

ST ALBANS CITY & DISTRICT PLAN EXAMINATION

MATTER 3

LAND AT COMMON LANE, HARPENDEN

DEREK BROMLEY FRICS, BIDWELLS

REPRESENTING

K SCOTT ON BEHALF OF THE TRUSTEES OF THE G A SIMONS FAMILY TRUST

1. The Council's strategy is fundamentally no different from the earlier failed plan. It seeks to accommodate the great majority of its housing need in a few strategic sites comprising green fields at the edge of settlements. The addition is the Park Street Garden Village proposal.

Question 8 – Mix of Sites

2. There is no evidence the Council has undertaken a comprehensive analysis of the SHLAA sites to determine whether each serves the purposes of including land within the Green Belt (para 134 NPPF), neither whether it is necessary to keep sites permanently open (para 139 b NPPF).
3. The NPPF paragraph 67 requires that planning policy should identify a sufficient supply and mix of sites, taking into account availability, suitability and economic viability.
4. The NPPF paragraph 68 refers that small to medium size sites can make an important contribution to meeting the housing land requirements and can often be built relatively quickly. It is therefore clear that such sites can make a positive contribution where the housing trajectory for the first few years of the plan is below the annual requirement, especially where a plan is primarily focused on a few large scale developments.
5. The NPPF Paragraph 68 states, that Local Authorities should identify through the Development Plan and Brownfield Register, land to accommodate at least 10% of the housing requirement on sites no larger than one hectare unless there are strong reasons why the 10% target cannot be achieved. The Council's SHLAA identified many potential small sites around the edges settlements which could be taken forward for housing without causing material Green Belt impact. It is of concern that the Council has chosen instead to concentrate meeting its housing need through large scale strategic sites. At this stage in the planning process, the Council cannot categorically ensure that such large scale sites will be subdivided to levels where small to medium enterprises can enter the market and contribute to housing delivery or that these large scale sites will in part be subdivided to produce parcels of up to 1 hectare. .
6. The only evidence so far provided by the Council relating to small sites is Appendix 5 of the Submission Plan. A number of these sites have already been developed, but in any event the total falls woefully short of the 10% benchmark of housing sites of less than one hectare. Many of the sites in Appendix 5 of the Submission Plan are for single dwellings comprising of knock down and rebuild for owner occupation, where the work will be done by small building contractors. It is not providing the opportunities of small to medium house builders to acquire sites for new housing delivery.
7. In the recent past windfall opportunities in St Albans district have largely been achieved by the change of use from offices to residential, that has all but been exhausted in part due to the rise in offices rents, which has impacted upon the viability of residential conversions (notably 45 Grosvenor Road – now seeking office lettings). The city of St Albans has lost 5,575 sq metres of offices to residential conversion.
8. Given the high values within the District, developers have eked out under used/valued sites for residential re-development over many years. The prospect of historic levels as windfalls being maintained is very unlikely with the diminishing opportunities. The Council can't realistically rely on windfalls, which as the name implies, are unidentified sites, to provide sufficient land availability of small sites. The council should be making specific provision within its plan so as to achieve the objectives of para 68 NPPF.
9. A purpose of the NPPF policy was to provide through the planning system, sites which would be available for small to medium house builders, bearing in mind that during the post-war years where new house building was at its highest level, much was built out by the small to medium

house builders. The Government's aim is to assist such house builders by providing that the planning system makes available small sites whereby they are able to compete in the market. The larger scale sites are dominated by a few large house builders and the strategy in the St Albans plan is for large scale sites. The Council's strategy should have reviewed the Green Belt boundaries adjoining existing settlement edges following the site's assessments under the SHLAA. In such circumstances, it would have been evident that there are a number of small sites around settlement edges which could easily provide small housing sites and these would:

- a) Assist in the dispersal of housing around the district;
- b) Provide organic growth to settlements;
- c) Provide early delivery of housing, since there would not be a long lead-in time;
- d) Support local community facilities, such as nurseries, primary schools, shops, pubs etc/
- e) Occupiers of small developments integrate better into the local community.

A site which would fall within this category is identified edged red in Appendix 1. In fact due to the acquisition of an access by Herts County Council, the site falls in two parts, which are shown as A and B. Site A is 0.285 hectares and Site B approximately 0.162 hectares.

