

# **ST ALBANS CITY AND DISTRICT LOCAL PLAN EXAMINATION**

## **MATTER 4:**

## **THE METROPOLITAN GREEN BELT (POLICY S3)**

**ON BEHALF OF: BLOOR HOMES AND THE DEPARTMENT OF HEALTH  
AND SOCIAL CARE**

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## **Introduction**

Pegasus is instructed by Bloor Homes and the Department of Health and Social Care to submit a Statement in respect of Matter 4, pursuant to the Matters and Questions identified by the Examination Inspectors.

Separately additional Statements have been submitted in respect of the following Matters:

- Matter 1
- Matter 2
- Matter 3
- Matter 5
- Matter 6
- Matter 7
- Matter 8

Pegasus previously submitted representations in response to the Reg 19 Publication Plan in October 2018 and the Draft Issues and Options and Call for Sites in February 2018. The Hearing Statements should be read alongside our representations and supporting evidence.

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## MATTER 4 – THE METROPOLITAN GREEN BELT (POLICY S3)

### 4.1 What is the basis of the Green Belt Review? What methodology has been applied and is it soundly based? Is the Council's approach to the Green Belt set out in its response to the Inspector's Initial Question 16 and letter of the 2 July 2019 (Green Belt topic paper) robust and in line with national guidance?

- 4.1.1 In response to the Inspectors Q.16 on 2<sup>nd</sup> July 2019 (ED23) the Council have provided a lengthy reply (ED25C).
- 4.1.2 ED25C comprises the Council's Green Belt Topic Paper, it is long, at times confusing and contains extracts from reports to numerous Planning Policy Committee's dating back to 2013.
- 4.1.3 ED25C demonstrates that the Council remains heavily dependent on the evidence provided in the SKM Green Belt Review prepared for the formerly submitted, but withdrawn Strategic Local Plan 2016 (SLP). The SKM Green Belt Review was undertaken in 2013 (Doc GB004) and 2014 (Doc GB001).
- 4.1.4 Pegasus consider that given the SLP was withdrawn that a line should be drawn under the proposed spatial strategy of the withdrawn plan and the evidence used to prepare it. The submitted Local Plan should be based on new and updated evidence including a new two stage Green Belt Review prepared in accordance with current national planning policy guidance.
- 4.1.5 In this instance the Council have chosen to continue to rely on the previously prepared SKM work (Doc GB004 and Doc GB001). A revised Green Belt Review to support the new Local Plan has not been undertaken.
- 4.1.6 In Q.13 of ED23 the Inspectors are clear in asking the Council how they have complied with paragraph 137 of the NPPF (2019) which with regard to demonstrating exceptional circumstances to alter Green Belt boundaries requires a local authority to;

**"...demonstrate that it examined fully all other reasonable options for meeting its identified need for development.."**

This includes the following;

**" a) makes us much use as possible of suitable brownfield sites and underutilised land;**

**b) optimises the density of development in line with the policies in Chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport**

**c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground”**

4.1.7 The Council state at paragraph 1.6 of ED25C the evidence base sources that consider existing urban and brownfield capacity within the authority and state that up to 5,000 new houses can be delivered through consideration of sources from subsections a) and b) of paragraph 137 of NPPF 2019. The overriding need to accommodate new housing growth in the District comprises the ‘Exceptional Circumstances’ for release of sites from the Green Belt.

4.1.8 The Council cite Doc CD028 as evidence of the discussions they have had with neighbouring authorities concerning their ability to accommodate any of St Albans unmet housing need. (This matter is discussed further under Q.4.5 below).

4.1.9 With regard to Stage 2 of the Green Belt Review, consideration of sites, the Council refer to Doc GB004 and Doc GB001 (SKM work prepared in 2013 and 2014), their own Strategic Site Selection Work (2018) and the Sustainability Appraisal (SA Working Notes and SA Report 2018) (Doc CD009) as their evidence base for site selection.

4.1.10 With regard to this methodology Pegasus make the following points;

1. The SKM Stage 1 work (2013) (Doc GB004) was undertaken jointly with Dacorum and Welwyn Hatfield – the Council concede (para 1.9 ED25C) that with regard to the consideration of Green Belt purposes it took;

**“...a wide strategic view of the Green Belt”**

This point is clearly demonstrated by our client’s site at Harperbury Hospital which falls within parcel GB31 of the SKM Stage 1 work (p.4 GB 006 – Strategic Parcel Plan).

