



EXAMINATION OF THE ST ALBANS CITY AND DISTRICT LOCAL PLAN.

Response on behalf of Linden Homes (Bricket Wood) Ltd (response ref 1186996).

Matter 4 – The Metropolitan Green Belt (Policy S3)

Main Issue

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.

Questions

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 We act on behalf of Linden Wates (Bricket Wood) Limited who have a controlling interest in the majority of the former HSBC Training Centre at Smug Oak Lane, Bricket Wood, Hertfordshire. The site benefits from an outline approval for its redevelopment originally granted in June 2016 (LPA Ref: 5/2014/3250 and PINS Ref: APP/B1930W/15/3028110). Reserved matters permissions have been granted on the whole site since and development has now commenced. Relevant plans of the site are appended to our Matter 3 statement.
- 2 Our representation (pages 5-14) detailed our concerns regarding the appropriateness of the methodology for the Green Belt Reviews (GB001, GB003, GB004 and GB006) regarding the requirement to re-appraise Green Belt villages alongside the preference in the NPPF for considering opportunities associated with previously developed sites and/or locations well served by public transport (NPPF (2019) paragraphs 140 and 138 respectively). We have commented further upon these points in our response to matter 3.
- 3 Whilst the guidance in the 2018/2019 versions of the NPPF differs for these matters from the 2012 NPPF, as the Local Plan was submitted for examination after 24th January 2019 and pursuant to paragraph 214 it is essential that the Inspector's consideration of the document is based upon latest Government guidance. Therefore, as the Council's Green Belt assessments do not reflect the advice in paragraphs 138 and 140 of the NPPF, the ability to justify the exceptional circumstances for the revisions to the Green Belt boundaries as currently proposed are not yet evidenced. As mentioned in our response to matter 3, we do not object to the principle of greenfield Green Belt releases, indeed these appear necessary to meet substantial minimum housing needs. However, the Council has not provided appropriate evidence to prove that previously developed land (especially where in close proximity to public transport) cannot perform a greater role in meeting such minimum housing needs. As mentioned in our matter 3 statement land of this type has performed an

important function in sustaining at least some housing delivery in the District in the absence of an up to date Local Plan.

- 4 Our representation highlights how the Council's assessment of parcel 27 in their November 2013 appraisal (GB006) did not provide a fine grained (or site specific) review taking account of both green field and previously developed elements. This is a soundness concern which could have been addressed by further information following the Inspector's initial questions, primarily number 16.
- 5 As indicated in our matter 3 statement, the Council's response to the Inspector's initial question 16 (ED18) did not explain how the earlier Green Belt assessments considered the differences in approaches required for the appraisal when reviewing greenfield rather than previously developed sites. Further, our matter 3 statement alongside the representation highlights the inconsistency arising from the inclusion of the former HSBC Training Centre (a site wholly accepted by the Secretary of State as previously developed in the appeal allowed on 30/6/16) within a wider area which includes greenfield land. The plan as drafted therefore cannot reflect the preference in paragraph 138 of the NPPF which supports previously developed land to be considered in the first instance.
- 6 Our matter 3 statement highlights that other previously developed sites have had residential development allowed on appeal since the NPPF was originally published in 2012, these also had not been subject to a finer grained analysis as would be required by paragraph 138 of the NPPF.
- 7 Our matter 3 statement indicates that another previously developed site where residential development has been allowed on appeal is at the BRE, Bucknalls Lane, Garston which lies to the south-west of Bricket Wood. A review of the Council's Green Belt assessment indicates that the BRE site is also within parcel 27 of the 2013 assessment. This further highlights the inconsistency in the Council's assessment of previously developed land separately from greenfield ones.
- 8 The Council's Topic Paper attached to their response to the Inspector's further questions of 2 July 2019 (ED25C) summarises the approach of the Green Belt review (paragraph 1.2). With regard to the stage 2 process, it involved **"assessing which sites would best meet the identified need having regard to Green Belt harm and other relevant considerations including whether they are suitably located and developable."** This stage occurred once the authority had considered through stage 1 the scope for development on land outside of the Green Belt, with a particular focus on previously developed land (see paragraph 1.19 of Topic Paper).
- 9 However, there is no acknowledgement of the clear guidance in paragraph 138 of the need to consider previously developed land and/or those well-served by public transport in preference to other locations. As illustrated in our representation and the commentary of the analysis of parcel 27 in the 2013 Assessment (GB006), this includes two areas of accepted previously developed land (former HSBC and BRE) through planning appeals whereas the remainder of the areas assessed was not confirmed as such.
- 10 Whilst the Topic Paper (paragraph 2.11) refers to the report of its Planning Policy Committee in January 2014 which considered Green Belt previously developed land capacity, this pre-dates the approval on appeal of the residential redevelopments of both the 100 dwellings at BRE, Bucknalls Lane, Garston (allowed 13/10/14) and 138 dwellings at the former HSBC site

