

St. Albans Local Plan Examination

Matter Statement of Dacorum Borough Council 1186054

Relating to Matter 2

MATTER 2

General

1. *What are the genuinely strategic matters defined by S33A (4) of the Planning and Compulsory Purchase Act*

1. S33A (4) of the Planning and Compulsory Purchase Act 2004 provides a definition of a “strategic matter” for the purposes of subsection 3 of subsection 33A in the following terms:-
2. “(a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas...”
3. The largest single broad location for both housing and employment development in the SALP is immediately adjacent to the existing urban edge of the town Hemel Hempstead which is located in Dacorum Borough Council. The SALP proposes 5,500 dwellings in these locations including 4,370 dwellings by 2036. The SALP also proposes a significant new employment development in the east Hemel Hempstead (Central) broad location of some 55 hectares. This will form an extension to the Maylands Business Park and is Dacorum Council’s principle employment area.

4. It is Dacorum's strong contention that these locations will be developed for both housing and employment as an integral part of Hemel Hempstead and will be a clear part of its local housing and employment market. The developments will have a significant impact on Hemel Hempstead's residents and employers/employees in the new area who will logically look to Hemel Hempstead to meet their service and infrastructure needs, as the sites are immediately adjacent to Hemel Hempstead but some distance from St. Albans City.
5. The emerging Dacorum Local Plan (currently being developed) is looking to accommodate significant levels of housing and employment development. In terms of housing, Dacorum needs to accommodate c.18,500 dwellings between 2018 and 2036 and 241,600 square metres of new employment space. The Council has not yet reached a final decision on growth locations around the Borough but, given its role, Hemel Hempstead is likely to accommodate a significant proportion of new development. The town is where development can be sustainably located and can continue to support its on-going regeneration. There will undoubtedly be infrastructure and other planning requirements for both authorities arising that need to be addressed. (The issue of infrastructure is discussed in more detail elsewhere).
6. Given that the area around Hemel Hempstead is proposed to be the largest single broad location for housing and employment within the SALP and is likely to form the single largest area for sustainable development for housing and employment in the emerging Dacorum Local Plan, it is difficult to think of a better example of a "*strategic matter*" within the definition of Section 33A (4) of the Planning and Compulsory Purchase Act 2004.

7. Dacorum wishes to direct the Inspector to its Statement of Representations to the Publication Draft dated 17 October 2018 (Appendix 1) where it sets out the matters that it considers to be strategic:
- DBC still had some concerns regarding SADC's approach to the Duty to Cooperate in relation to setting out strategic cross-boundary implications.
 - Improvements required to the evidence base to ensure it forms an adequate basis for considering cross-boundary issues.
 - The lack of formal agreement on how much (if any) of the proposed housing and employment development on the edge of Hemel Hempstead within St. Albans District should count towards DBC's needs.
 - The implications growth will have on the town's existing infrastructure and the resultant need for a range of new infrastructure provision. We particularly reference the need for further consideration to the scale of secondary and primary school provision at East and North Hemel Hempstead and provision of household waste sites to serve development.
 - The approach to Gypsy and Traveller provision in the East Hemel Hempstead area.
8. Dacorum wrote again to the Council on 3 December 2019 further highlighting a number of strategic issues which require a resolution:
- Employment Land provision – Our evidence currently identifies an unmet need of industrial floorspace of c.60,000 sqm and c.83,000 sqm of office floorspace in Dacorum. Given that Maylands is our largest employment area, the extension of which is proposed by St. Albans, we require our needs to be accommodated as part of this proposal.
 - Housing Provision – we require clarification that growth earmarked to the East of Hemel Hempstead post 2036 will contribute to meeting a portion of Dacorum's future needs.

