



## **EXAMINATION OF THE ST ALBANS CITY AND DISTRICT LOCAL PLAN.**

Response on behalf of Linden Homes (Bricket Wood) Ltd (response ref 1186996).

### **Matter 3 – The Spatial Strategy, Settlement Hierarchy and Development Strategy (Policies S1 and S2)**

#### **Main Issue**

Whether the Spatial Strategy, Settlement Hierarchy and Development Strategy is justified, effective and consistent with national policy.

**N.B. Detailed issues concerning the individual broad locations for development will be dealt with under Matters 6 and 7.**

#### **Questions**

**1. What is the basis for the overall spatial strategy and broad distribution of growth set out in policy S1? What options were considered and why was this chosen?**

- 1 We act on behalf of Linden Wates (Bricket Wood) Limited who have a controlling interest in the majority of the former HSBC Training Centre at Smug Oak Lane, Bricket Wood, Hertfordshire. The site benefits from an outline approval for its redevelopment originally granted in June 2016 (LPA Ref: 5/2014/3250 and PINS Ref: APP/B1930W/15/3028110). Reserved matters permissions have been granted on the whole site since and development has now commenced.
- 2 For contextual purposes, a copy of the Location Plan, the approved Illustrative Masterplan and Parameters Plan are appended as Annex C to this statement. This provides an indication of the area identified as previously developed land by the Secretary of State when allowing the 2016 appeal.
- 3 As detailed in our Regulation 19 representation, we do not consider that the overall strategy and broad distribution of growth set out in Policy S1 is consistent with the NPPF (as revised in 2018 and 2019). Paragraph 138 of the NPPF is clear in stating;

**‘When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the**

**environmental quality and accessibility of remaining Green Belt land'. (Our emphasis).**

- 4 At the outset we wish to make clear that we do not object to the principle of greenfield Green Belt release sites, indeed for the reasons set out in our representations relating to the District's overall housing need there is a potential requirement to increase the amount of identified land to meet the District's housing needs (that are to be applied on a minimum basis consistent with NPPF paragraph 60). However, our representation focussed upon the inconsistency in the Council's approach in respect of its treatment of the accepted previously developed site at the former HSBC Training Centre (and one that is within walking distance of public transport) and such this failure to fully consider the potential of previously developed land is a key soundness concern with the submitted Plan.
- 5 As was the case with the former HSBC Training Centre, appeals for residential redevelopment of previously developed sites have been allowed on sites across the City and District of St Albans. Since the NPPF (2012) version was published, these appeals have included 22 dwellings at Chester Nursery, Oaklands Lane, Smallford (allowed 18/12/13); 100 dwellings a BRE, Bucknalls Lane, Garston (allowed 13/10/14) and at Oaklands College, St Albans Campus (allowed 1/11/17). Whilst the latter is within a now proposed strategic growth area (Policy S6 of submitted Plan)), the others are not. There are two important points arising from this. First, this form and type of site has contributed a material number of dwellings towards the Council's housing needs over the recent decade. Indeed, in the absence of an up to date Local Plan, they have been very important in keeping housing delivery in the District moving. The need for and benefit of such sites in meeting housing needs is now emphasised in yet greater strength through NPPF paragraph 138. Second, and as a point of methodology, these approved appeal locations should have been actively considered for exclusion from the Green Belt.
- 6 Similarly to the former HSBC Training Centre, the BRE facility is also well served by public transport services at Bricket Wood. Therefore, in accordance with the NPPF, this area alongside other acknowledged previously developed sites should have been considered for growth.
- 7 The failure of the Council's strategy in Policy S1 to full assess the potential of previously developed sites, especially where they are well served by public transport means that it is inconsistent with the NPPF. These locations should have been reviewed in the first instance and as highlighted in our representation, the Council's Green Belt Review did not adequately distinguish previously developed land from greenfield sites in undertaking the analysis of parcels for potential removal from their limited contribution towards Green Belt purposes. This concern is covered further in our statement relating to matter 4.
- 8 We acknowledge that paragraph S2.3 of the Revised Submitted Plan (ED25E0) states:

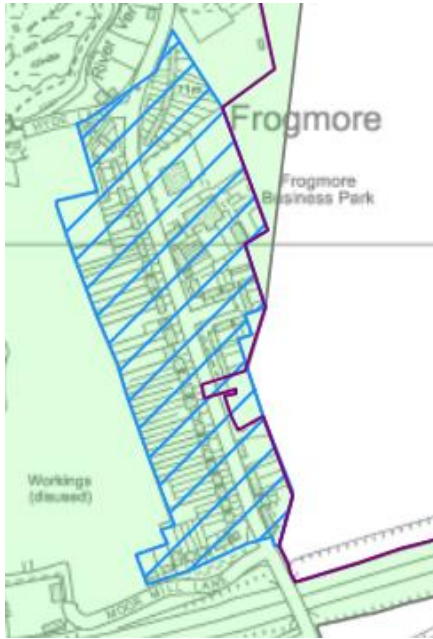
**'Housing, employment, retail, leisure and all other built development will be prioritised within urban areas, and on all forms of Previously Developed Land (PDL), including PDL in the Green Belt. This will ensure efficient use of land and minimise changes to the extent and openness of the Green Belt. New housing will be built in sustainable locations and aid in securing appropriate infrastructure provision and overall community benefits for the District as a whole'.**

- 9 However, as indicated above (alongside our representations), it is not considered that the submitted Plan reflects this statement. To address this, the Council should reconsider its approach and commit to the removal of previously developed sites from the Green Belt, where the principle of residential development has been accepted through permissions. One such appropriate example is the Linden Homes' site at the former HSBC Training Centre off Smug Oak Lane, Bricket Wood that forms a now implemented detailed permission for 138 units on entirely previously developed land and is sited within 500 metres of Bricket Wood train station (see extracts appended as Annex D, when measured from its Drop Lane access point).
- 10 The Council's response of 24/5/19 (ED18) to the Inspector's Initial Question 16 does not indicate or confirm that the full potential of previously developed sites in the Green Belt was considered in the preparation of the spatial strategy and associated broad distribution of growth. In the absence of detailed evidence considering this point and a more site specific review of previously developed land sites such as the former HSBC Training Centre, the plan cannot be found to be consistent with NPPF paragraph 138 as drafted and therefore fails the consistent with national policy test of soundness.

**2. Is the growth in large villages consistent with their position in the settlement hierarchy set out in policy S1?**

- 11 As indicated in our representation, taking account of the Secretary of State's acceptance that the whole former HSBC Training Centre comprises previously developed land, it should have been included as the equivalent of a large village excluded from the Green Belt. This would reflect the approach advocated by the Council with respect to the Park Street Garden Village. Alternatively, as indicated in the representation, the extent of Bricket Wood inset from the Green Belt should have been revised to include the former HSBC Training centre.
- 12 We refer to the identified Green Belt settlements, that comprise Annables and Kinsbourne Green; Colney Heath (three parts); Folly Fields; Gustard Wood; Lea Valley Estate; Radlett Road (Frogmore); Sandridge; Sleepshyde & Smallford. A few examples of these villages proposed to be identified as settlements but that would remain inside the Green Belt are illustrated below:





**Extracts from Submitted Local Plan Policy Map**

- 13 We refer to the above examples for two reasons. Firstly, the scale of these Green Belt settlements are in a number of cases similar to if not smaller than the scale of (now commenced) development at the Former HSBC Training Centre site. Had as part of the Green Belt Purpose Assessment the Council looked specifically at the Former HSBC Training Centre site in isolation and in the context of the now implemented residential development, there would have been logic in including it as a settlement given its similar scale to the identified examples. Secondly, the NPPF at paragraph 140 states:

**'If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt'.**

- 14 The identified Green Belt settlements are tightly drawn and will have the characteristic of a residential, developed character. There is no justification for why the settlements need to remain inside the Green Belt and instead if for some reason they require protection for other reasons development management policies should be used. The submitted plan is therefore inconsistent with national policy again in this regard.

