and historic environment**

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Policy L23 Urban Design and Layout of New Development	✓	✓	✓	-	✓	✓	✓	-	✓	✓	✓	✓	-	-	✓	✓	✓	✓	✓	✓
Policy L24 Development Amenity Standards	-	-	-	-	-	-	-	-	-	-	✓	✓	-	-	-	-	-	-	-	-
Policy L25 Energy and Environmental Performance of New Development	?	✓	✓	-	✓	✓	-	-	✓	?	?	✓	-	-	✓	-	-	-	-	-
Policies L26 Local Green Space; L27 Green Space Not Designated as Local Green Space; L28 Green Space Standards and New Provision	✓	-	✓	✓	✓	-	✓	-	-	-	✓	✓	✓	✓	-	✓	-	-	-	✓
Policy L29 Green and Blue Infrastructure, Countryside, Landscape and Trees	✓	✓	✓	✓	✓	✓	✓	-	-	✓	✓	✓	-	✓	-	✓	-	-	-	✓
Policy L30 Historic Environment	-	-	-	-	?	-	-	-	-	✓	✓	-	-	-	-	✓	-	✓	-	✓



## 8 Comments from the Consultation on the Local Plan Regulation 18 SA Working Note (January 2018)

The table below provides details of the representations received during the Regulation 18 consultation on the new Local Plan, along with replies to the representations and details of how they have been taken into account in the SA/SEA process.

Summary of Comments	Reply to comments / how the comments have been taken on board
759908 Redbourn Parish Council	
<p>Within the current context for plan-making the significant reliance placed on the evidence base and supporting assessments undertaken as part of the abortive work to prepare the Strategic Local Plan is concerning. The Sustainability Appraisal 'Working Note' (January 2018) acknowledges that relevant objectives and scoping information to inform the framework for Sustainability Appraisal are unchanged from previous assessments. Although not fatal on its own this is coupled with recognition that substantial elements of the evidence base will be superseded and replaced as part of work to inform the publication draft. In relation to the majority of objectives set out in the current consultation, it has not been possible to undertake any specific assessment. The Working Note therefore simply acknowledges that there may be potential positive effects of any policy approach seeking to achieve these aims.</p> <p>This fails to satisfy the requirement to illustrate the testing of reasonable alternatives as part of developing the local plan options for how sustainable development may be achieved. As a result, the likely effects of the Local Plan and different alternatives have not been illustrated and there is no consideration of how adverse effects might be mitigated and benefits maximised. Fundamentally this illustrates a lack of wider consideration of the strategic priorities for plan-making that affect St Albans and its relationship with surrounding authorities. The work to-date provides little indication of how strategic policies might be focused to achieve quantitative development requirements alongside the effective and co-ordinated delivery of infrastructure and protection of key assets in the built and natural environment. The approach to addressing these requirements should provide meaningful alternatives for the proposed approach to be considered at this stage.</p> <p>The 'Working Note' devotes the greatest attention to assessing the objective of 'building homes in the right places' from the current consultation draft. However, this predominantly reiterates the assessment of options for distributing housing development considered as part of preparation of the Strategic Local Plan and considers similarities with the potential sources of supply contributing to housing provision outlined by this consultation. The 'Working Note' acknowledges that no spatial options are assigned under any of the potential sources. Based on the current information available it is considered inappropriate to draw these comparisons as an indication of support for any given approach. For example, the 'Working Note' repeats that "Options 1a and 3 [from assessment of options for the approach in the Strategic Local Plan, both of which included Land East of Hemel Hempstead] would locate the majority of new development of the edge of the main settlements which are the most sustainable locations in terms of reducing the need to travel to access services and facilities." In considering the approach in the emerging plan, the Working Note states that "as with previous SA work it will be recognised</p>	<p>Following the Regulation 18 stage a second SA Working Note (May 2018) was prepared which updated earlier assessments to include a higher level alternative for the housing requirement that those previously considered (1,200 dwellings per annum), as well as providing assessments of the 12 Broad Locations which were considered to be reasonable alternatives following the Council's Local Plan site selection process.</p> <p>The development of the new Local Plan is a continuation of the process to replace the St Albans District Local Plan Review 1994. As highlighted in the SA Working Note (January 2018), against which this representation was made, <i>"...though this is a new Local Plan, the work undertaken in developing the SLP has already undertaken assessment on a wide range of options, including those relating to housing numbers and the distribution of development – these being two topics which are covered in the new Regulation 18 consultation"</i> (Section 4.1). The previous consideration of options, in particular those relating to housing requirements, development strategy and broad locations has informed the work on the new Local Plan and the accompanying SA/SEA.</p> <p>Section 4 and Appendix E of the SA Report (September 2018) provide details of how options have been considered during the development of the Local Plan and the preceding Strategic Local Plan.</p>