- Affordable Housing allocations – Dacorum Council currently has a substantial number of people on its waiting list and, given that the proposed expansion of our main town proposed by St. Albans, Dacorum requires a sizeable portion of affordable housing delivered as part of East Hemel Hempstead to meeting the housing needs of Dacorum.
- Education Provision – Discussions with Hertfordshire County Council have confirmed that 3 x 2 fe Primary Schools and 1 x 6 fe Secondary School is required to meet the development needs of Hemel Hempstead, in addition to development proposed to be allocated in the Eastern expansion. Work to date highlights that no feasible options exist elsewhere around Hemel Hempstead to deliver a Secondary School and as such, Dacorum seeks additional land to be released as part of or adjacent to the East Hemel Hempstead (South) allocation in the SALP to accommodate this Secondary School requirement.
- Wider Infrastructure Requirements – Given the growth to Hemel Hempstead and the likelihood that future residents of the proposed SALP allocations in North and East Hemel Hempstead will use services in Hemel Hempstead, the SALP needs to reflect that appropriate developer contributions from the proposed allocations at East Hemel Hempstead are secured to offset these demands. It is questionable whether there is currently an adequate evidence base to determine the quantum and scope of such contributions which should be directed to Dacorum from the proposed development in the SALP.
- Requirement for other uses – There is a number of uses within Hemel Hempstead that require larger premises to accommodate a growing town or need to be relocated in order to facilitate development. An example of this is the Council's Household Waste Site which is located on a constrained site. Dacorum has identified a number of other commercial and service facilities which need to be relocated to support the generation of key sites within the town. Again, joint working between the two Authorities is essential to identify and secure the realisation of these needs and this needs recognition in the SALP.

- Gypsy and Traveller Provision – Dacorum objects to the provision of two additional sites in the East of Hemel Hempstead as we feel this would lead to an over-concentration of sites (existing and proposed) in one area. This would be in addition to the existing HCC site at Three Cherry Trees Lane and a further 2 sites in the Redbourn area. St. Albans should reconsider this approach and adopt a more dispersed strategy for provision and test the feasibility of other locations.
 - Governance role – It is essential that Dacorum has full input to shape development proposals that are immediately on its doorstep to ensure that our own place shaping aspirations in relation to Hemel Hempstead, and its transformation are delivered. To deliver this Dacorum requires an acknowledgement in the text of the St Albans Local Plan to set out the arrangements that will be put in place to both set the policy framework (through the LP, subsequent DPDs and SPDs) and the determination of applications at East Hemel Hempstead.
9. These critical issues therefore having a significant impact on at least two Planning areas, clearly fulfils the definition of “*strategic matter*” within the meaning of the Act.

2. *Should these be set out in the Plan?*

10. Dacorum Council is of the view that the issues outlined in response to question 1 are fundamentally important strategic matters which should be clearly set out in the SALP as an essential pre-requisite for the sensible and effective planning of land to the North and East of Hemel Hempstead. Dacorum considers that the most effective way of addressing all issues is for a Statement of Common Ground to be agreed prior to the adoption of the plan.

Overall Housing Provision

4. *Are there issues of unmet need from within the neighbouring Authorities? If so, how are these being addressed?*

11. There has been a long-standing expectation that development in St. Albans adjacent to Hemel Hempstead should contribute to meeting the requirements of Dacorum Borough both in relation to housing and employment. These expectations have their genesis in the Report of the Inspector into the adopted Dacorum Core Strategy who found the Plan sound subject to a requirement for an early partial review of the Plan to include:-

12. *“the role that effective cooperation with Local Planning Authorities could play in meeting any housing needs arising from Dacorum. This element will include St. Albans District and relevant areas lying beyond the Green Belt”.*

13. The Dacorum Core Strategy Inspector therefore clearly signalled a need for the two Authorities to cooperate with a view to seeing whether any housing needs arising from Dacorum should be met adjacent to Hemel Hempstead within St. Albans District.

14. Dacorum wishes to direct the Inspector to its Statement of Representations to the Publication Draft dated 17 October 2018 (Appendix 1), Dacorum’s response to question 1. These highlight that a formal Statement of Common Ground is yet to be reached that satisfactorily addresses needs arising from Dacorum’s own development needs.

