

# **St. Albans City & District Local Plan Examination Matters, Issues & Questions**

**Response to Matter 3 on Behalf of Canton Ltd.**

**December 2019**



**Woods Hardwick**  
Architecture | Engineering | Planning | Surveying

### **Issue - The Spatial Strategy, Settlement Hierarchy and Development Strategy**

**Q6. *Is the proposed development strategy set out in Policy S2 appropriate and realistic?***

- 6.1 The proposed development strategy is considered neither appropriate nor realistic as it is entirely reliant on a small number of large urban extensions at the 'Broad Locations' along with a new settlement at Park Street 'Garden Village'.
- 6.2 These Broad Locations for growth are of such a scale that the quantum of housing proposed to be delivered cannot reasonably be considered realistic. Research on timescales for delivery and annual yield undertaken by Nathaniel Lichfield and Partners in their '*Start to Finish Report*' found that larger sites do not result in a proportionate increase in build-out rates. In allocating the majority of the Plan's housing requirements in these Broad Locations there is a likelihood that the Council will be unable to meet their minimum housing requirement over the plan period. Nonetheless, even if it could be demonstrated that this would not be the case, the sizeable expansions at these locations would be contradictive to the functions that the Green Belt serves leading to urban sprawl and coalescence.
- 6.3 Policy S2 stipulates that the "exceptional circumstances" required to justify the release of Green Belt land for development only exist in the Broad Locations identified in the emerging Local Plan, however, that position does not stand up to scrutiny. As expressed in the representations at the Regulation 19 Stage on behalf of Canton Ltd, it is the significant need for housing that creates the exceptional circumstances that warrant changes to the Green Belt boundaries in the District. The purpose of undertaking the Green Belt Review was to inform the most appropriate locations for releasing land. There is no justification given by the Council in the LP's evidence base as to why Category 3 (Green Belt) Settlements, such as Colney Heath, do not meet the exceptional circumstances for Green Belt release and have no site allocations. In this respect, the strategy is considered inappropriate.
- 6.4 All settlements in the District are surrounded by Green Belt land, and the Green Belt Review, discussed in depth in our Matter 4 Response, does not contain an evaluation of smaller Green Belt parcels so as to accurately and affectively determine how significant the functions which these Green Belt areas serve are in the context of Green Belt purposes outlined in the NPPF, particularly in the context of more rural settlements.
- 6.5 Were the development strategy to include a better mix of sites with a number of small and medium allocations on land adjoining villages balancing the Broad Locations it would have a more realistic chance of delivering the scale of development required.
- 6.6 Furthermore, one of the core functions of the Green Belt, as defined in Paragraph 134 of the National Planning Policy Framework Policy, is to check the unrestricted sprawl of large built-up areas and to prevent neighbouring towns from merging into one another. All Category 1 settlements are to be expanded with little, if any, consideration given to the consequences this will have on urban sprawl or coalescence. Green Belt settlements have been restricted to infill growth only due to the important Green Belt functions these settlements serve. However, the Green Belt functions of the land in between St. Albans and Harpenden, and Hemel Hempstead and Redbourn are also of importance and will be severely diminished if expansions at north of St. Albans and east of Hemel Hempstead are achieved. Again, the development strategy approach to the Green Belt is detailed further in our Matter 4 Response, and should be read in conjunction with the above.

- 6.7 Paragraph 138 of the NPPF requires that where it is necessary to revise the Green Belt boundaries to release land for development, first consideration should be given to land which “*is well-served by public transport*”. We consider this specifically refers to existing provision as, certainly, new development can make for future provision of public transport, and if viewed in this context, it would then undermine this policy objective. In allocating large sites for growth, equally large provision will need to be made for public transport as these sites will not be able to take advantage of existing public transport infrastructure in a sustainable manner.
- 6.8 Equally, it cannot be deemed to be a sustainable pattern of development which is also required for the release of land from the Green Belt under the same paragraph. Park Street Garden Village, for instance, has a minimum 2,300 homes allocated under Policy 6(xi) and is intended to be a new settlement; therefore, it is in direct contravention with Paragraph 138.
- 6.9 We are of the position that a development strategy that places greater emphasis than current on Category 2 and 3 settlements via small and medium growth is likely to be more viable without risk of non-delivery or insufficient delivery, and would not severely diminish the functions of the Green Belt as the current development strategy does. It would also represent sustainable patterns of development as smaller allocations of appropriate scale would in fact benefit from the existing public transport infrastructure in more rural settlements, with appropriate developer contributions enhancing these where necessary. Certainly, lack of adequate growth in the rural settlements would not suggest the proposed development strategy as set out in policy S2 is appropriate. It is currently considered to be unsound on the basis it is not positively prepared or effective, as will fail to deliver the housing requirement and is also not justified as it is not an appropriate strategy when considering the alternative of a more balanced strategy including small and medium allocations to ensure consistent delivery.
- Q7. *Will this provide a sufficient mix of sites and provide the size, type and tenure of housing to meet the needs of different groups in the community? Does this reflect the evidence from a local housing needs assessment?***
- 7.1 No. Housing is strictly intended to be supplied via large sites - more specifically, the Broad Locations for growth - and makes no further provision for allocated housing sites. Consequently, this would not provide a sufficient mix of sites.
- 7.2 Only one of these is allocated in a settlement in a Category lower than 1. Subsequently, the Council has no spatial or development strategy in place to meet the needs of the smaller communities in the plan area let alone meet the needs of different groups in these communities.
- 7.3 As a result, a number of small to medium scale developers would struggle to bring forward housing, if at all, of varying sizes, types and tenures in rural areas given the very restrictive policies under the currently proposed Plan for rural settlements. Indeed, there are a number of sites, such as one put forward by our client in Colney Heath, that is of an appropriate scale so as to make provision of various types and tenures, yet would not be permissible. The lack of a local housing needs assessment which identifies rural need masks this further by failing to highlight the projected growth and needs rural areas would require over the plan period.