10. The SHLAA 2016 update referenced the subject site as 442. The Council's assessment form is provided in Appendix 2. A review of the assessment is that the Council regards the site as being woodland/grassland, whereas due to a change in circumstances resulting from the construction of the school, it comprises of disused grassland and the woodland is, as it has always been, comprises a hedge along the frontage of Common Lane. A hedge which is overgrown and which requires for good management to be cut back. Whilst the SHLAA recognises the Herts County Council's possible school site, it was done at a time when the school did not have planning permission and as noted above, this has materially changed the character of the area. The assessment is therefore based on the site as it was pre-planning permission. In the section under 'Site Suitability', it regards the access as poor even though the sites have frontage to Common Lane. Under heading 'Would the development cause demonstrable harm to the character of the area', the Council's response is 'Yes', but there has been a material change in circumstances and as a consequence is no longer a valid response. In relation to the points 'Would the development result in an unrestricted sprawl of built-up areas; that the scale and nature of the development would be large enough to significantly change the size and character of the settlement; the development would result in neighbouring towns merging into one another and the development would result in encroachment into open countryside', the Council's response in relation to each of those is either 'Significant' or 'Partial', none of which are now applicable to the change in circumstances. The Council's response to 'Would the development of the site affect the land that is presently rural rather than urban in nature and the development would be visually intrusive from the surrounding countryside', again, Council have replied positively, yet that bears no resemblance to the current situation.
11. Due to the land now being severed, it comprises a strip which is no longer viable for agricultural purposes. To that extent, it is disused and becoming derelict.
12. It is difficult to envisage that the removal of this site from the Green Belt would create additional development pressure on adjoining land as it now comprises of infill effectively surrounded by development.
13. In summary, the site's suitability, policy constraints and characteristics have changed dramatically with the planning permission for the secondary school and its construction.

14. Notwithstanding the Council's erroneous site analysis, nevertheless the Council regarded this as a potential site. The SKM Green Belt review report considered the contribution to the Green Belt having regard to a wider area and not in relation to this specific site, neither having regard to the material change in circumstances resulting in the construction of the school.
15. The school was granted planning permission in February 2018, the start date for the plan period proposed by the Council.
16. The sites at Common Lane comprise a frontage strip which adjoins the settlement edge of Harpenden. The strip has a depth of 37m. As shown on the plan Appendix 1 it is contained by a new school building to the east and is opposite housing. To the north the buildings were used for agricultural purposes. However, since the purchase of the land for the school (subject to a Council resolution to compulsorily acquire) the buildings will be the subject of an application for change of use to four residential units under Class Q of the General Permitted Development Order 2018. In essence, these narrow sites are contained on all four sides and no longer function as part of the wider rural area. The construction of the new school has dramatically changed the character of the area, but this has not brought about a reappraisal of the site by the Council.
17. The sites with road frontage are fully serviced by existing infrastructure. The residential properties would face the road and back onto the school buildings. The school's outdoor play areas are shown on the approved drawings and it will be seen that they are shielded by the school buildings from the sites.
18. The sites also provide opportunity for self build given the plots can be developed independently and all accessed and serviced from the existing highway.
19. In summary the Council's Development Strategy is inconsistent with the NPPF. It has failed to identify sufficient small sites. Visually the 2 sites in Common Lane read as part of the Harpenden settlement and should be identified for housing within the plan as meeting part of the Council's identification of a suitable number of small sites. The Council should review its strategy and the potential sites identified in the SHLAA.

APPENDIX 1

Site Plan

KEY

SOFTWORKS

- Proposed tree
- Existing tree/hedge to be removed
- Proposed ornamental planting
- Existing vegetation to be retained
- Proposed hedge
- Proposed native planting
- Long/medium grass
- Proposed lawn / grassed area
- Sports pitch - natural turf

HARDWORKS - PAVING

- Concrete block paving
- Concrete slab paving
- Porous self-binding gravel
- Porous retained gravel
- Tarmac
- Sports enclosure - porous macadam
- Concrete
- Bitumen bound gravel

FURNITURE AND STRUCTURES

- Cycle shelter
- Bench
- Seating cubes
- Tall w. posts
- Seating wall / retaining wall
- Galvan retaining wall

GRADING

- Proposed levels
- Existing levels retained
- Slopes / banks
- Proposed contour (in AOD)

FENCING & BOUNDARY

- Existing post & wire netting made good or replaced
- Proposed 1.2m high shored post & wire fence with hedgeshading
- Proposed green wild mesh sports fence 1.8m high
- Proposed green wild mesh fence 2m high

Former
Agricultural
Buildings

Site A

SITE B

Small Football
73x46m

Rounders

Large Football
106 x 59m

Synthetic
Cricket
Wicket

Football
102x68m

Tennis Courts/MUGA
74x28m

Athletics Track

Large Rugby
124x78m

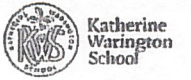
Javelin

High Jump

Lower Luton Road

NOTE: For lighting proposals refer to External
Lighting Report by Clearwater

1	06/12/17	Planning	1/1
2	14/02/2018	Planning	1/2
3	24/02/2018	DRAFT Planning	1/3
Rev	Date	Revised Description	Drawn / By