<p>that the larger strategic sites provide the best opportunities for infrastructure provision and planning gain opportunities, including biodiversity enhancements, when compared to a larger number of smaller developments. The SA undertaken on the reasonable alternatives will inform the selection of sites to be included in the Publication Local Plan.”</p> <p>In terms of representing a guide for future plan-making or to demonstrate that reasonable alternatives to the spatial strategy have been appropriately considered these statements should be regarded as flawed. In-particular, they repeat many of the grounds on which preparation of the previous Strategic Local Plan failed. Redbourn Parish Council has previously highlighted that land East of Hemel Hempstead cannot be regarded as sustainable in terms of its access to public transport and key facilities and services, while substantial queries remain over deliverability and the infrastructure required to support development in this location. It is currently impossible to conclude that the evidence base would support a given scale of development in any location. For example, in relation to land East of Hemel Hempstead the previous Green Belt Study indicated that a specific area might be considered suitable to support the potential alteration of Green Belt boundaries. The current findings of the Sustainability Appraisal ‘Working Note’, and in-particular the reliance on conclusions for the assessment of effects in earlier rounds of plan-making, should not be relied upon and do not support any current conclusions that exceptional circumstances exist for given alterations to Green Belt boundaries.</p>	
<p>1051022 Legal and General</p>	
<p>Highly relevant to the question of the provision of infrastructure is the statement made by SACDC in the supporting text to questions 2 and 3 that ‘Large-scale development on Green Belt generates the money and land that provides new infrastructure like roads, schools, shops, and parks’. This is also repeated in the Regulation 18 SA Working Note (TRL, January 2018, p17 para 2). On this basis it is clear that SACDC should support the allocation of the NW Harpenden broad location for a residential-led development as it is a strategic green belt release of a sufficient size to provide for necessary related infrastructure.</p>	<p>Noted. No change to SA needed.</p>
<p>1153774 Goodman Logistics Development UK Ltd</p>	
<p>6.9 Not justified. The approach to the plan must consider the strategy against reasonable alternatives. The strategy following a unilateral pursuit of only one Growth Area corridor, the M25/M1, has evidently not been considered against reasonable alternatives in the Regulation 18 Sustainability Appraisal Working Note prepared by TRL. The more robust pursuit of promoting economic growth in two or more areas of the District, most notably the A1(M) Growth Area corridor along the eastern boundary must be considered. While the majority of this growth area is located outside the District, the cross boundary Duty to Cooperate provides a mechanism by which this strategy can be pursued. An allocation of land at Roehyde to deliver a pharmaceutical, bioscience, engineering and logistics park represents a reasonable alternative and must be assessed as such in the Sustainability Appraisal.</p>	<p>During the development of the SLP (and formerly Core Strategy) the site at Roehyde had been considered as a potential option for employment development, but was not taken forward for inclusion in the SLP.</p> <p>The SA provided an assessment of the site at Roehyde in both the Emerging Core Strategy SA Report (July 2009) and the St Albans Pre-Submission SLP SA Report (November 2012).</p> <p>The SA Report (November 2012) identified the ‘E4 Roehyde’ employment site as a rejected option, and provided the following reasons:</p> <ul style="list-style-type: none"> <li>• Development of part greenfield Green Belt land with detrimental landscape and environmental impacts;</li> <li>• Access issues cannot be resolved; and</li> <li>• A proportion of the site is with Welwyn Hatfield Borough. They do not support the proposal, therefore it</li> </ul>

	<p>could not be delivered.</p> <p>In addition, in rejecting the site for housing the SHLAA (SHLAA-GB-CH-451) identified that: <i>“The site makes a crucial contribution to Green Belt purposes. Development of the site would affect land that is presently rural, would result in encroachment into open countryside, would be visually intrusive from the surrounding countryside and would cause demonstrable harm to the character and amenity of surrounding areas and land uses.”</i></p> <p>In this new round of planning the site is not considered by the Council to be a reasonable alternative for either housing or employment use and has therefore not been assessed in the SA of the Local Plan.</p>
<p>1155890 Abbey Precincts Residents' Association</p>	
<p>We note that Local Plan 2018 is a comprehensive 16-year plan, not just a list of strategic policies as previously. The sustainability appraisal for this plan should therefore be more detailed and draw out current issues and opportunities more fully than before. The previous Sustainability Appraisal (ref CD 0079) contained little information on issues and opportunities for cultural heritage. We hope that the above issues will be incorporated so that positive policy responses are identified and taken forward.</p>	<p>The new Local Plan includes a detailed policy covering the historic environment (Policy L30) which provides the policy responses that were included in Strategic Local Plan Policy SLP3 and Detailed Local Plan (draft for consultation) Policy DLP4.</p> <p>The SA has identified significant positive effects for Policy L30 in relation to the SA objective (SA10) which covers the historic environment. In addition the baseline and review of other plans and policies have been updated for this new SA, which has resulted in the identification of some new issues and opportunities.</p>
<p>975683 Martin Grant Homes and Kearns Land Ltd</p>	
<p>10. The Regulation 18 document does ask respondents to consider how they feel about expanding existing villages into the Green Belt (Question 2, page 6). In relation to this option, the Regulation 18 Sustainability Appraisal Working Note (January 2016) states:</p> <p><i>“Expanding existing villages, particularly through medium or large scale development, would generally be a less sustainable option for locating new development than the expansion of towns. This is because development at villages would not provide the access to a wide range of services and facilities, which would be the case for development at towns, and would result in an increased need to travel with associated adverse effects in relation to greenhouse gas emissions and air quality. In addition, generally medium and large scale developments at villages are less likely to be in keeping with the local landscape and ‘villagescape’ and could put increased demand on existing small local services and facilities that might not be able to cope. However, some positive effects could arise from development at existing villages, for example by increasing the level of support for the local economy and local services/facilities, as well as increasing the viability of public transport provision.” (paragraph 4.3.3.4.).</i></p> <p>11. The nature of the consultation document means that the sustainability appraisal is fairly broad-brush at this stage. Going forward, SADC should take account of the need to promote sustainable patterns of development when reviewing Green Belt</p>	<p>The NE Redbourn Broad Location was assessed along with 11 other Broad Locations, these 12 being considered by the Council to be ‘reasonable alternatives’ following a three stage site assessment process. The findings of the assessment were included in a second SA Working Note (May 2018) which was prepared to inform the development of the Publication Local Plan, including the selection of Broad Locations for inclusion in that plan.</p> <p>The assessment of the NE Redbourn Broad Location covered the majority of the points identified under ‘social, economic and environmental’ in this representation.</p>