Parcel GB31 covers 613ha and includes land on both the north and the south of the M25 in the south of the District.

The Stage 1 work identifies that this very large parcel only contributes significantly to just 1 of the 5 purposes of the Green Belt.

Pegasus consider the size of the parcels reviewed at Stage 1 was too large given the study included three authorities. A finer grained study of the Green Belt within St. Albans District should have been undertaken before those specific areas contributing least to the Green Belt were determined and taken forward in the SKM Stage 2 study.

It should be noted that the Radlett Aerodrome Site is within Parcel 30 in the SKM Stage 1 Green Belt Report (2013). Parcel 30 contributed significantly to 3 of the 5 purposes of the Green Belt in the report. This matter was previously discussed in the Bloor Homes and Department of Health Reg 19 reps submitted by Pegasus.

2. The SKM Stage 2 work (2014) (Doc GB001) involved a more detailed examination of potential boundaries and sites, however it only took forward those parcels which did not perform well in terms of purposes of the Green Belt from the Stage 1 study and specifically focused on the areas within those parcels recommended for further review, there was no consideration of other land or alternative areas within the parcels for development.
3. The Council rely on their Strategic Site Selection Work (2018) (this is not submitted as a Core Document but referred to in ED25C) as the evidence base for site selection in the submitted Local Plan in addition to the previous Stage 1 and Stage 2 Green Belt work prepared by SKM.

Pegasus previously objected to the Site Selection Work in the Regulation 19 consultation response submitted on behalf of Bloor Homes and the Department of Health.

Paragraphs 1.11 – 1.13 of ED25C outline the 3-stage process undertaken by the Site Selection Work (2018) which resulted in the same 8 sites as the SKM Stage 2 Study (2014) being identified as suitable for development plus four additional sites including the former Radlett Aerodrome.

Paragraph 1.13 of ED25C states that 70 sites capable of accommodating 500 plus dwellings were considered at Stage 1 having been submitted to 'Call for Sites', however these 70 sites do not appear in a sustainability

appraisal in a consideration of 'reasonable alternatives', and only 12 sites pass through to Stage 2. A new comprehensive review of these 70 sites should have been undertaken to inform the preparation of the new Local Plan, including a detailed consideration of their contribution to the five purposes of the Green Belt.

Pegasus consider the methodology used by the Council in their Site Selection Study of Green Belt sites to be the "wrong" interpretation of national policy as the Council have not strictly followed the guidance in the NPPF (as the SKM review predates the NPPF 2019) and not all of the proposed sites e.g. Park Street Garden Village accord with paragraph 138 of NPPF 2019 below:

**"When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development need to be taken into account.....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..."**

Moreover, only those with the capacity to deliver 500 dwellings or more were taken into consideration by the study and no consideration was given to smaller sites.

The Council state at para 2.12 of ED25C that small sites in the Green Belt were known to have the potential to deliver up to 500 new dwellings up to 2031 since the SKM Green Belt reports of 2013 and 2014 and yet the Council did not pursue this known source of capacity in the new Local Plan (2020-2036).

Paragraph 68 of the NPPF (2019) points to the role that small and medium sized sites have in plan making to facilitate early delivery and therefore contribute to five-year supply.

That St. Albans propose a stepped approach to housing supply demonstrates the difficulty in delivering housing early in the plan period. The release of smaller sites within the Green Belt (i.e.: up to 500 dwellings) would help to address delivery early in the plan period.

Pegasus consider our clients cross boundary site was discounted for further consideration as the quantum of development deliverable within St. Albans District was less than 500 dwellings.

Moreover, the original SKM Stage 1 review undertaken in 2013 would not have reviewed the present-day context of our clients' site as planning permission at the Harperbury Hospital site for residential development are currently being implemented were granted after the SKM Stage 1 review was completed.