- 15 The former HSBC site off Smug Oak Lane, Bricket Wood was accepted by the Secretary of State to be a previously developed site for which redevelopment was acceptable for 138 dwellings (as indicated in our original representation). Annex A to this submission includes reference to examples from other Local Plans relating to the inseting of villages from the Green Belt.
- 16 When the accepted wholly previously developed site alongside the committed residential scheme at the former HSBC site is compared to villages inset by for example Guildford Borough I.e. Flexford, Normandy, Peasmarsh they would be of comparable scales. Since the Inspector examining the Guildford Local Plan accepted that development within these villages would not impact upon the open character of the Green Belt, this is the same test as within paragraph 145 (g) of the NPPF. In this context, given the acceptability of redevelopment of the former HSBC site, it should likewise be inset from the Green Belt as a new community. The inseting of the former previously developed site at Smug Oak Lane should therefore occur alongside that of the villages in this tier of the settlement hierarchy, especially given the site is readily accessible to rail services available at Bricket Wood station.
- 17 In summary, the availability of previously developed land at the BRE and former HSBC Training Centres to the south and east of Bricket Wood (respectively) provide examples that would have provided scope for more significant development in and around Bricket Wood consistent with NPPF paragraph 138. Further, the identification of settlements as white land would also have assisted in the role of such locations contributing towards minimum housing needs. Our representation also details an amendment to the Plan to cover the NPPF's support for redeveloping previously developed land which should be made alongside that indicated above.

**3. Has the settlement hierarchy taken account of facilities in neighbouring settlements, outside of the local authority's boundary? If not, should it?**

- 18 No comment on this question.

**4. Does the Plan clearly set out the approach to be taken to proposed development in the countryside? If not, should it?**

- 19 This is covered in our statement concerning matter 4 - Green Belt.

**5. Is there a need to define settlement boundaries?**

- 20 No, since this the extent of settlements is defined by the Green Belt. We do however question the soundness of how the Green Belt boundaries have been drawn for the reasons set out in our wider representations.

**6. Is the proposed development strategy set out in policy S2 appropriate and realistic?**

- 21 No. As indicated in our response to questions 1 and 2 alongside our representation it is clear that the Council should have considered the potential of previously developed sites in the Green Belt as an important option for removal, especially on examples such as the Former HSBC Training Centre where such sites they have been endorsed for housing through appeals. Our representation emphasises the approach pursued in the Green Belt Reviews did not adequately distinguish between greenfield and previously developed parcels resulting in an appraisal inconsistent with the NPPF (see commentary on pages 6 and 7 of representation).

This failure is subsequently manifests into the approach towards the settlement hierarchy in draft policy S2 which fails to optimise the full potential of such land.

- 22 To address this and as indicated in our representations, the former HSBC Training Centre should be omitted from the Green Belt and included within the settlement hierarchy as an appropriate settlement for development, predicated upon its previously developed nature and proximity to public transport.
- 23 Furthermore, as indicated in the representation, 2012 (paragraph 84) and 2018 (paragraph 14 (same in 2019 edition) of the NPPF all confirm that only where a village makes an important contribution towards the openness of the Green Belt, should they be retained as a washed over. The Council has not provided this assessment and therefore to ensure consistent with the NPPF (paragraph 140), these Green Belt settlements should be inset. This is a further necessary change to the submitted plan alongside the exclusion of the former HSBC Training Centre from the Green Belt.

**7. 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?**

- 24 No comment

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

- 25 No comment

**9. Does this strategy rely on windfall housing and if so, is this made clear in the Plan and is it based on the advice in paragraph 70 of the NPPF?**

- 26 No comment