<p>boundaries (NPPF, paragraph 84), but this should be done as part of a site-specific assessment exercise.</p> <p>12. It is our position that sustainable development is achievable at land east of Redbourn and the general negative effects identified at paragraph 4.3.3.4. of the Sustainability Appraisal are not, on the whole, a fair assessment of this particular site. We have considered the proposed development of the site in relation to the three strands of sustainable development (NPPF, paragraph 7) below. At this stage it is envisaged that the proposals would:</p> <p>Social:</p> <ul style="list-style-type: none"> <li>• Deliver new housing, including affordable housing, to help meet local need;</li> <li>• Enable the delivery of community benefits for local residents (for example, public open space, new recreational routes/links and a new car park);</li> <li>• Be located within walking/cycling distance of a wide range of local services and facilities;</li> </ul> <p>Economic:</p> <ul style="list-style-type: none"> <li>• Deliver positive effects to the local economy and help sustain and enhance local facilities and services;</li> <li>• Create construction jobs and spending related to the construction of the new homes;</li> <li>• Result in New Homes Bonus payments for the local area;</li> <li>• Potentially increase the viability of public transport provision;</li> <li>• Offer a potential site for a new 'hot office' facility (subject to market interest);</li> </ul> <p>Environmental</p> <ul style="list-style-type: none"> <li>• Deliver homes on a Green Belt site within an area which is considered to contribute the least to Green Belt purposes as it "does not restrict sprawl, prevent merging, safeguard the countryside, preserve setting or maintain local gaps";</li> <li>• Deliver a valuable informal greenspace associated with the River Ver corridor, that could deliver biodiversity as well as recreational benefits;</li> <li>• Ensure the release of a site which is not considered suitable for commercial farming purposes;</li> <li>• Encourage modal shift by being located within close proximity of existing facilities and services as well as the Nickey Line;</li> <li>• Be designed in such a way as to have a less than substantial impact upon the Redbourn Conservation Area which lies adjacent to a small part of the site; and</li> <li>• Potentially provide flood alleviation measures which would provide a betterment to existing residents.</li> </ul>	
<p>1156886 DHSC &amp; Bloor Homes</p>	
<p>6. EVIDENCE BASE</p> <p>6.1 The Sustainability Appraisal (SA) Working Note January 2018 states that work on both the Local Plan and the SA/SEA will be informed by the large amount of evidence and policy development previously prepared in respect of the draft Strategic Local Plan and the Detail Local Plan, which have been suspended by this new Local Plan. It is noted from the Council's response to the Secretary of State stated that "We have much of the required evidence base already prepared from our previous SLP to support the new Local Plan."</p> <p>6.2 The SA states at para 4.1, that the work undertaken in developing the Strategic Local Plan (SLP) has already undertaken an assessment of 900 dwellings per annum, this was one of the options considered against the 20 SA Objectives. It is noted in para 4.3.1 that that whilst the Council are not considering options for the level of housing growth as part of this Regulation 18 consultation, they have assumed that they will be seeking to meet the identified housing need in full. However, in the absence of a Statement of Common Ground it is not clear whether the local planning authorities within the HMA are also planning to</p>	<p>Following the Regulation 18 stage a second SA Working Note (May 2018) was prepared which updated earlier assessments to include a higher level alternative for the housing requirement that those previously considered (1,200 dwellings per annum), as well as providing assessments of the 12 Broad Locations which were considered to be reasonable alternatives following the Council's Local Plan site selection process.</p> <p>Whilst it remains the case that the "larger strategic sites provide the best opportunities for infrastructure provision and planning gain opportunities, including biodiversity</p>

<p>meet their respective housing needs in full or whether there will be a need to accommodate housing needs from elsewhere in the HMA. It is noted that in the Dacorum Issues and Options consultation in November 2017 that Dacorum Council had received a request from Welwyn Hatfield Council, which falls outside the South West Hertfordshire HMA (para 6.1.17 of the Dacorum Issues and Options consultation).</p> <p>6.3 Whereas in the SA previously the approach was to assess each Plan Option, and where appropriate combinations of options were assessed against each of the objectives in the SA framework; there now appears to be only one Option i.e. 913 dwellings per annum i.e. in order to accord with the Government’s proposed standard methodology. There is no suggestion of another Option, i.e. a “Policy On Option”, such as to reflect a higher level of growth scenario e.g. as a result of a strategic infrastructure project or through increased employment as a result of Local Economic Partnership Investment Strategy, a bespoke housing deal with the Government or through delivering the modern Industrial Strategy or through the Duty to Co-operate.</p> <p>6.4 It is considered that the SA will need to test reasonable alternatives in meeting the housing requirement of 913 dwellings per annum as a minimum.</p> <p>6.5 It is noted that the SA for the Local Plan is intended to assess reasonable alternatives for sites to deliver the development strategy, and that these sites will be identified for future Plan analysis, as well as from availability/deliverability information from the SHLAA and from a new call for sites.</p> <p>6.6 Pegasus is aware that there is a Call for Sites and a submission has been prepared to accompany these representations.</p> <p>6.7 The SA states that the Council still hold the view that the “larger strategic sites provide the best opportunities for infrastructure provision and planning gain opportunities, including biodiversity enhancements, when compared to a larger number of smaller developments.” However, as set out in Appendix 2 larger sites are more challenging in terms of their deliverability, and in order to achieve the quantum of dwellings in the plan period, a wide range and choice of sites are required.</p>	<p>enhancements, when compared to a larger number of smaller developments”, the SA of the Publication Local Plan recognises that in addition to the larger sites, smaller sites do play an important role in delivering the housing requirement.</p>
<p>1157560 Hallam Land Management Ltd and St Albans School</p>	
<p>We note that the accompanying Sustainability Appraisal Working note indicates that the Sustainability Appraisal framework and Sustainability Appraisal approach used to appraise the previous ‘Strategic Local Plan’ are also being used to inform the preparation of this new Local Plan. Whilst noting that the justification for this is to ensure ‘consistency’, we have reservations that this approach has been adopted without at least reviewing the position on the light of the significant additional growth challenges now facing the District. As discussed above, we would suggest that more emphasis should be placed in weighing the need to meet the social and economic needs of the District.</p> <p>Notwithstanding these concerns we have prepared an updated sustainability appraisal of land north of St Albans which appraises the site against the previous Sustainability Appraisal objectives, based on the evidence and detailed plans now available for this site. This is set out in pages 42-45 of the accompanying Vision Document. This updated appraisal now demonstrates the strong and unique contribution that this site can make towards sustainable development, as measure against the previous local Plan objectives.</p>	<p>The approach taken previously, for the SA of the ‘Strategic Local Plan’, remains valid for the new Local Plan and does not need to be amended along the lines suggested in the representation.</p> <p>In meeting the requirements of the SEA Regulations the SA framework includes more environmental objectives than social and economic ones. However, the SA does not count up the positive and negative scores to arrive at a single score for a policy or site assessment and therefore additional social and economic objectives are not needed. There have been some minor changes to the SA Framework since the consultation on the SA Working note, however these are relatively minor – the number and topics covered by the 20 main SA objectives remaining the same.</p>