**4.2 How have the conclusions of the Green Belt Review informed the Local Plan? Do decisions on Green Belt releases reflect the need to promote sustainable patterns of development, and prioritise sites which are previously developed and/or well served by public transport? Where is this evident?**

- 4.2.1 Pegasus consider that the local authority have simply rolled forward the sites recommended for release from the Green Belt in the withdrawn Local Plan and then taken forward other sites that the original SKM Stage 2 Review identified as performing poorly against purposes of the Green Belt, plus the Former Radlett Aerodrome Site (which is situated in a parcel contributing significantly to the purpose of the Green Belt in the Stage 1 SKM report). The SKM Stage 1 report does not support the release of the Radlett Aerodrome Site from the Green Belt. There is no Green Belt evidence base that supports this allocation.
- 4.2.2 The Council have developed a spatial strategy based on the release of large Green Belt sites, rather than on promoting NPPF compliant sustainable patterns of development or concentrating development at areas well served by public transport or where sustainable transport connections could be enhanced.
- 4.2.3 Our client's site at Harperbury Hospital proposes a Healthy Garden Village and would build on sustainable transport improvements, including improved cycle connectivity to Radlett rail station which is currently being implemented through an existing planning permission, however these matters have not been taken into consideration by the authority in their site selection process.



**4.3 Has a comprehensive assessment of capacity within built up areas been undertaken? Have all potential options on non-Green Belt land in the countryside been assessed?**

4.3.1 It is clear that in order for the Council to accommodate its housing requirement under the standard method of 14,608 homes that sites within the Green Belt will need to be released. The Council evidence at paragraph 1.6 of ED25C that the total capacity from “Local Plan/NPPF Choices – Delivering Urban Optimisation” is some 5,000 dwellings, leaving 9,608 homes to be found within the remainder of the District which is currently totally constrained by Green Belt designation.

**4.4 Have opportunities to maximise capacity on non-Green Belt sites been taken (including increasing densities)?**

4.4.1 Pegasus provide no response to this question.

**4.5 Have discussions taken place with neighbouring authorities about whether they could accommodate some of the identified housing need?**

4.5.1 The Council’s Duty to Co-operate Statement (April 2019) (CD 028) contains an unsigned Memorandum of Understanding between the constituent members of the South West Herts Group with regard to the production of a Joint Strategic Plan for the sub-region at Appendix 1 dated Feb 2018. This document is also included at Appendix 4 of CD 028 attached to a draft but unsigned Statement of Common Ground. No signed Statements of Common Ground are appended to CD 028 between St. Albans District Council and its adjacent neighbouring Districts or the County Council.

4.5.2 Appendix 12 of CD 028 records the Duty to Co-operate meetings between St. Albans Council, adjacent Districts and the County Council. Analysis demonstrates that 9 of the 11 meetings appended took place within a period of 4 months between 16<sup>th</sup> May 2018 and 22<sup>nd</sup> August 2018, with, in the majority of cases, the same entry provided for the update on the St Albans Local Plan as follows;

**“SADC are intending to meet all of their housing development needs of 913 homes per annum (based on the new Government NPPF standard methodology), within their**

**administrative boundary. The urban capacity is circa 5,000 homes. The Plan will have a stepped trajectory. There are no unmet needs to be considered with other councils.**  
(emphasis added)

4.5.3 This demonstrates that the Council have not entered into discussions with neighbouring authorities about whether they could accommodate some of St. Albans identified housing need as they clearly state that they are intending to meet all their own housing needs and therefore there would be no resulting un-met needs for others neighbouring authorities to “pick up”.

4.5.4 It is also clear from CD 028 that St. Albans do not intend to pick up any unmet needs from adjacent authorities. Appendix 12 demonstrates from minutes of the meeting with Welwyn Hatfield of 2<sup>nd</sup> July 2018 that the Inspector of the Welwyn Hatfield submitted Local Plan had indicated that sites for a further 4,000 dwellings be found, consequently additional Green Belt Review work was being undertaken, which may include sites within the vicinity of St. Albans.

4.5.5 Moreover, Watford expressed concerns on 2<sup>nd</sup> August 2018 to St. Albans about the challenges of meeting housing need within their geographical constraints.

**“IS / ID explained that standard methodology housing need figures for WBC are very high and would likely not be able to be met within Borough boundaries. IS added more about the dilemmas of maximising housing capacity in Watford; especially in relation to higher densities, high buildings and the need for quality in design and property management.”**  
(emphasis added)

4.5.6 Of particular note for our client are details of the meeting with Hertsmere on 19<sup>th</sup> July 2018 at Appendix 12 of CD 028 which include at the last bullet point of Section 2 the following;

***“Cross boundary issues – inc: potential Harperbury Hospital area***

**HBC and SADC agreed that early cooperation was required for cross boundary issues.**

**The permitted and currently under construction development at Harper Lane, adjacent to Harperbury Hospital was discussed.”**

4.5.7 No notes are provided of further DtC meetings between St. Albans and Hertsmere despite the Duty to Co-operate Statement being dated April 2019, some 10 months after the July meeting detailed at paragraph 4.5.4 above.

