

**St. Albans City and District Local Plan
Examination Hearings**

MATTER 3

Wednesday 22nd January 2020

**Statement by Jed Griffiths MA DipTP FRTPI
On Behalf of CPRE Hertfordshire**

December 2019

Introduction

1. This statement has been prepared by Jed Griffiths MA DipTP FRTPI on behalf of the Campaign to Protect Rural England, Hertfordshire (CPREH). It has been compiled in response to the invitation by the Examination Inspectors to submit further material on the matters to be considered at the hearing sessions. The submission addresses the issues and questions under Matter 3 – The Spatial Strategy, Settlement Hierarchy and Development Strategy (Policies S1 and S2).
2. Earlier representations were made by CPREH to the Publication Draft of the Local Plan against policies S1 and S2. The purpose of this statement is to amplify the points made at that time, and to address the specific issue and questions set out by the Inspectors in the agenda (Document ED26). Not all the questions will be answered in full – the focus will be on those which are relevant to the case made by CPREH.
3. In its original representations, CPREH considered that policies S1 and S2 were neither justified nor consistent with national policy as set out in the National Planning Policy Framework (NPPF). In terms of the overall spatial strategy, the Local Plan is clearly unsound.

Q1. 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?

4. The underlying basis for the spatial strategy is not clear. In the body of the Local Plan, there is no reasoned justification for policy S1. Although there is a focus on the towns and settlements excluded from the Green Belt, the target for the delivery of the housing numbers will depend on large areas of land being taken out of the Green Belt. As CPREH will argue under Matter 4, no exceptional circumstances have been demonstrated by the Council for the removal of these sites.
5. Unfortunately, the context for the Local Plan has changed since it was originally published in 2018. In particular, the basis for the forecasting of housing need has been affected by the changes made by the Office for National Statistics (ONS) in October 2018. As CPREH will argue under Matter 5, the revised 2016-based population and household projections have resulted in a meaningful change to the housing requirement for the Local Plan.

6. The latest NPPG (Reference ID: 2a-016-2015-20190220) advises that any method which relies on the 2016-based household projections will not be considered to be using the standard method as required by the NPPF. Nevertheless, CPREH believes that the forecasts of housing need should reflect the changes to household formation observed by ONS, thereby reducing the need to remove land from the Green Belt.
7. The NPPF (paragraph 60) requires that strategic housing policies in Local Plans should be informed by a housing needs assessment, conducted using the standard method in national planning guidance (NPPG). According to the Council, this has been done, informed by the Strategic Housing Market Assessment. In the latest version of NPPG, published in July 2019, the standard method is described in detail. Although the process identifies a minimum annual housing need figure, the NPPG makes it clear that it does not produce a housing requirement figure. The standard method is not mandatory, and an alternative approach can be used in “exceptional circumstances.”
8. It is the firm view of CPREH that the protection of the Green Belt in the City and District constitutes the exceptional circumstances set out in the NPPG, particularly in the context of the latest sub-national household projections. The reasoning for this will be elaborated more fully in the statement on Matter 5.

Q2. Is the growth in large villages consistent with their position in the settlement hierarchy set out in policy S1?

Q3. Has the settlement hierarchy taken account of facilities in neighbouring settlements, outside of the local authority’s boundary? If not, should it?

9. The principle of a hierarchy of settlements is supported by CPREH, with a concentration of development within the boundaries of existing towns and large villages. The focus, however, should be on the main town of St. Albans and Harpenden. London Colney is not a town – it is a large village and therefore should be classified as a Category 2 settlement. The key diagram and the Policies Map should be adjusted accordingly. As pointed out in the policy, the developments on the edge of Hemel Hempstead are partly within the Dacorum Borough and partly within the City & District of St. Albans. Because of this special status, CPEH believes that these areas should be contained in a separate part of the policy. It is assumed that this allocation relates to the South West Hertfordshire Strategy for development, but this is not explicit.