Appendix A: St Albans Publication Local Plan: SA/SEA Representations

SA/SEA responses to issues raised in the representations

Representations requiring response or further action	SA/SEA response to representation
<b>Historic England</b>	
<p>Policy S6 i) We note that the SA refers to the three listed buildings at Wood End Farmhouse but makes no mention of the assets to the east centred on Gorhambury and considers that the effects of the allocation on the historic environment are uncertain. The SA will need to be reviewed to take into consideration the nearby heritage assets.</p>	<p>The assessment for Policy S6 i) states that “Development of the site would also have the potential to impact upon the setting of Gorhambury Grade II Registered Park and Garden and its associated heritage assets.”  No update to SA required.</p>
<p>Policy S6 ii) We note that the SA makes reference to Breakspear house and states that the effects of development on this asset is uncertain. There is no mention however of the heritage assets centred on Gorhambury to the east of the site. The SA will need to be reviewed to take into consideration the nearby heritage assets.</p>	<p>The assessment for Policy S6 ii) states that “Development of the site would also have the potential to impact upon the setting of Gorhambury Grade II Registered Park and Garden and its associated heritage assets.”  No update to SA required.</p>
<p>Policy S6 iii) We note that the SA mentions both the listed buildings on the site and nearby listed buildings but states that the effects of the proposed development on these assets is uncertain. Again however, no mention is made of the heritage assets centred on Gorhambury to the east of the site. The SA will need to be reviewed to take into consideration the nearby heritage assets.</p>	<p>The assessment for Policy S6 iii) states that “Development of the site would also have the potential to impact upon the setting of Gorhambury Grade II Registered Park and Garden and its associated heritage assets.”  No update to SA required.</p>
<p>Policy S6 iv) We note that the SA makes reference to the listed buildings, again concluding uncertain effects, but it makes no reference of the nearby scheduled monument. Again the SA will need to be revisited to make reference to the scheduled monument.</p>	<p>The SA has been updated to make reference of the nearby scheduled monument. No update to the assessment ‘score’ required.</p>
<p>Policy S6 v) We note that the SA finds that the effects of the allocation on the historic environment are uncertain.</p>	<p>Noted</p>
<p>Policy S6 vi) The SA makes no reference of the heritage assets in the area. The SA will need to be reviewed to take into consideration the nearby heritage assets and their settings.</p>	<p>The SA has been updated to make reference to the heritage assets in the area. The assessment has been updated to reflect the uncertainty relating to the potential effects on these heritage assets.</p>
<p>Policy S6 vii)</p>	<p>The SA has been updated to make reference of the nearby</p>

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<p>The SA makes no reference of the nearby designated heritage assets. The SA will need to be reviewed to take into consideration the nearby heritage assets. We consider that the impact is likely to be negative/adverse. The land forming this allocation site from part of the setting of the Farm and the NPPF is clear that the development within the setting of a heritage asset may lead to harm to the significance of that asset.</p>	<p>Listed Building and Conservation Area. The assessment has been updated to reflect the potential minor adverse effects on these heritage assets.</p>
<p>Policy S6 viii)  We note that the SA mentions these assets [Cooters End Farm; The Old Bell Public House] but states that the impact on the historic environment is uncertain. We disagree. Without sufficient policy protection in place, and with development proposed on three sides of Cooters End Farm, we consider that the impact is likely to be negative/adverse. The land forming this allocation site from as part of the setting of the Farm and the NPPF is clear that the development within the setting of a heritage asset may lead to harm to the significance of that asset.</p>	<p>The SA has been updated to reflect the potential minor adverse effects on these heritage assets.</p>
<p>Policy S6 ix)  The SA makes no mention of the listed buildings and structure to the south of the site. The SA identifies adverse effects on the historic environment. Given this conclusion, it is surprising to find neither further assessment of the impacts nor any mention within the Plan.</p>	<p>The SA has been updated to make reference of the nearby Listed Buildings. No update to the assessment 'score' required.</p>
<p>Policy S6 xi)  We note that the SA mentions the nearby heritage assets (with the exception of the Turret) but states that the impact on the historic environment is uncertain. We disagree. Without sufficient policy protection in place, and with the development proposed we consider that the impact is likely to be negative/adverse.</p>	<p>The SA has been updated to make reference of the Allan-Williams Turret. The assessment has been updated to reflect the potential minor adverse effects on heritage assets.</p>
<p><b>Natural England</b></p>	
<p>The Regulation 19 response from Natural England stated that <i>“Natural England does not consider that this St Albans District Council Local Plan Publication 2018 poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.”</i></p> <p>Further correspondence with Natural England – March 2019</p> <p>Natural England agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site.</p>	<p>Noted</p>
<p><b>Environment Agency (ID1147557)</b></p>	
<p>The SA doesn't currently provide any explicit commentary on the process the Council undertook to apply the sequential test based on the latest SFRA, taking future climate change into account</p>	<p>The SA Report information has been updated to reflect the findings of the update to the SFRA, published in January 2019. This identifies the potential future flood risk taking climate change into account.</p> <p>The SA Report (September 2018) provided an assessment of Policy L29 'Green and Blue Infrastructure, Countryside,</p>