- 4.5.8 The Hertsmere Issues and Options Consultation (Sept 2017) ‘floated’ the idea of a Garden Village. Land promoted by Bloor Homes and the Department of Health which straddles the boundaries of St. Albans and Hertsmere could assist St. Albans in meeting its housing need, or it could meet some of the needs of both authorities.

**4.6 Does the Plan seek compensatory improvements to the environmental quality and accessibility of the Green Belt?**

- 4.6.1 The emerging Local Plan contains no specific reference at Policy S3 to compensatory improvements to the environmental quality and accessibility of the Green Belt as required by paragraph 141 of the NPPF (2019).

- 4.6.2 Policy L29 – Green and Blue Infrastructure alludes to opportunities for continued implementation of the Watling Chase Community Forest Plan and other green infrastructure at subsection d), however this is not with direct reference to paragraph 141 of the NPPF.

- 4.6.3 Pegasus have promoted Land at Harper Green, which is adjacent to the Harperbury Hospital site which is currently under construction. Our proposal for Harper Green has the potential to increase access to the Green Belt, providing opportunities for recreation and sport as well as providing opportunities for new and enhanced green infrastructure, improvements to biodiversity and new or enhanced cycling routes in accordance with the NPPF and PPG.

**4.7 Do the exceptional circumstances, as required by paragraph 136 of the Framework, exist to justify the plan’s proposed removal of land from the Green Belt?**

- 4.7.1 Pegasus consider the main exceptional circumstance used in preparation of the St. Albans Local Plan has been the quantum of housing growth required within the authority area.

- 4.7.2 Pegasus consider that exceptional circumstances have not been adequately demonstrated in evidence for each site proposed to be released from the Green Belt.

- 4.7.3 With regard to the Park Street Garden Village allocation (former Radlett Aerodrome Site) it is considered that there are no exceptional circumstances for the release of the site for residential use – see paragraph 4.1.10 above.
- 4.7.4 The Council’s evaluation of this site (Appendix 1 of Item 10 of the 12<sup>th</sup> June 2018 Committee Papers) acknowledges the benefits of the consented Strategic Rail Freight Interchange as set out in both the Inspector’s report and the Secretary of State’s decision, but then concludes that the pressing need for housing to accord with the Government’s intentions to significantly boost housing supply overrides the need for the SFRI.
- 4.7.5 The Secretary of State was previously categorically clear that development at this site would be inappropriate in the Green Belt and harmful to the purposes of the Green Belt, contributing to urban sprawl and affecting the setting of the historic City of St. Albans, all of these matters would apply to Park Street Garden Village.
- 4.7.6 However, overriding national need for a SRFI at this location led to the Secretary of States’ decision – such a decision cannot simply be transferred to a stand-alone residential development in the Green Belt for which there are other reasonable alternative locations for delivery, or for which other adjacent authorities, such as Hertsmere could assist in delivering.

**4.8 Are all the sites and their boundaries clearly shown on a map?**

- 4.8.1 The authority’s Policies Map is not clear in showing which parts of the Green Belt are to be removed. Allocations are shown with a thin dark red line but these include areas shown to be both in and out of the Green Belt.

**4.9 Is the approach to secondary school sites in the Green Belt justified?**

- 4.9.1 Pegasus have no comment to make on this question.

**4.10 Is the approach to transport infrastructure in the Green Belt justified?**

- 4.10.1 Pegasus have no comment to make on this question.

**4.11 Did the Council consider the designation of safeguarded land in the Plan, and should this be identified?**

- 4.11.1 Guidance in the NPPF (2019) is clear at paragraph 139 c) about this matter that when defining Green Belt boundaries authorities should;

**“where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer term development needs stretching well beyond the plan period”**

- 4.11.2 The St. Albans Local Plan (2020-2036) does not allocate any safeguarded land. Given the partner working on the Joint South West Herts Strategic Plan and the need for authority, under the Duty to Co-operate to future proof its plan to potentially assist with other neighbouring authorities housing needs the opportunity to safeguard land through the current Local Plan should be taken.
- 4.11.3 Pegasus consider that the authority should take the opportunity to safeguard land for future development in the submitted Local Plan.