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## **Redbourn Parish Council (supported by Leverstock Green Village Association) – (RPC)**

### **St Albans City and District Local Plan Examination**

#### **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.



**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?**

- 1.1 Redbourn Parish Council notes that St Albans City & District Council (SACDC) has provided no explanation, such as a topic paper, of the process followed to determine the overall spatial strategy and broad distribution of growth. There is no methodology or audit trail set out in one place to justify Policy S1.
- 1.2 Figure 4-1 of the Sustainability Appraisal Report (September 2018, **CD009**) lists the Local Plan stages alongside the Sustainability Appraisal stages but it does not include the Site Options Evaluation stages or show when and how key evidence such as the Green Belt Review was considered.
- 1.3 Chapter 4 of the SA Report (**CD009**) sets out the Local Plan stages including the Strategic Local Plan Options between 2006 – 2016, the Detailed Local Plan in 2016, and the Development of the New Local Plan in 2018.
- 1.4 In January 2014 SACDC's Planning Policy Committee considered and accepted 4 development strategy options as the basis for exploration of Plan options as part of the preparation of the Strategic Local Plan. Full details of the options are set out in the Strategic Local Plan Technical Report Site Options Evaluation (October 2014). The four options were:
- Option 1 a) Mixed Location / Scale Development;
  - Option 1 b) Mixed Location / Scale Development With Smaller, But More, Sites;
  - Option 2 Dispersed Development; and
  - Option 3 Concentrated Development.
- 1.5 Paragraphs 1.11.3 to 1.11.5 of the Site Options Evaluation report (Oct. 2014) stated:

*"For the SLP – 2014 Draft preparation, it is important to understand that the generation of development strategy options for evaluation relies on:*

- *the fundamental decision to undertake a comprehensive Green Belt Review (GBR) as a central source of evidence for the Plan*
- *a detailed evaluation of potential development sites identified through the GBR (see above)*
- *definition of illustrative packages of sites arising from GBR that take account of the findings of the site by site evaluation.*

*This approach clearly gives priority to Green Belt policy as a central objective in the Plan. The Plan sets out to meet development needs in a way that is least damaging to Green Belt objectives. Green Belt policy, and specifically an analysis of contribution of parcels of Green Belt land to Green Belt purposes, was used as the primary method of identifying a long list of potential development sites. The sites were identified without reference to other important planning issues such as environmental constraints, land availability or overall deliverability of development.*

*“Green Belt is a planning policy that prioritises urban containment. The NPPF attaches considerable importance to this objective. The whole District, apart from excluded existing urban areas, is designated as Metropolitan Green Belt. This justifies its use as the primary method of identifying a range of sites that could be included in a development strategy.”*

- 1.6 The Strategy Evaluation in the Site Options Evaluation report (Oct 2014) concluded that Options 1a and 3, those that included major development at East Hemel Hempstead, performed best. Paragraphs 2.2.2 – 2.2.4 set out details of the benefits of development at East Hemel. Redbourn Parish Council considers that this evaluation was flawed as it was based on unsubstantiated assumptions with little or no technical evidence.

- 1.7 The second paragraph on Page 37 of the SA Report (CD009) explains that the Council’s preferred approach for inclusion in the Publication Strategic Local Plan was based on Option 1a. Redbourn Parish Council considers that the reasons for the preferred approach were unjustified. The reasons given in the SA Report are:

*“This approach was selected as it was an option which would locate the majority of new development of the edge of the main settlements which are the most sustainable locations in terms of reducing the need to travel to access services and facilities. It also included large strategic sites that would provide the best opportunities for infrastructure provision and planning gain, including biodiversity enhancements, when compared to a larger number of smaller developments (i.e. Option 1b and Option 2). Option 1a was also selected because by delivering significant levels of growth east of Hemel Hempstead it was one of the options which would have the greatest potential economic benefits as it would help to support the regeneration of Hemel Hempstead which is a key aim of Hertfordshire’s Strategic Economic Plan (March 2014).”*

- 1.8 As explained on Pages 38 to 42 of the SA Report (CD009) in January 2018 a Regulation 18 consultation was undertaken. No new detailed assessment of the Issues and Options was undertaken as it was considered that the SA carried out for the housing development options in 2014 remained relevant. The Issues and Options document also set out five ways in which new homes could be provided in the District:

- Add more homes into existing built-up areas
- Build on 8 areas that least meet Green Belt purposes
- Expand existing villages into the Green Belt
- Further expand existing towns into the Green Belt (500 – 5,000 homes)
- Create new ‘Garden Village(s)’ in the Green Belt (1,500 – 10,000 homes)

- 1.9 These five ways, or options, were high-level and undefined. An objective and comparative assessment of these options would have been difficult so, unsurprisingly, no assessment of them was undertaken as part of the SA process – only a commentary was provided. No other evaluation appears to have been undertaken of these options.