off Smug Oak Lane, Bricket Wood (allowed June 2016). It therefore does not reflect the clear evidence on previously developed land within the Green Belt which has arisen since and would therefore be relevant when undertaking an assessment pursuant to paragraph 138 of the NPPF (a paragraph that of course was published long after the January 2014 report).

- 11 Furthermore, although paragraph 5.24 of the report to the Planning Policy Committee (page 22 of ED25C) refers to an allowance of 4,500 dwellings from previously developed capacity in the Green Belt, there was no subsequent analysis of specific sites and whether they could be released from this designation as illustrated by the inclusion of both the BRE and former HSBC sites within the larger parcel 27 in GB006.
- 12 As explained in our representation, this failure to consider acknowledged previously developed sites separate from adjoining areas represents a clear inconsistency of the Council's approach with paragraph 138 of the NPPF. To address this as a residential redevelopment has been accepted on numerous previously developed sites in the St Albans Green Belt, these should be recognised and an assessment of the potential for the land to deliver a greater level of residential development considered through their identification as white land.
- 13 Additionally, paragraph 145 (g) indicates that redevelopment of previously developed sites is not inappropriate where redevelopment would not cause substantial harm to the Green Belt. In such instances, given the exceptional need for residential and other development in St Albans (as indicated in our representation), to minimise the harm to the wider Green Belt, it is considered that sites where residential development has been accepted of previously developed land, these should be inset from the Green Belt. This approach therefore applies to the former HSBC Centre off Smug Oak Lane, Bricket Wood amongst others.

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?

- 14 As indicated above and in our representation, it is not considered that the approach of the submitted plan adequately prioritises sites which are previously developed and/or well served by public transport. This is clear from the Council's failure to appraise previously developed sites within the Green Belt where residential development has been approved through the planning process i.e. at the BRE or former HSBC Training Centre separately from the other land within the parcel 27 in the Green Belt assessment (GB006).

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?

- 15 No comment

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

- 16 No comment

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

- 17 No comment

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

18 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?

19 As indicated in our representation, it is accepted (and likely) that exceptional circumstances could be demonstrated as required by paragraph 136 to justify the removal of land from the Green Belt. However, as explained above and in our representation, the current proposed removal of land is inconsistent with paragraph 138 in that it has not adequately considered the potential of previously developed land and/or sites well served by public transport.

19 Had this been done, it is likely that sites such as the former HSBC Training Centre along with others where residential development has been approved would have been considered as priorities for Green Belt release. Given the exceptional need for housing in the City and District of St Albans alongside the need to both positively plan and provide flexibility as envisaged by paragraph 35 of the NPPF, there was the potential that the draft allocations of the Plan would nevertheless have been retained. However, in the absence of the clear assessment of the potential of previously developed sites separately from adjoining greenfield ones as required by paragraph 138, this outcome cannot be certain.

20 As indicated in our representation, this soundness concern can be resolved through further evidence base work to include the inseting of accepted previously developed sites such as the former HSBC Training Centre from the Green Belt.

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

21 No comment

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

22 No comment

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

23 No comment

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

24 No comment