	Landscape and Trees’ and found that the policy’s requirement of seeking to avoid development in areas at risk from flooding and ensuring that water and flood risk are fully addressed by new development should have a positive effect on the ‘flood risk’ objective (SA3).
<b>Hertfordshire County Council (ID 837689)</b>	
Agree with the supporting statement in the SA with regards to flood risks but recommend the creation of an aim of new development that contributes to reducing existing flood risk (where applicable)	The SA Objective for flood risk (SA3) was updated in xxx to take account of comments from the Environment Agency. That updated objective was used in the assessments included in the SA Report (September 2018). It is not appropriate at this stage in the SA process to update the objective a further time, however the comment from HCC is noted and will be considered for inclusion in future SA work undertaken by the Council.
<b>Individual respondent (ID 334023)</b>	
The SA has not considered the impact of increasing the East Hemel South proposed dwellings development by 140%	The assessment of ‘Policy S6 iii) - East Hemel Hempstead (South) Broad Location’ identified the potential effects of building 2,400 new homes at this Broad Location. This included an identification of the environmental constraints associated with this area.
<b>Stackbourne Limited (ID1153646)</b>	
There is no compatibility between the Vision and Objectives listed within the Plan and the SA objectives	Table 3-2 in the SA Report provides an assessment of the compatibility between the Local Plan Vision and Objectives and the SA objectives.
<b>Department of Health &amp; Social Care and Bloor Homes (ID1156886)</b>	
<p>The SA is flawed as it does not consider alternatives for Park Street Garden Village</p> <p>The Plan is not considered to be deliverable, an objection is made to Policy S1 in particular the introduction of Park Street Garden Village in Category 2, there is no justification or evidence to support the inclusion of the Garden Village. The Plan in this respect is not justified or consistent with national policy as exceptional circumstances have not been demonstrated to support the inclusion of Park Street Garden Village. It is considered that not all reasonable alternatives have been considered and consequently the Sustainability Assessment is flawed and the Plan is therefore unsound.</p>	<p>During the process to develop the Local Plan there has been extensive and detailed consideration of options and reasonable alternatives. Whilst the SA has informed the process it is not the purpose of the SA to decide the alternative to be chosen for the Local Plan, nor is it the role of the SA to determine what is and what isn’t a ‘reasonable alternative’ – those are both decisions to be made by the plan-making authority.</p> <p>The SA has assessed all the options which the Council has</p>



	considered to be reasonable alternatives. Section 4 of the SA Report provides information on the various stages at which different sites have been considered in the SA process.
The Plan and the accompanying SA rely on much of the previous work undertaken to support the Strategic Local Plan (SLP) and draft Detailed Local Plan (DLP), the evidence base for which is out of date	The SA work on the SLP/DLP and now the new Local Plan have been part of the ongoing process to replace the 1994 Local Plan. SA is an iterative process and has been updated as appropriate when work moves forward. This has included taking into account updates to the evidence base, in terms of both other relevant policies, plans and programmes and baseline information.
<b>Helioslough Ltd (ID1182085)</b>	
The SA is misleading in its assessment of PSGV. It includes ambiguous statements, does not consider site constraints which could hinder development proposals, and ignores the loss of benefits resulting from not providing the SRFI.	<p>The comment relating to ambiguous statements and constraints is addressed below for the various SA topic related comments.</p> <p>The assessment for PSGV was undertaken using the baseline as being the site in its current status and was not a comparison between the PSGV and the SRFI. It did not consider benefits lost or benefits gained between one proposed use and another potential use.</p>
The biodiversity score for the SA of PSGV should be downgraded to 'very unsustainable'	This comment is made on the premise that PSGV should be assessed against an 'SRFI baseline' and not a 'current status baseline'. As described above that has not been the case.
The SA for PSGV fails to mention that flood risk zone 3 is a relatively wide band (approximately 140m) which runs along the eastern boundary of the Park Street urban area in the vicinity of the station, thereby creating a gap in development. This does not affect the flood risk score but it is related to subsequent objectives.	The SA has recognised that the area of flood risk zone would not be suitable for new built development.
<p>The greenhouse gas emissions score for the SA of PSGV should be graded as 'unsustainable'.</p> <p>Significant benefits are claimed due to the range of planned facilities. This is agreed with reference to facilities such as schools and local shops, however there is no significant other employment proposed and there are only a very limited number of existing employment areas within an acceptable walking or cycling distance.</p> <p>The site and specifically the developable area is not next to a train station as claimed. Equally it is claimed that the P&amp;Ra is a benefit which, for the reasons set out above, may encourage more cars to access the car park.</p> <p>In contrast, as the SRFI will enable freight to be transferred from road to rail, it is forecast that the SRFI will result in a significant reduction in greenhouse gases.</p> <p>For these reasons the PSGV assessment can certainly not be marked as 'Very Sustainable'. Indeed, when compared to the</p>	<p>As described above the assessment has been made against the 'current status baseline' and not an 'SRFI baseline'.</p> <p>The policy requirement for the development to deliver transport network (including walking and cycling links) and public transport services upgrades/improvements, including a new park and rail facility and increased rail services were considered in the assessment to warrant a score of 'significant positive'. This view still stands.</p> <p>The site is next to the rail station but it is acknowledged that without any new access the walk to the station is further and</p>

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consented scheme which is currently being progressed and is forecast to reduce greenhouse gas emissions then the PSGV should be scored as 'Unsustainable'	due to the size of the site some of the PSGV will be some distance. However the whole site is still relatively close to a station, particularly as it is a relatively level walk/cycle.
Air Quality – This is scored twice on the basis of local facilities and location with respect to St Albans. The first score of 'Sustainable' is on the same basis as greenhouse emissions hence for similar reasons it should be neutral at best. The poor relationship to St Albans is correct and hence this is correct as 'Unsustainable'.	See comments above relating to greenhouse gas emissions.
Sustainable Locations – The appraisal admits that the location with respect to St Albans is not good. It then seeks to justify a sustainable score due to the limited local facilities and possible rail improvements which could be used by local residents. For the reasons noted in this report, the rail opportunities are limited in terms of facilities and proximity, and the local facilities would only account for a small number of car trips. The score for location should therefore be 'Unsustainable'.	The appraisal identified that <i>"This site is located some distance from the city/town centres"</i> .  Whilst the site is some distance from St Albans it is planned as a sustainable community supported by the necessary infrastructure and facilities and therefore the level of facilities that will be provided make the development more sustainable, as identified in the assessment.
Given the points above the PSGV should be scored less for three objectives.	See comments above for each of these three objectives
SA incorrect to refer to site as previously developed land - land developed for minerals extraction excluded by paragraph 70 of NPPF. Therefore, the PSGV site is not considered to be a previously developed site and should be rated as 'unsustainable'.	The SA identified that <u>part</u> of the site is PDL, not the whole of the site. However the assessment has been updated from 'uncertainty of effects' to 'minor adverse effects' as the majority of the site is not classified as being previously developed land.
In considering the wider strategic implications of not providing the SRFI, the PSGV rating for resource efficiency should be downgraded to 'unsustainable'.	See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
SA incorrect that prior gravel extraction will have destroyed any archaeological remains if they existed as some of the site has not been quarried. Therefore, the PSGV development has potential to have an adverse impact on below ground archaeological features. Due to the uncertainty of whether the unquarried section of the site contains below ground archaeology, the sustainability rating is correct as 'uncertain'.	Noted
The approved SRFI proposals include a 334ha Country Park which includes substantial benefits considered to exceed the requirements of policy S6 xi for the PSGV. When factoring in the loss of the landscape and biodiversity benefits proposed by the SRFI, the 'sustainable' score should be reduced to at least 'Neutral'.	See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
The recreational opportunities set out by policy S6 xi would undoubtedly be beneficial for local residents of the PSGV, however there are conflicts with existing infrastructure that need to be given further consideration. These proposals also need to be considered in light of the substantial Country Park offered by the SRFI proposals not being delivered. The scale of the SRFI Country Park has the potential to offer health benefits to not only the lifestyles of local residents but the lifestyles of those living in the wider district and county. It is for these reasons that the PSGV health score should be downgraded to 'neutral'.	See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.
Whilst the local centre and new schools are likely to reduce some trips by car, PSGV residents will have to travel to the	The SA identified 'minor positive' effects against the SA