5. *Have specific concerns been raised through the duty to cooperate discussions or representations?*

15. DBC has welcomed the change of approach from SADC since 2016 and is working in a much more collaborative way with DBC and other authorities. SADC has joined the South West Hertfordshire (SWH) Group of local authorities of which DBC is also a partner. The SWHG meets on a regular basis to discuss strategic issues of common interest and a shared evidence base is being prepared covering a range of themes and issues.

16. Following the Inspector's decision on the 2016 submission a number of DtC meetings have also been held between DBC and SADC. Nevertheless, as expressed in DBC's letter of 17 October 2018 (Appendix 1) DBC still had a number of concerns regarding SADC's approach to DtC. The above concerns were repeated at a further DtC meeting between DBC and SADC on 22 January 2019 (Appendix 2). A further letter was sent to SADC on 3 December setting out DBC's position on several issues. At the time of writing these matters have yet to be formally resolved in a Statement of Common Ground between the two authorities.

6. *Does the overall housing provision being planned for in St. Albans City and district Area have any implications for other Authorities? If so, what are they and how are these being addressed?*

17. Dacorum wishes to direct the Inspector to its Statement of Representations to the Publication Draft dated 17 October 2018 (Appendix 1), its letter dated 3 December 2019 and responses raised elsewhere in our Matter Statement the absence of a signed Statement of Common

Ground between the two authorities. These highlight that a formal Statement of Common Ground is yet to be reached that satisfactorily addresses these cross boundary issues.

18. A further issue is whether the approach taken in the St. Albans Plan effectively undermines the ability of Dacorum to consider land to the East of Hemel Hempstead to meet some of its own housing, employment, infrastructure and other development needs.

7. *In overall terms has the Council engaged constructively, actively and on an on-going basis in maximising the effectiveness of the preparation of the Plan? What has been the outcome of cooperation and how has this addressed the issue of housing provision?*

19. Since the strategic Local Plan Inspector's decision on the duty to cooperate of 28th November 2016 and the rejection of the subsequent judicial review application, there has been a far more collaborative approach from St. Albans; for example:-

- St. Albans has joined the South West Hertfordshire (SW Herts) group of Local Authorities and is committed to working on a joint strategic plan for South West Herts
- St. Albans together with the other SW Herts Authorities commissioned Consultants to produce a SW Herts Local Housing Needs Assessment and Economics study update
- SADC and DBC are working closely with the Crown Estate on master planning and delivery arrangements for the proposed East and North Hemel Hempstead development referred to now as "Hemel Garden Communities" (HGC). This joint working extends to a bid for funding and support from MHCLG and Homes England through its Garden Communities Prospectus programme.

20. However, there remains a number of issues (referred to elsewhere in this Matter Statement) that require resolution through a Statement of Common Ground between the two authorities, other statutory bodies and the promoters as appropriate.

Jobs, Growth and Employment Land Provision

8. Who has the Council engaged with in terms of jobs growth and employment land provision and what form has this taken?

21. DBC considers that the main issues that should have been resolved through DtC discussions are: 1) What level of jobs growth and employment land provision is required in St Albans District over the Plan period, and 2) Given the overall employment land requirements and availability across South West Hertfordshire, should some of the jobs and/or employment floorspace at the East Hemel Hempstead (central) Broad Location count towards Dacorum's targets?

22. On reviewing the evidence base submitted for the Plan DBC concludes that the main employment evidence base for the St Albans Local Plan is the in-house document EMP 003 (Economic Development and Employment Land Evidence Technical Report). This report was produced in-house by SADC in April 2016 and was intended to provide the main employment evidence base for the now abandoned St Albans Strategic and Detailed Local Plans. SADC carried out no engagement with DBC during the preparation of the report.