10. As written, the policy is not clear on the amounts of dwelling units assigned to each of the settlements. It is suggested that an additional column should be added to the tabulation so that readers are clear about the distribution of growth in Category 1 and 2 settlements, plus Hemel Hempstead.. In this respect, CPREH would refer to policies DPS2 and DPS3 of the East Herts District Plan, which give in tabular form the precise figures for the distribution of development across the local authority area. In the East Herts example, a separate figure is given for villages, which is amplified in Chapter 10 of the District Plan.
11. It is suggested that the St. Albans Local Plan would benefit from this approach to policy for Category 3 and 4 settlements. In Category 3, the plan should specify that development should be limited to small-scale infilling. Any increase in housing numbers should be supported by a “made” Neighbourhood Plan.
12. Apart from the proposed allocations in Hemel Hempstead, the settlement hierarchy does not appear to take full account of the facilities and services available in adjacent local authority areas. In terms of villages, there is a clear relationship with large settlements such as Kimpton (North Hertfordshire), and Markyate (Dacorum). There are other, larger-scale proposals in emerging Local Plans which need to be considered. These include the proposed Symondshyde Garden Village, which is included in the Welwyn Hatfield Local Plan, currently under examination. Hertsmere Borough Council has recently consulted on the issues and options for a review of its Local Plan. One of the options proposed was a new settlement at Tyttenhanger.

Q4. Does the Plan clearly set out the approach to be taken to proposed development in the countryside? If not, should it?

Q5. Is there a need to define settlement boundaries?

13. Apart from the towns and specified villages (Categories 1 – 3), the entire area of the District is designated as Green Belt. It is important therefore that the Green Belt policy, as set out in policy S3, seeks to protect and enhance the countryside in those areas. The presumption against development in the open countryside should be rigorously applied, including within the “washed over” Category 4 settlements. It follows that there is a need to define settlement boundaries around the towns and villages, setting firm boundary between the built-up areas and the Green Belt beyond. These boundaries should be clearly shown on the Policies Map.

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

14. In its original representations on the Publication Draft Local Plan, CPREH considered that the plan was unsound in respect of policy S2. The policy is not appropriate for the local authority area and is inconsistent with the policies of the NPPF. Since the Local Plan was submitted, policy S2 has been superseded by the changed wording in the revised NPPF of February 2019. As policy S2 sets out the overall strategy, it should come before policy S1, which set out the details of the distribution of development.

15. The policy states that exceptional circumstances do exist that necessitate major development in areas previously designated as Green Belt, This is refuted by CPREH. According to paragraph 137 of the NPPF, the local planning authority, before concluding that exceptional circumstances exist, should be able to demonstrate that it has examined all reasonable options for meeting its identified needs. Thus, the examination of the planning strategy should assess whether it:

- makes as much use as possible of brownfield land and under-utilised land;
- optimises the use of density of development;, and
- whether development could be accommodated in neighbouring authorities in accordance with a Statement of Common Ground.

16. CPREH is not satisfied that these tasks have been fully carried out. In order to reduce the pressure on the Green Belt, more work need to be done on the availability of previously developed land, accompanied by an intention to maximise densities. Green Belt is a finite resource – once it has been built upon, it cannot be put back. It is too late. Further comments will be made in CPREH statement on Matter 4 – The Metropolitan Green Belt (Policy S3). The Inspectors are also referred to the original representations made by CPREH in respect of policy L1.

Q7. Will this provide a sufficient mix of sites and provide the size, type and tenure of housing to meet he needs of different groups in the community? Does this reflect the evidence from a local housing needs assessment?

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?

Q9. 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?

17. The focus of the strategy and policy S2 is upon major development sites. There is scant consideration in the Local Plan about the appropriate mix of sites and the size, type, and tenure of housing on each area. No account appears to be taken of paragraph 68 of the NPPF, and its requirement to provide for housing development on at least 10% of small and medium sized sites. The Plan is clearly unsound in that respect. In Green Belt areas, the use of windfall sites is critical, because of the pressure on the Green Belt and the open countryside. The role of windfall sites is not sufficiently specified and the Plan is thus contrary to paragraph 70 of the NPPF. Compelling evidence does exist for a significant contribution to housing requirements from windfall sites, for example from changes of use through permitted development rights, throughout the plan period.
18. In its earlier representations on the Local Plan, CPREH opposes the inclusion of the Park Street Garden Village in policies S1 and S2. Allocation of this site would place intensive pressures on the areas of Green Belt to the south of St. Albans, exacerbated by the proposed allocations to the west of London Colney. This point will be elaborated in the CPREH statements for Matter 4 Green Belt and Matter 6 Broad Locations for Development. The Park Street Garden Village appears to have been allocated because of the Secretary of State's decision to grant permission for the Strategic Rail Freight facility. Arguably the substitution with 2,300 dwellings would have a far greater impact on the Green Belt to the south of St. Albans.
19. Finally, CPREH is concerned about the lack of a reasoned justification for policies S1 and S2 in the text of the Local Plan. The Plan is extremely difficult to read and understand. There are no cross-references to the evidence base and other documents, which makes the Local Plan very difficult to navigate.

Jed Griffiths MA DipTP FRTPI

Hertford

9th December 2019