

**MATTER 3**  
**HEARING STATEMENT**  
**ON BEHALF OF LAWES**  
**AGRICULTURAL TRUST**

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## 1.0 Introduction

- 1.1 This Hearing Statement has been prepared by Bidwells LLP on behalf of Lawes Agricultural Trust in support of Land to the north east of Redbourn (hereafter “the site”). Lawes Agricultural Trust has promoted the site through representations submitted at each of the previous Local Plan consultations. They control the whole site demarked in the red line boundary plan contained in their Regulation 19 representations.
- 1.2 The purpose of Lawes Agricultural Trust’s involvement in the Examination process is to demonstrate the availability and deliverability of allocation R-551 (North east of Redbourn, West of A5184) and to raise concerns over the proposed spatial strategy, for failing to plan for the identified local housing need and subsequently for inadequacies in relation to the assessment and release of the preferred broad locations from Green Belt. This Hearing Statement responds to:
- 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.
      - Questions 1-3, 6-9

## 2.0 Response to the Inspector's Matters, Issues and Questions

### **Question 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?**

- 2.1 A settlement's location in the hierarchy is dependent on its relationship with the Green Belt. There does not appear to be any specific evidence setting out the relative strengths of each settlement or whether their positions as a result of the Green Belt are consistent with achieving a sustainable pattern of development. Notwithstanding this we believe that this hierarchy is broadly consistent with the NPPF and therefore sound, although we are concerned about how it is applied.

### **Question 2: Is the growth in large villages consistent with their position in the settlement hierarchy set out in Policy S1?**

- 2.2 Table 1 sets out the broad locations by their position in the settlement hierarchy. From the evidence provided by St Albans City & District Council (SACDC) it is not possible to determine the total housing distribution; however, much of the small-scale development is anticipated to be in St Albans.
- 2.3 Table 1 shows that the second tier is only expected to contribute 12.5% of the housing requirement (assumed to be 16,236 dwellings as set out in our Matter 5 Statement). However, when the broad locations are considered in more detail (our Matter 8 Statement), we conclude that the Tier 2 settlements will only contribute 2.2% of the housing requirement.
- 2.4 By contrast, Tier 1 settlements are expected to contribute 49.6% of the housing requirement (our analysis suggests that this will be 44.5%). In the SACDC trajectory, 37.9% of the housing requirement addressed through other means, much of which is also likely to be in Tier 1. In the Bidwells trajectory, the broad locations only account for 46.7% of the housing requirement, which clearly does not reflect the plan-led system required by the NPPF.
- 2.5 While it is entirely reasonable for the highest tier to contribute the most to the housing requirement, the second tier should be expected to accommodate much of the remainder. Nominally, we would recommend the following:
- Tier 1: 9,742 dwellings (60%)
  - Tier 2: 5,683 dwellings (35%)
  - Tier 3: 811 dwellings (5%)

**Table 1: Broad locations of residential development compared to the spatial strategy**

TIER	SETTLEMENT	ALLOCATION	SACDC TRAJECTORY		BIDWELLS TRAJECTORY	
			NO.	%	NO.	%
1	St Albans	(v) East	900	5.5	900	5.5
		(vi) North	1,000	6.2	1,000	6.2
	Harpenden	(vii) North East	760	4.7	760	4.7
		(viii) North West	580	3.6	580	3.6
	London Colney	(ix) West	440	2.7	440	2.7
	Hemel Hempstead	(i) East (North)	1,600	9.9	1,440	8.9
		(iii) East (South)	2,195	13.5	2,560	9.6
		(iv) North	575	3.5	540	3.3
	<b>Total</b>		<b>8,050</b>	<b>49.6</b>	<b>7,220</b>	<b>44.5</b>
2	Bricket Wood	-	0	0.0	0	0.0
	Chiswell Green	(x) West	365	2.2	365	2.2
	How Wood	-	0	0.0	0	0.0
	Park Street & Frogmore	-	0	0.0	0	0.0
	Park Street Garden Village	(xi) Garden Village	1,670	10.3	0	0.0
	Redbourn	-	0	0.0	0	0.0
	Wheathampstead	-	0	0.0	0	0.0
	<b>Total</b>		<b>2,035</b>	<b>12.5</b>	<b>365</b>	<b>2.2</b>
3	Large villages excl. from GB	-	0	0.0	0	0.0
4	Remainder	-	0	0.0	0	0.0
<b>Total</b>			<b>10,085</b>	<b>62.1</b>	<b>7,585</b>	<b>46.7</b>

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

- 2.6 As discussed above, the settlement hierarchy appears to be entirely based on the relationship with the Green Belt rather than any other criteria. Notwithstanding this, we believe that there is no need to adjust the hierarchy.