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<p>surrounding city/town centres for goods and services beyond the daily essentials. Furthermore, as discussed in the greenhouse gas emissions paragraphs above, the PSGV does not appear to provide any substantial sources of employment beyond the new schools and shops. In comparison, the SRFI scheme would create significant additional employment opportunities of approximately 3,400 full time jobs and a further 500 jobs related to the scheme.</p>	<p>objectives relating to the economy. This assessment still stands.</p> <p>See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.</p>
<p>In terms of rail improvements, the requirements of policy S6 xi has various limitations which relate to the Abbey Line. Firstly, the policy states that there should be services every 15-20 minutes at peak times, with no mention of off peak timetabling. Secondly, the St Albans Abbey train station is not located centrally and would require additional travel to access the centre. Thirdly, the Park Street station is not best positioned for the PSGV, being located on the western side of the railway. Finally, the developable area is not located next to a rail station as suggested, located 900m from the nearest house, which may encourage more cars to park in the park and rail facility. All of these points are discussed in more detail in the TTM at Appendix B. The sustainable location score should be 'unsustainable'</p>	<p>See comment above relating to the distance of the site from Park Street Station</p>
<p>The SA gives the PSGV a 'sustainable' rating based on the new local centre and the potential for new employment opportunities. Whilst the new local centre is likely to provide daily essentials for residents of the PSGV, services and facilities beyond this will be sought from surrounding town/city centres.</p> <p>As discussed in the greenhouse gas emissions paragraphs above, the PSGV does not appear to provide any substantial sources of employment beyond the new schools and shops. In comparison, the SRFI scheme would create significant additional employment opportunities of approximately 3,400 full time jobs and a further 500 jobs related to the scheme.</p> <p>The sustainability rating should be reduced to 'neutral' for the reasons set out above.</p>	<p>The SA identified 'minor positive' effects against the SA objectives relating to the economy. This reflected the potential for PSGV to support the local economy and to provide some additional employment opportunities. This assessment still stands.</p> <p>See previous comments regarding the approach taken to the assessment with regard to the baseline assumptions.</p>
<p>SA and the Plan are not considered to be consistent with national policy as they don't aim to deliver sustainable development</p>	<p>The SA helps to guide the development of the Local Plan, including providing an assessment of the reasonable alternatives considered. It cannot in itself 'deliver' sustainable development.</p>
<p><b>Helioslough Ltd (ID1182085) Department of Health &amp; Social Care and Bloor Homes (ID1156886)</b></p>	
<p>The Plan and SA have not been positively prepared as they disregard the planning permission that exists for the SRFI.</p>	<p>The view of the Council is that the SRFI is not a 'reasonable alternative' for that site and therefore it was not assessed in the SA. However for purposes of completeness the principle of developing an SRFI on the same site as that allocated for PSGV has now been assessed as part of this SA Report Addendum (see Section 4 and Appendix C).</p>
<p><b>Taylor Wimpey Strategic Land (ID1187472), Martin Grant Homes and Kearns Land (ID975683), ERLP 1 Sarl (ID1123561), M Scott Properties (ID1185993), Individual respondent (ID1153268), Department of Health &amp; Social Care and Bloor Homes (ID1156886), Owner Pound Farm &amp; East of Sandridge (ID1187227), Helioslough Ltd (ID1182085)</b></p>	
<p>The SA/SEA does not consider other/all specific sites that have been put forward and fails to provide an assessment for them, explaining why they have been rejected</p>	<p>The SA/SEA has provided an assessment of all the sites considered by the Council to be reasonable alternatives. Section 4 of the SA Report provides information on the</p>