Designed: Landscape Architect The Landscape Partnership

For
Katherine Warington School,
Harpenden

For
Landscape Masterplan

Project Ref:	FS0448-TLP-ZZ-XX-DR-L-0100	Page	3
Date:	18/05/18	Drawn:	AS
Check:	24/07/17	AS	1/2

PLANNING



0 10 20 30 40 50
Scale 1:1000 (approx)

APPENDIX 2

SHLAA Assessment

**Strategic Housing Land Availability Assessment
SHLAA 2016 Update
(New sites, interim and 2016 call for sites)**

Individual Assessment Forms

Note

Council Comments:

Yes – Shortlisted - states indicative development capacity

Yes – Potential * - denotes site included in the SKM Green Belt Review Purposes Assessment Report (2013). To be further assessed for potential residential development. Part site only.

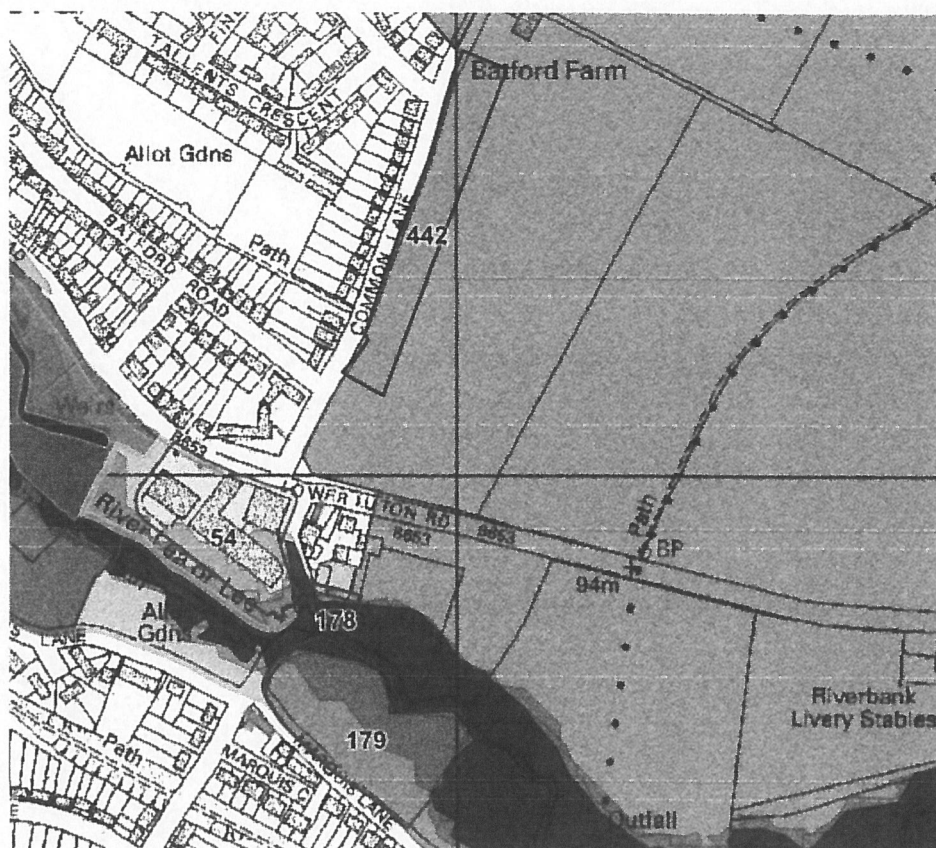
Yes – Scale** - denotes site to be further assessed for potential residential development. Part site only.

No – Rejected - states reasons

SHLAA ASSESSMENT FORM – GREEN BELT SITES

SITE CHARACTERISTICS AND GENERAL INFORMATION

Site Reference	SHLAA-GB-H-442
Site address (or brief description of broad location)	Land East of Common Lane, Harpenden



Key:

Green Belt	Local Wildlife Sites	Conservation Area	Listed Buildings
Flood Zone 2	Local Nature Reserves	Landscape Conservation Area	Locally Listed Buildings
Flood Zone 3	Ancient Woodland	SSSI	Tree Preservation Orders

© Crown copyright and database rights 2015 Ordnance Survey 100018953

Area of site or broad location (hectares)	0.89
Ownership details:	Private
Contact details - if different from above (agent, consultant etc)	Mr Derek Bromley, Bidwells, St Albans
Category of site (e.g. agricultural)	Woodland/grassland
Current use(s)	Mix of woodland and grassland.
Method of site identification (e.g. proposed by landowner etc)	Agent/Landowner