23. However, DBC considers that far more weight should have been given to the South West Hertfordshire Economic Study (EMP 002) and the emerging update (EMP 001).
24. EMP 001 is the South West Herts Economic Study Emerging Draft. This is the draft version of the South West Hertfordshire Economic Study Update (completed September 2019 – included in the examination library, but without a number). DBC is pleased that SADC was one of the commissioning authorities for the Economic Study Update, but both the draft and finalised documents were issued too late to influence the St Albans Local Plan.
25. EMP 002 is the South West Hertfordshire Economic Study. This study was commissioned by all the South West Hertfordshire authorities except St Albans (i.e. Dacorum, Hertsmere, Three Rivers and Watford councils) and produced by consultants Regeneris Consulting and GL Hearn in February 2016.
26. Unfortunately, SADC's welcome involvement in the South West Hertfordshire Economic Study Update has come too late to inform the submitted St Albans Plan.
27. Turning to Issue 2, SADC has stated at DtC meetings with DBC that it may be prepared for some of the employment growth at East Hemel Hempstead to count towards meeting Dacorum's needs. However, it has not proved possible to reach an agreement on this issue.

9. *What are the Inter Relationships with other Authorities in terms of Economic Activity, Travel to Work and the Market for Employment Land and Premises?*

28. St Albans District forms part of the S W Herts Functional Economic Market area along with Dacorum, Hertsmere, Three rivers and Watford districts. We consider that this should be recognised in the SALP and particularly in Policy S5. The following conclusion is drawn in paragraph 2.57 states:

29. “There are clear relationships internally within South West Herts (Dacorum, Hertsmere, Three Rivers and Watford) indicating that this area is a useful starting point in determining a FEMA for the area. The data also points towards the inclusion of St Albans.”

10. *How have these Inter-relationships been taken into account in preparing the Plan in terms of Jobs Growth and Employment Land Provision?*

30. From our response to Questions 8 and 9 above, it can be seen that insufficient account has been taken of the inter-relationships between the five South West Hertfordshire authorities and in particular of the very close inter-relationship between Dacorum and the East Hemel Hempstead (central) Broad Location.

31. Dacorum supports the proposal for a significant new employment development in the East Hemel Hempstead (Central) broad location (55 hectares). The proposed extension would be to the Maylands Employment area which is Dacorum’s largest employment area. Dacorum’s

evidence currently identifies an unmet need of industrial floor space of c. 60,000 sqm and c. 83,000 sqm of office floor space in Dacorum. Given the fact that the proposed extension is to Dacorum's largest employment area and the size of Dacorum's unmet need Dacorum considers part of the allocation in the SALP should meet this need. However, no agreement has been reached on this issue (see response to Questions 1 and 2).

11. *In Overall Terms has the Council Engaged Constructively, Actively and on an on-going basis in maximising the effectiveness of the preparation of the Plan? What has been the outcome of cooperation and how has this addressed the issue of Jobs Growth and Employment Land provision?*

32. There has been good cooperation, particularly in relation to the S W Herts Economic Study Update but there has been no formal agreement that part of the 55 hectares allocation in the SALP adjacent to Hemel Hempstead should count towards meeting the outstanding need within Dacorum.

Transport Infrastructure

12. *What are the Strategic Matters and Particular Issues?*

33. Dacorum does not believe that the current evidence base adequately identifies the Strategic Transport (and other) Infrastructure requirements for the future growth of Hemel Hempstead

and further work is required. Formal agreements need to be in place which identify the cross-boundary issues and how they are to be resolved.

14. *In Overall Terms has the Council engaged Constructively? What has been the Outcome of Cooperation and How has this addressed the issue?*

34. At the time of writing a Statement of Common Ground between the two authorities is not in place to enable this Council to confirm that a satisfactory outcome has been reached across a range of issues.

Other Strategic Matters

21. *What are the other Strategic Matters and particular issues?*

35. Please refer to response to question 1.

Broad locations for development

25. Are there cross boundary issues in relation to any of the proposed site allocations such as transport or other infrastructure requirements? If so how have they been addressed through co operation?

36. As outlined elsewhere in this Matter statement Dacorum there remain a number of strategic issues that need to be resolved but a formal Statement of Common Ground has yet to be reached. Having said the Council's are working together through the Hemel Garden Community Board. The next board meeting is 19 December 2019 where a Memorandum of Understanding, Governance Structure and Terms of Reference are to be agreed.

37. Despite this it is the view of this Council that cross boundary issues require resolution through the Plan making process to ensure the framework is established in a statutory Plan.