	various stages at which different sites have been considered in the SA process.
<b>ERLP 1 Sarl (ID1123561)</b>	
No reasonable alternatives to the 12 Broad Locations have been assessed. The SA is flawed and outdated.	The SA/SEA has provided an assessment of all the sites considered by the Council to be reasonable alternatives. Section 4 of the SA Report provides information on the various stages at which different sites have been considered in the SA process.
<b>Owner Pound Farm &amp; East of Sandridge (ID1187227)</b>	
The council hasn't consulted on the SA	The Council consulted on the SA at the Regulation 18 Issues and Options Stage (January 2018) and at the Regulation 19 Publication Stage (September 2018). Section 2.4 of the SA Report provides a summary of the consultation that has been undertaken.
<b>Individual respondent (ID1153741)</b>	
The SA should contain a fuller assessment and development scoping exercise must be carried out on the East Hemel Hempstead (North) development to ensure that the area maintains an appropriate landscaping and character, sympathetic to the nearby settlement.	The SA has provided a 'high level' assessment of Policy S6 i) East Hemel Hempstead (North) Broad Location. More detailed consideration of landscaping and character will be given at the Masterplanning and detailed planning application stages.
<b>The Dak (ID 1186131) and multiple individuals/groups/companies making the same representation</b>	
<p>The audit trail of where and when the decision was made to solely focus on strategic sites is almost impossible to follow. It is not set out clearly within the Sustainability Appraisal report and seems to have been a decision arrived at through discussions at various Planning Policy Committee meetings.</p> <p>The Sustainability Appraisal report is required by European law to detail the likely significant environmental effects of the Local Plan and of the reasonable alternatives. It is also a soundness test for the Local Plan to be considered against reasonable alternatives.</p> <p>It is not clear where or how the Council has assessed the option of focusing solely on strategic sites and compared it with the reasonable alternative of allocating a larger number of smaller sites. There are advantages and disadvantages with strategic sites. For example, it is accepted that larger sites are often better able to provide on-site infrastructure. However, they take longer to deliver and are more prone to delays than smaller sites. This is an important consideration given the historic under-delivery of housing and the affordability issues that have been created. There does not appear to be any like-for-like comparison to enable respondents to understand how the decision has been taken and how different factors have been</p>	<p>During the process to develop the Local Plan there has been extensive and detailed consideration of options and reasonable alternatives. Whilst the SA has informed the process it is not the purpose of the SA to decide the alternative to be chosen for the Local Plan, nor is it the role of the SA to determine what is and what isn't a 'reasonable alternative' – those are both decisions to be made by the plan-making authority.</p> <p>The SA has assessed all the options which the Council has considered to be reasonable alternatives. Section 4 of the SA Report provides information on the various stages at which different sites have been considered in the SA process.</p> <p>As reiterated in the SA Working Note (January 2018), which</p>

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<p>weighed.</p> <p>The housing issue is particularly important because of the strong influence on delivery rates that arises from the strategic-sites-only approach. Despite a five-year period that begins in 2020 and despite ignoring any historic shortfall, the Council is still unable to demonstrate a five-year land supply because of the lack of small- and medium-size sites. The “stepped” housing trajectory employed by the Council is only necessary because of the focus on strategic sites. The negative consequences of this should have been recorded in the Sustainability Appraisal and explicitly considered in the Council’s decision-making.</p>	<p>was produced at the Regulation 18 stage, the Council considered a series of options for the development strategy (see Section 4.4.1. of the SA Report (September 2018)). The Council’s preferred approach was based on Option 1a (Mixed Location / Scale Development) which relied on larger strategic sites to deliver the levels of development to meet local needs. As a result it was only strategic sites which were subsequently considered for inclusion in the Local Plan.</p> <p>However, whilst the larger strategic sites provide the best opportunities for infrastructure provision and planning gain opportunities, including biodiversity enhancements, when compared to a larger number of smaller developments, the SA of the Publication Local Plan did recognise that in addition to the larger sites, smaller sites do play an important role in delivering the housing requirement.</p> <p>In the assessment of Policy S4 Housing Strategy and Housing Requirement/Target the SA identifies positive effects against SA13 (Sustainable locations) in relation to the policy’s recognition that smaller sites, including those of half a hectare or less, have been and will continue to be an important source of housing land supply.</p>
<p>Sustainability implications of the spatial strategy have not been properly assessed</p>	<p>The assessments of Policy S1 Spatial Strategy and Settlement Hierarchy, as well as Policy S2 Development Strategy, identify the implications of using the approach to the spatial strategy that is included in the Publication Local Plan.</p>
<p><b>M Scott Properties (ID 1185913 and ID 1185991)</b></p>	
<p>Flawed assessment of Park Street Garden Village. No acknowledgement of the planning permission for the SRFI on the site of the proposed Park Street Garden Village</p>	<p>See response above to similar comments made in the representation by Helioslough.</p>
<p>SA methodology excludes small to medium sites in sustainable locations with facilities beneficial for any development</p>	<p>See the comments above made in response to the representation by The Dak.</p>
<p>SA is inconsistent with the proposed 2020 commencement date for the emerging Local Plan.</p> <p>The SAR contains no justification for the 2020 start date of the ELP. This is inconsistent with national policy, particularly the NPPF 2018 which states at paragraph 11 that: “11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) Plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.”</p>	<p>It is not the role of the SA to justify the start date for a Local Plan.</p>

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It is not considered that the ELP meets development needs nor is sufficiently flexible to adapt to rapid change given it does not cover the period to 2020.	
The SA should provide an objective-led approach whereby the potential impacts of a development plan, its allocations and all reasonable alternatives are appraised to the same level of detail in order to identify their contribution to sustainable development	At each separate stage of the SA process the policies/sites have been assessed at the same level of detail.
Support the SA statement that not all villages are suitable for accommodating growth	Noted
The SA does not consider financial implications of providing infrastructure	The Sustainability Appraisal process is not required to, or designed to, take such financial considerations into account.
<b>Martin Grant Homes and Kearn Properties (ID975683)</b>	
SA does not make it clear why Land East of Redbourn was rejected	Section 4.4.2. of the SA Report provides an explanation of why the Land East of Redbourn was not included as an allocation in the Publication Local Plan.
<b>Individual respondent (ID1185630)</b>	
The SA demonstrates full compliance with the Plan's requirement to consider social, economic and environmental factors	Noted
<b>Redbourn Parish Council (ID759908)</b>	
The SA fails to address the negative consequences of housing provision on large strategic sites and the impacts this has on supply	The assessments for the strategic sites did identify adverse effects against some of the SA objectives.  In relation to the comment on supply, see the response to The Dak above.
No consultation was undertaken for North East Redbourn site at the Issues and Options stage. Unclear how the site (as well as other 'omission sites') was explored as an alternative in the Sustainability Appraisal (SA)	The Issues and Options Regulation 18 consultation stage in January 2018 considered potential approaches for providing new development to meet the needs of the local population but did not include Broad Locations. Section 4.3.3.3. of the SA Working Note (January 2018) states "... At this new Regulation 18 stage in the development of the Local Plan there has been no new assessment of sites or wider broad locations. This work will be undertaken during the SA that is undertaken as part of the development of the Publication Local Plan."  Subsequently, the North East Redbourn site was considered as a 'reasonable alternative' alongside assessments of 11 other broad locations in the SA Working Note prepared for

