

**Representations to the St Albans City and District Local Plan 2020-2036
Examination
Matter 4 – The Metropolitan Green Belt (policy S3)**

Hill Residential Ltd (1158064)



12 December 2019

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4.0 Matter 4 – The Metropolitan Green Belt (policy S3)

- 1.1 On behalf of Hill Residential Ltd (Hill) the following information is provided in regard to Matter 4 – The Metropolitan Green Belt (policy S3).
- 1.2 Hill has an option over 1.5 ha of land owned by the Lawes Agricultural Trust (LAT) at Townsend Lane Harpenden, within the Rothamsted estate. Hill has fully engaged with the St Albans City and District Council's (SADC) draft Local Plan (DLP) process and submitted representations to previous consultations, including the Call for Sites, Regulation 18 and Regulation 19 draft iterations of the DLP. Representations have also been made previously to the Harpenden Neighbourhood Plan.
- 1.3 The site (1.5ha) has the potential to deliver approximately 50 new homes with access off Townsend Lane. The development of this site would not extend the settlement westwards beyond its existing extremity so will not impact upon the purposes of the Green Belt in this location with respect to sprawl or the merging of neighbouring towns. The land does not contribute to preserving the setting and special character of historic towns. Given the level of demand and need for new homes in the area, the land does not need to remain in the Green Belt in order to assist in urban regeneration.
- 1.4 The previous representation to all the aforementioned consultations includes technical appendices, which should be read in conjunction with the Regulation 19 Consultation representation submitted in October 2018 as well as this Hearing Statement.

Main issue

- 1.5 Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall approach to the Green Belt.

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?

- 1.6 The basis for undertaking a Green Belt Review is that housing and employment needs cannot be met within the existing urban areas and therefore if development needs are to be met a review of the Green Belt is required. As such, exceptional circumstances exist for conducting a review. However, that Green Belt Review utilises a very broad and strategic approach, which fails to include any specific local settlement assessment, nor does it consider whether land could be released without harm to Green Belt purposes. It does not follow the approach set out by the Courts in Calverton Parish Council judgement¹ (Calverton).
- 1.7 In order to be found sound, the DLP must be informed by a Green Belt Review which includes a comprehensive review at a much finer-grain. This will ensure reasonable potential alternatives have been assessed, and the contribution of smaller-scale sites can be assessed for their impact on Green Belt purposes and

¹ Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 10784

compared with the strategic sites. Without such an assessment it is not possible to conclude that the sites being released have a lesser impact on Green Belt purposes than land which is retained within the Green Belt. It is also not possible to undertake an assessment as to impact on sustainable patterns of development without having undertaken such a finer grained assessment.

- 1.8 The need for a finer-grain review reflects the approach adopted in neighbouring authority, Welwyn & Hatfield, further to Inspector comments during the Local Plan Examination (December 2017). In order for this DLP to be found sound, the Green Belt Review must include this assessment to ensure the most suitable sites are identified in sustainable locations, and demonstrate limited harm to the Green Belt.
- 1.9 The correct approach has been confirmed by Calverton and that means that a Green Belt review needs to consider the nature and extent of harm to the Green Belt and consideration as to how impacts on Green Belt purposes can be reduced. If a fine grained, detailed assessment of Green Belt boundaries has not been undertaken, then it is simply not possible to reach conclusions on either point.
- 1.10 On review of the DLP's evidence base, the Green Belt Review was published in February 2014 and estimates that the 8 broad locations could supply between 4,806 to 8,010 new homes in the plan period. Since the publication of this evidence base document, the Government has published the Standardised Methodology for the calculation of OAN as part of the NPPF, which increases SADC's OAN from 639 new homes per annum to 913 new homes per annum. This DLP acknowledges this increased target, to 913 new homes, and as such details that the 8 broad locations, split into 10 sites (references: S6i – xi), have had their capacities increased to 10,545 new homes over the plan period. This is a considerable increase from the capacities tested and expressed within the Green Belt Review from 2014, with little published evidence to justify the extensive uplift to the sites' capacities. This lack of evidence is due, in part, to the broad and strategic nature of the Green Belt Review (2014), which fails to explore an authority-wide site assessment. In order for SADC to ensure the increased capacity, identified within the DLP, are justified and robust, the Green Belt Review should be updated to take account of the increased housing need figure and incorporate a detailed, finer grain assessment of small and medium sized sites (10 – 75 units), which would have a lesser impact on the openness of the Green Belt.
- 1.11 Further, SADC's response fails to answer the inspector's question 16 on 2 July 2019 and does not justify the Green Belt Review that has been undertaken to support and inform the DLP which is unsound. Whilst, support is given to the conclusion that exceptional circumstances exist within SADC to review the current boundaries, the broad approach taken by this Green Belt Review fails to include any specific local settlement assessment and as a consequence fails to exclude land which could be released without significant detriment to Green Belt purposes, or which would have the least impact on the Green Belt.