Planning History	Hertfordshire County Council possible school site proposal overlaps with SHLAA-GB-H-442 (see Detailed Local Plan Consultation November 2016)
------------------	---

SITE SUITABILITY

Physical Constraints			
Area of flood risk	No	SSSI	No
Ancient Woodland	No	Local Nature Reserve	No
County Wildlife Site	No	Poor access	Yes
Site of Geological Importance	No	Steep slopes/uneven terrain	No
Scheduled Ancient Monument	No	Ground contamination	None identified
Site for Local Preservation (archaeological)	No	Proximity of Locally Listed Building(s)	No
Proximity of Listed Building(s)	No	Historic Park or Garden	No
Air Quality Management Area	No	Conservation Area	No
Tree and hedgerows	Yes	Other habitat/green space	No
Proximity to Hazardous Installations (as per Policy 84b)	No	Public Right of Way	No
		Utilities – e.g. electricity substations, pylons, telecom masts, underground pipelines, sewers etc	None identified
Minerals and waste site (i.e. development would result in the sterilisation of mineral reserves)	No	Site is adversely affected by noise, air or other forms of pollution (e.g. major roads etc)	No
Development would cause demonstrable harm to the character and amenity of surrounding areas/land uses	Yes	Development would involve land that could otherwise help to meet the objectives of Watling Chase Community Forest	No
Development would result in unrestricted sprawl of large built up areas.	Significant	Scale and nature of development would be large enough to significantly change size and character of the settlement.	Significant
Development would result in neighbouring towns merging into	Partial	Development would result in encroachment into open	Significant

one another.		countryside.	
Development of the site would affect land that is presently rural rather than urban in nature	Yes	Development would be visually intrusive from the surrounding countryside	Yes

Development would assist in urban regeneration by encouraging the recycling of derelict and other urban land.	No	Existing Green Belt boundary is well defined	Yes
Removal of the site from the Green Belt would create additional development pressure on adjoining land	Yes	Release of the site from the Green Belt would create a more clearly defined, robust long term boundary	No
Development would affect the setting and special character of St Albans			No

Policy Constraints			
Loss of high quality agricultural land (Grades 1,2 or 3a)	Yes	Green spaces identified for protection in the Green Spaces Strategy	No
Landscape Character Area - i.e. those areas where emphasis is on conservation NB: Local Plan still refers to Landscape Conservation Areas)	No	Site with social or community value (provide details)	No
Tree Preservation Orders	No	Greenfield site	Yes

<p>Council Comments</p> <p>(i.e. should this site be given further consideration for housing development? If no, provide reasons)</p>	<p>Yes – Potential*</p> <p>This site is close to the Strategic Sub-Area (SA-S6 - Enclosed land at northeast Harpenden along Lower Luton Road, and extending to the vicinity of Whittings Close), taken from SKM's Green Belt Review Purposes Assessment (2013) (Council appointed consultants). SA-S6 is an area within an overall strategic land parcel GB40.</p> <p>SKM Green Belt Review report states,</p> <p>"The overall contribution of GB40 towards Green Belt purposes is:</p> <ul style="list-style-type: none"> • "To check the unrestricted sprawl of large built-up areas – significant • To prevent neighbouring towns from merging – partial • To assist in safeguarding the countryside from encroachment - significant • To preserve the setting and special character of historic towns – significant • To maintain existing settlement pattern - significant <p>A strategic sub-area is enclosed land at northeast Harpenden along Lower Luton Road, and extending to the vicinity of Whittings Close (SA-S6). In light of the functions of the strategic parcel, the relatively small (in comparison to the strategic parcel as a whole) sub-area identified to the northeast of Harpenden follows the angular urban edge which increases localised levels of enclosure and urban influence. In addition, existing field patterns and boundary planting create a greater sense of local landscape enclosure. This creates a valuable part of the countryside, but also provides partially screened views from the wider countryside and surroundings. At the strategic level, a reduction in the size of the parcel would not significantly compromise the overall role of the Green Belt or compromise the separation of settlements. Assessed in isolation the sub-area makes a limited or no contribution towards checking sprawl, preventing merging, preserving setting and maintaining local gaps.</p> <p>Details of the SKM Green Belt Review Purposes Assessment (2013) can be found at: http://www.stalbans.gov.uk/planning/Planningpolicy/library/greenbelt.aspx</p> <p>Hertfordshire County Council possible school site proposal overlaps with SHLAA-GB-H-442 (see Detailed Local Plan Consultation November 2016)</p>
<p>Council's estimated capacity</p>	<p>This site would be further assessed for potential housing development for part site only.</p>