**Question 6: Is the proposed development strategy set out in Policy S2 appropriate and realistic?**

- 2.7 Policy S2 is particularly poorly worded. The development strategy should set out the key objectives of the Plan, including the housing requirement and any job target. This necessitates the release of land from the Green Belt that reflects the settlement hierarchy in Policy S1. The development strategy is actually found in Policies S4, S5 and S6.
- 2.8 It is therefore recommended that Policy S2 is deleted and Policies S4, S5 and S6 are moved from Chapter 2 to Chapter 1 to take its place.

- 2.9 Notwithstanding the above, the Trust wishes to highlight paragraph 138 of the NPPF, which seeks to ensure that the process of releasing Green Belt land for development is inextricably linked with promoting sustainable patterns of growth. This includes focusing Green Belt release within or adjacent to existing sustainable settlements which are inset from the Green Belt and giving equal weight to Green Belt land that is previously developed (hereafter “PDL”) as well as land which is well served by public transport.
- 2.10 The last point is particularly relevant and does not seem to have been considered fully by the Council. Lawes Agricultural Trust agree with the Council that in a Green Belt authority such as this, the expansion of existing settlements would be an appropriate development strategy.
- 2.11 Due to the reference made in paragraph 138 of the NPPF with regards to focusing development in sustainable locations, Lawes Agricultural Trust would contend that as well as the inclusion of the Category 2 settlement of Chiswell Green, site R-551 should also be included to help meet the housing need. Further details as to the sustainability of the site are included with Matter 4.

**Question 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?**

- 2.12 We have considered this in detail in our Matter 8 Statement but in essence we believe that:
- There is too much reliance on a small number of large sites that in any event are unlikely to deliver the amount of housing that SACDC suggest in Appendix 2 of the Plan.
  - The ‘other sources’ of housing are largely untenable and should be removed from the trajectory.
  - The overall supply of housing is anticipated to be 11,298 dwellings, although this is by no means certain as it includes a range of assumptions that cannot be substantiated from the evidence supporting the Plan.
  - The housing requirement should be 16,236 dwellings but the supply should exceed this requirement by at least 5% to ensuring the Plan is sufficiently flexible to meet unforeseen issues. This would suggest the supply should be 17,048 dwellings.
  - Against this required supply, there is a deficit of 5,750 dwellings.
- 2.13 The mix of sites is the key issue here and we recommend in our Matter 8 Statement that:
- Additional sites of less than 600 dwellings, with the majority less than 300 dwellings, should be identified to address the deficit in the first five years from adoption. These should total approximately 2,500 dwellings to ensure that SACDC will be able to demonstrate a 5YHLS.
  - The residual 3,250 dwellings need to be identified for the remainder of the Plan period. We would suggest that this should comprise sites for 600-1,200 dwellings, i.e. sites that can be implemented in the 6 – 10-year period and continue to provide a sustained supply for the remainder of the Plan period.
- 2.14 This mix of sites will enable sufficient flexibility that the requirements for C2/C3 uses set out in Policy S4 are achievable. It will also mean that the housing trajectory is Plan-led with most housing sourced from major development sites, which will increase the certainty over the supply of affordable housing.

**Question 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?**

- 2.15 Yes, as referred to in our response to Question 7, we believe there is a requirement to significantly diversify the housing land supply, particularly in the first five years of the Plan from adoption.

**Question 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?**

- 2.16 The strategy relies on 1,838 dwellings from windfall, with several of the 'other sources' of housing also falling into this definition. In our Matter 8 Statement we have assumed that the full 1,838 dwellings could be justified, although there is currently no evidence as required by Paragraph 70 of the NPPF. Without this justification there is no policy basis to include any windfall and the full 1,838 dwellings should be deleted. This would increase the deficit set out in Paragraph 2.10 above to 7,588 dwellings, which would equate to 47% of the housing requirement.