	<p>the Planning Policy Committee in May 2018. Section 4.4.2 of the SA Report (September 2018)) provides a summary of the findings, including the reasons behind North East of Redbourn not being taken forward into the Publication Local Plan, whilst the full SA Working Note is included as Appendix E12 to the SA Report. The opportunity for consultation on the SA Report was provided at the Regulation 19 stage.</p>
<p><b>Batford Community Action Group (ID 1185696)</b></p>	
<p>SA will not be finished until March 2019. No chance to respond.</p>	<p>The SA Report was prepared in September 2018 and was part of the consultation at the Local Plan Regulation 19 stage. This is the statutory requirement for the publication of the SA Report.</p> <p>This SA Report Addendum provides some additional details to support the SA Report, but as the Local Plan has not been subject to any Major Changes between the Regulation 19 consultation and Submission there is no requirement for additional consultation to be undertaken.</p>
<p><b>Leverstock Green Village Association</b></p>	
<p>The allocation of East Hemel Hempstead (South) does not appear to be evidence based, with the allocation of the broad location reaching far beyond the Green Belt Review's recommendations for release. The Sustainability Appraisal conclusions for this policy also do not seem to differ greatly for the previous conclusions for a site which was allocated for fewer dwellings.</p>	<p>The SA has highlighted the main opportunities and constraints for the Broad Location, both for the site identified in the Strategic Local Plan and for the larger area allocated in the Local Plan. Where additional constraints have been identified for the larger site these have been identified. However the larger site does not include any additional significant constraints and therefore the original assessments have not been substantially changed.</p>
<p>5. Habitats Regulations Assessment</p> <p>5.1 Annex 1 of the SA (2018) of the St Albans Local Plan includes a copy of the HRA Screening update (originally prepared in 2008). This considers the impact of the recent EU Court Judgment of the 'People Over Wind' case and determines that the findings of the 2008 HRA Screening remain valid and that the current version of the Plan will not have likely significant effects on the Chilterns Beechwoods SAC.</p> <p>5.2 The Screening is reliant on assessment of earlier work including, for example, potential growth sites included in the 2006 Issues and Options Paper: Growth at Hemel Hempstead. Although it is acknowledged that this did consider a wide range of growth options the document is dated and must be considered in combination with growth that has taken place since then and potential impacts on the SAC.</p>	<p>The SA Screening Update reviewed the findings of the previous HRA and considered new evidence relating to the Chiltern Beechwoods SAC as well as other factors, including recreational disturbance and air quality effects, in order to confirm whether the findings still stood.</p> <p>Natural England agree with the conclusion of the Habitats Regulations Assessment (HRA) that there will be no likely significant effects on any European Site.</p>

<p>5.3 The Screening also suggests that because the remainder of the 2008 HRA Screening (i.e. that beyond issues associated with out-commuting for employment) concluded that there was no need for mitigation measures to conclude ‘no likely significant effects’, the ‘People Over Wind’ ruling does not have any implications for this update and, as such, an Appropriate Assessment is not required.</p> <p>5.4 Natural England is being consulted on the HRA Screening alongside consultation on the Local Plan and so, as yet, their response is unknown. We suggest that it is inappropriate to rely on evidence and material prepared more than a decade ago and that all up-to-date and current evidence must be considered before a conclusion can be satisfactorily made.</p>	
<p>8. East Hemel Hempstead (South) Broad Location (Site Specific Matters)</p> <p>...</p> <p>Sustainability Appraisal Findings</p> <p>8.26 The site was previously allocated in the 2016 Strategic Local Plan in Policy SLP13 a), which required the development to deliver a minimum of 1,000 dwellings.</p> <p>8.27 Given that the dwelling allocation has significantly increased by 1,400 dwellings to 2,400 dwellings, it is expected that there would be significant changes in the assessment of impacts in the Sustainability Appraisal.</p> <p>8.28 However, the Sustainability Appraisal does not conclude that there are significant differences between the allocation of fewer dwellings in the 2016 SLP and the 2018 Local Plan as shown in Figures 8.3 and 8.4 below.</p> <p>8.29 For two objectives, the 2018 SA assesses that the larger development would be marginally more sustainable than the smaller development assessed in the 2016 Sustainability Appraisal. Differences are shown for the ‘Soils’ objective where the 2016 SA assesses ‘significant adverse effects’ and the 2018 SA assesses the soils objective as ‘unsustainable’. The assessments for the landscape &amp; townscape objective also differ between 2016 and 2018, with the assessment of the effect on landscape changing from ‘significant adverse effects’ to ‘unsustainable’. This is curious given that the site is situated on the same area.</p> <p>8.30 There are only three objectives where the 2018 SA predicts marginally more unsustainable effects for the significantly larger development (revising the assessment from ‘very sustainable’ to ‘sustainable’): ‘equality/social inclusion’, ‘sustainable prosperity and growth’ and ‘fairer access to services’.</p> <p>8.31 The LGVA therefore do not consider that the Sustainability Appraisal has fully considered the impact of increasing the dwellings by 140%.</p>	<p>The assessment for the soils objective (SA4) was updated from “significant adverse’ in 2016 to ‘minor adverse’ in 2018 in order to reflect the new information produced by Natural England in 2017 relating to agricultural land quality. The latest evidence indicated that approximately 19% of the site contains Best and Most Versatile (BMV) agricultural land.</p> <p>The 2016 assessment used a methodology whereby the presence of any amount of BMV resulted in a ‘significant adverse’ score, whereas in 2018 a more robust methodology was used which only allocated such a score if more than 25% of the site is classified as BMV land.</p> <p>The assessment for the landscape and townscape objective (SA11) was updated from “significant adverse’ in 2016 to ‘minor adverse’ in 2018 as the later assessment took account of the fact that none of the area is designated as a Landscape Character Area in the St Albans Local Plan, nor is it covered by any other designation.</p>