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?

- 1.12 The Green Belt Review is considered far too broad to allow any detailed assessment of sites or for conclusions to be drawn to promote sustainable patterns of development.
- 1.13 This is therefore considered to be unsound and SADC should be strongly encouraged to undertake a more detailed Green Belt Review to enable effective conclusions to be drawn to assist in the creation of a robust and sound DLP.

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?

- 1.14 It is likely that the DLP over-estimates the potential use of non-green belt land. Policies L9, L12, L20, L22 and L26 all protect land in employment, retail, community/leisure, garages/parking and green space from development.

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

- 1.15 The character of the main settlements in the District mean that significant increases in density and height are unlikely. Again, it is likely that the DLP already overestimates the likely capacity of sites within the Plan and those likely to come forward as windfalls.

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

- 1.16 It is paramount that SADC should consider all available options within its own area before considering whether adjoining authorities can accommodate some of its unmet needs. In order to come to such a conclusion, a finer grained Green Belt assessment is needed. It is unlikely that neighbouring authorities will be able to accommodate SADC's development needs as they are all similarly impacted upon by Green Belt.

6. Does the Plan seek compensatory improvements to the environmental quality and accessibility of the Green Belt?

- 1.17 No comment.

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?

- 1.18 From the broad Green Belt Review undertaken and in line with the Green Belt Topic Paper produced at the request of the Inspectors, it is considered that exceptional circumstances exist at SADC in order to meet identified employment and housing needs.
- 1.19 Notwithstanding this and whilst the principle of amendments to the Green Belt boundaries in the DLP is supported, the specific amendments proposed through the DLP are questioned and further adjustments are required to allocate a range of sites to promote small and medium sized sites on sustainably located sites.

- 1.20 This approach will ensure that it is possible to deliver more housing within the early part of the plan period to help meet SADC's housing shortfall. The adoption of this approach will ensure that the DLP is able to demonstrate a robust 5-year housing land supply position, deliver housing to meet the inherent need and ultimately ensure that the DLP can be found sound.

8. Are all the sites and their boundaries clearly shown on a map?

- 1.21 No comment.

9. Is the approach to secondary school sites in the Green Belt justified?

- 1.22 No comment.

10. Is the approach to transport infrastructure in the Green Belt justified?

- 1.23 No comment.

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

- 1.24 In accordance with paragraphs 136 and 139 of the NPPF and to help ensure that the boundaries endure beyond the plan period, the DLP should include further adjustment to the Green Belt boundary to safeguard land beyond the plan period.
- 1.25 Given the increasing housing need throughout SADC, more land will be required to provide more homes beyond this Plan period. The NPPF requires that the local planning authority demonstrates that Green Belt boundaries will not need to be altered at the end of the Plan period. There is no evidence of that and the constant review of the Green Belt boundary, after each Local Plan review (every 5 years), will undermine the public's confidence in the Green Belt. To this extent, and as outlined by the NPPF paragraph 136, SADC should identify a greater range of sites, including small and medium scale sites, which can be released from Green Belt without significant harm to its purposes. Not only would that allow needs to be met earlier in the Plan period, but it would provide a greater reserve of land in the Broad Locations for beyond the Plan period and protect the longevity of the Green Belt within SADC.
- 1.26 In addition, the safeguarding of such land would enable SADC to bring forward land for development should it find itself without a five year supply, or should one of the strategic sites fail to deliver in accordance with the plan. It would provide flexibility to respond to changing circumstances.
- 1.27 As currently drafted, the approach to safeguarded sites is not considered to be sound. In order to support this policy, further sites should be identified which can be released where it would not cause significant harm to the Green Belt, would not need to be kept permanently open and can provide sustainable and deliverable sites for future development, beyond the Plan period.
- 1.28 To assist in making further adjustments, SADC would greatly benefit from a proactive approach and use of up-to-date assessments of the Green Belt, including finer grain assessment to demonstrate suitability of small and medium sized sites within the Green Belt in sustainable locations to initially identify allocations for current

Land at Townsend Lane, Harpenden
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plan purposes and also to safeguard the longevity of the Green Belt. Once a robust position is adopted, this would not undermine the strategic broad locations, but support as these would provide a proportion of supply for beyond this Plan period.

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