**Q8. Should the Plan include some small and medium size sites in order to provide greater choice and flexibility and accord with NPPF paragraph 68?**

- 8.1 Yes. Paragraph 68(a) of the NPPF requires that it be demonstrated through the preparation of relevant plan policies that there are strong reasons why 10% of the housing requirement cannot be met on sites no larger than one hectare. As aforementioned, the Council's decision to favour substantially larger sites was made on the basis, as established in the relevant plan policy, that:

*"The 'exceptional circumstances' required for Green Belt release for development only exist in the Broad Locations set out in Policy S6 and the Policies Map. They also only exist for the specific forms of development and with the required elements set out in Policy S6, the Policies Map and other Policies in the Plan."*

- 8.2 However, it has been demonstrated in the response to previous questions that this is not the case. Growth in smaller settlements than those in Category 1 is minimal, disregarding the existing facilities and services these provide for small and medium sites, to include existing public transport infrastructure. These would undoubtedly represent sustainable patterns of development (if development of appropriate scale is brought forward) as compared to urban extensions which will necessitate the provision of entirely new infrastructure to include public transport, healthcare, education, amenities, etc. It is of significant concern that three Broad Locations for growth serve a single settlement, Hemel Hempstead, to total 45% of the housing allocation in Broad Locations overall. This does not provide any reasonable degree of choice or flexibility for residents of the District with respect to housing, whereas our client's proposed development at Colney Heath would cater to members of the local community and adjacent communities, whilst also providing necessary developer contributions to enhance existing infrastructure which would otherwise not take place.

- 8.3 Furthermore, the minimum allocations made in the Broad Locations for growth fall short of the required housing over the plan period. A minimum of 12,345 of homes are to be provided in these Broad Locations with 10,545 expected to come forward in the plan period, or 72% of the minimum housing requirement. Current small sites with existing planning permission have been allocated in the plan and these contribute 944 homes to the required supply, bringing the total amount to 79%. This excludes any appropriate buffers that must be applied in accordance with Paragraph 73 of the NPPF. If the Council expects the remaining 21%, or 3,066 homes - a clearly substantial amount - to come forward via windfall sites then in accordance with Paragraph 70 of the NPPF:

*"there should be compelling evidence that they will provide a reliable source of supply. Any allow allowance should be realistic having regard to the strategic housing land available assessment, historic windfall delivery rates and expected future trends."*

- 8.4 This should be read in conjunction with Paragraph 68 which stipulates in subparagraph (c) that local planning authorities should:

*"support the development of windfall sites through their policies - giving great weight to the benefits of using suitable sites within existing settlements for homes" (my emphasis).*

- 8.5 Given that much of the plan area falls within land classified as Green Belt, it cannot be considered that the existing policies, and indeed the development and spatial strategy, support the delivery of windfall sites. In particular, Policy LP5 only permits development

within Green Belt settlement envelopes where they accord with Policy S1 in addition to the following criteria:

1. *“The land should be previously developed or part of a previously developed property area;*
2. *Small scale development consisting of a maximum of 10 dwellings or a similar scale of non-residential development*
3. *The site is an infill site, defined as a small gap in an otherwise continuously built up road frontage or the small-scale redevelopment of existing properties within such a frontage. Gaps may not be filled where they form an intrinsically important feature that contributes to the environmental character of the settlement or wider area*
4. *The development proposed should reflect the existing character of the settlement, with particular reference to any Neighbourhood Plan and/or Conservation Area Character Statement.”*

- 8.6 There are no other policies regarding the delivery of housing other than those put forward in Policy S6 (Broad Locations) and Policy L5 (Small Scale Development in Green belt Settlements). Evidently, the scope of the development strategy in Policy S1 and the restrictive criteria of Policy L5 do not give adequate support for the delivery of windfall sites to meet the housing requirement. The current Plan insists on large scale development via the erosion of equally large swaths of Green Belt - where the significance of such an effect would be far more substantive than loss of smaller sections of the Green Belt- to meet housing need thereby disregarding the local need in lower Category settlements. Policy L5 will not provide for sufficient choice and flexibility in the housing market, nor will the Broad Locations; therefore, it cannot be considered that these relevant policies in the Plan support the delivery of windfall sites in accordance with Paragraph 68(c).
- 8.7 Ultimately, the Council has not demonstrated compelling evidence to suggest windfall sites will prove to be a reliable source of housing supply - indeed, there is no direct mention that windfall sites will contribute to the housing supply even if this were the case. Any ambition to include and/or rely on windfall sites in the delivery of housing requires less restrictive policy, compelling evidence that they will contribute to the supply of housing, and the appropriate amendments to the spatial and development strategy. Otherwise, the Plan would necessitate the allocation of small and medium site so as to meet the minimum housing requirement in accordance with Paragraph 68.