- 1.10 Following the Regulation 18 consultation in January 2018, further consideration was given to alternatives of a higher annual housing figure and 12 potential broad locations.



Page 44 of the SA Report explains that these locations were those were identified as potential Broad Locations following the Council's three stage Site Selection Evaluation process. The Strategic Site Selection Evaluation Outcomes were considered by the SACDC Planning Policy Committee on 2 June 2018.

- 1.11 As stated in response to Matter 1 Question 3, Redbourn Parish Council considers it is entirely inappropriate that the only consideration of development strategy options was undertaken in June 2014 as part of the preparation of the Strategic Local Plan.
- 1.12 The Parish Council notes that a higher annual housing figure was considered in May 2018 along with 12 potential broad locations, but this was a narrowly defined consideration of alternatives with no identification or assessment if development strategy options or other broad locations.
- 1.13 The identification of all reasonable alternatives and the testing of them should have been considered afresh and with an 'open mind' as part of the preparation of the Submitted Local Plan. This is because the planning context, including the national planning policy and the evidence base, has changed significantly since the options were identified and tested.
- 1.14 The Parish Council notes that Policy S1 sets out a spatial strategy that seeks to concentrate development in locations that 'provide a greater range of services and facilities' and "that offer greater accessibility by public transport, walking and cycling." Policy S1 also seeks to "make efficient use of land by increasing the density and height of development ..., particularly in the most accessible parts of the main urban settlements." However, none of the development strategy options or spatial options have specifically tested these elements of Policy S1.

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

- 2.1 Redbourn Parish Council supports the classification of Redbourn in 'Category 2) Large Villages – Settlements excluded from the Green Belt' in Policy S1.
- 2.2 The Parish Council agrees that Redbourn meets the definition of a Category 2 settlement as set out in the Broad Policy Approach in Policy S1, i.e. it is a village where the scale and density of development should be lower than in the Category 1 settlements. This reflects the lower level of services available and retains Redbourn's particular character.
- 2.3 The Parish Council is concerned though that the large-scale allocations at the East of Hemel Hempstead Broad Locations are likely to result in pressure on Redbourn's facilities and services, as well as the character of Redbourn itself, as residents of the new development are forced to use Redbourn due to a lack of facilities and services at East of Hemel.
- 2.4 The Parish Council notes that no additional growth has been allocated to Redbourn village in this Local Plan. The Parish Council is currently preparing a Neighbourhood Plan and supports the consideration/ allocation of non-strategic sites as part of the



Neighbourhood Plan process within the context of Policy S1 and the other Local Plan policies.

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

- 3.1 Hemel Hempstead in Dacorum Borough is included in the settlement hierarchy in Policy S1 under Category 1) City, Towns - Main urban settlements excluded from the Green Belt' with the note: *'NB: currently within Dacorum Borough, but expansion into District planned.'* The definition of Category 1 settlements set out in the Broad Policy Approach in Policy S1 is that 'These are the most accessible locations for development, with the widest range of services and facilities.'
- 3.2 It appears from Policy S1 that SACDC has had regard to the range of services and facilities in Hemel Hempstead when identifying the settlement hierarchy. However, other neighbouring towns such as Hatfield, Welwyn Garden City and Watford have been omitted from the settlement hierarchy despite all having a strong functional relationship with St Albans district and providing a wide range of services and facilities.
- 3.3 SACDC has not produced any evidence, such as a settlement hierarchy study or a development strategy topic paper, to justify the inclusion of Hemel Hempstead in Policy S1.
- 3.4 Given the strategic nature of the Broad Locations for development, Redbourn Parish Council are concerned that the current infrastructure within the Masterplan<sup>1</sup> for the East of Hemel Hempstead sites points to the fact that Hemel Hempstead, and therefore Dacorum Borough Council, will be solely responsible for the provision and supply of facilities for the East of Hemel Hempstead sites. This is evidenced within the Masterplan, which illustrates how the proposed transport links will primarily connect the East of Hemel sites with Hemel Hempstead. From the Parish Council's perspective, classifying Hemel Hempstead under Category 1 – *'these are the most accessible locations for development, with the widest range of services and facilities'* is misleading, as it is currently unclear as to how SACDC and Dacorum Borough Council will co-operate on cross-boundary matters such as the provision of services and facilities.

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

- 4.1 SACDC should respond to this question.

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

- 5.1 Yes – Redbourn Parish Council considers that it is critical that clear, defined settlement boundaries are demarcated on the Policies Map and labelled on the Policies Map legend to provide clarity for decision-makers and the community ensuring that the Local Plan policies are effective.

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<sup>1</sup> <http://easthemel.co.uk/wp-content/uploads/2016/09/East-Hemel-Boards-June-2017.pdf>



- 5.2 The Parish Council is particularly concerned that the settlement boundary of Hemel Hempstead is undefined.
- 5.3 The boundary of the East of Hemel Hempstead Broad Locations (Policy S6 i - iv) is marked by a thin purple line. The Policies Map legend states: "S6 Broad Locations for Development (wider boundaries including retained Green Belt)\*. The reference to 'wider boundaries' is particularly unclear.
- 5.4 For the North of Hemel Hempstead and the East of Hemel (South) Broad Locations, the Policies Map shows an area that is partially white and the remainder is green. The green land appears to be 'S3 Metropolitan Green Belt'. The meaning of the white land is entirely unclear. It may be 'L8 Primarily Residential Areas'.
- 5.5 For the East of Hemel Hempstead Broad Location, the North site is shown on the Policies Map as partially white, partially green and an area with brown hatching that is 'L21 Education (in Green Belt)\*'. As with the North of Hemel above, the meaning of the white land is entirely unclear.
- 5.6 The Central site of East Hemel is shown on the Policies Map as partially white, partially blue hatched that is 'L9 Primarily Business Use Areas' and an area with green diagonal hatching that is 'L18 Transport Strategy (improvements in Green Belt)'. Again, the meaning of the white land is entirely unclear.
- 5.7 In the case of the North of Hemel and all the East of Hemel Broad Locations there should be a clearly demarcated line on the Policies Map indicating the settlement boundary of Hemel Hempstead. In addition, there should be clearer labelling of the Broad Locations and the different land uses and designations within them. The use of individual Broad Location Maps would also enable greater clarity.

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

- 6.1 Paragraph 139 of the NPPF (February 2019) requires Local Authorities to "ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development" when defining Green Belt boundaries. Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

*"For plan-making this means that:*

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*



*i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 6.2 Redbourn Parish Council considers that Policy S2 is completely at odds with Paragraph 139 of the NPPF which is clear that the requirement to meet housing need is not enough on its own to be considered an exceptional circumstance justifying release of land from the Green Belt. However, this is the rationale that has been taken in Policy S2. Case law is well established in this regard and has not been followed. Indeed, Paragraph 136 of the NPPF makes clear that any release from the Green Belt must be “fully evidenced and justified”. The Parish Council contends that the Local Plan is neither evidenced nor justified in this regard.
- 6.3 The Parish Council considers that there is little if any material difference between the need to apply the NPPF as a whole when considering boundaries (as described above) and the basis for deciding planning applications in the Green Belt which requires potential harm through *inappropriateness* and any other harm to be outweighed by other considerations (NPPF Paragraph 144, our emphasis).
- 6.4 The five purposes of the Green Belt are established at paragraph 134 of the NPPF. The purposes are:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.5 Paragraph 137 of the NPPF goes on to state that: “before concluding that exceptional circumstances exist to justify changes to Green-Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for housing.”
- 6.6 The Parish Council is of the view that St Albans Council has not demonstrated that exceptional circumstances exist and has not fully considered all sources of land supply. For example, the Plan does not identify nor allocate other smaller sites within the area, including brownfield sites. This is crucial. The NPPF now places greater emphasis on the delivery of brownfield land for new homes and, through the Brownfield Land Register and potential development from smaller sites, requires Local Authorities to be more proactive in terms of identifying a range of opportunities and sites for delivery.
- 6.7 Simply proposing to release land from the Green Belt (and increasing the scale of growth proposed in each of these areas) to meet objectively assessed housing needs does not constitute exceptional circumstances. It is the Parish Council's view that St Albans



Council has not sufficiently assessed the potential supply of land for housing from brownfield sites and the contribution this can make to the five year supply of land. Sub-points (a), (b) and (c) of Paragraph 137 have not been adequately demonstrated in the evidence to the Local Plan and need to be explored before Green Belt releases are considered.

**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?**

7.1 Policy S2 sets out a development strategy which only provides for development in the form of Broad Locations expanding the Category 1 settlements and one of the Category 2 settlements, and the development of the new Park Street Garden Village. This strategy does not recognise the needs of different groups in the community and that a mix of different sites is needed to provide for those needs.

**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?**

8.1 Yes – Redbourn Parish Council considers that the submitted Local Plan is overly reliant upon large-scale strategic allocations at the Broad Locations which are highly unlikely to be delivered as expected in the Housing Trajectory in Appendix 2 of the submitted Local Plan.

8.2 Without a realistic and deliverable housing trajectory that includes some small and medium size sites, pressure to develop unallocated and potentially less suitable sites, including in the Green Belt, will increase.

**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?**

9.1 The Housing Trajectory in Appendix 2 of the submitted Local Plan shows that 1,891 dwellings or 13% of the total provision between 2017 - 2036 is Windfall Allowance.

9.2 Paragraph 70 of the NPPF requires that there should be compelling evidence that the windfall sites will provide a reliable source of supply and that any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.

9.3 The evidence required by the NPPF to justify the windfall allowance does not appear to have been produced by St Albans Council.

9.4 As noted above in response to Question 8 above, without a realistic and deliverable housing trajectory, pressure to develop unallocated and potentially less suitable sites, including in the Green Belt, will increase.