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

St Albans City and District Local Plan Examination

Matter 4 – the Metropolitan Green Belt (Policy S3)

- 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?**



- 1.1 As explained in the Green Belt topic paper¹, the Green Belt review was undertaken in 2 stages. Stage 1 included a *“thorough investigation of the existing urban areas (suitable brownfield and underutilised land) and whether this has been maximised having regard to optimising densities”*, undertaken through the housing trajectory/land supply data in the draft LP (2018) – which was originally informed by the 2018 ‘Call for Sites’, Authorities Monitoring Report (2018) and SHLAA (2018 update) processes. Stage 2 determined which sites would meet identified need – undertaken through the Green Belt Review: Purposes Assessment of Dacorum, St Albans and Welwyn Hatfield (November 2013); Green Belt Review (2014), the Strategic Sites Selection Work (2018) and the Sustainability Appraisal (2018).
- 1.2 As the NPPF provides no set methodology to assess the Green Belt, Redbourn Parish Council (RPC) is satisfied with the methodology pursued by SKM in both Green Belt Reviews (2013 and 2014). However, the RPC has concerns regarding the soundness of the overall approach taken by St Albans City and District Council (SACDC). As outlined in our previous Regulation 18 Statements, the removal of the SWOT analysis within the Green Belt Review Part 2 raises questions as to whether the assessment of the East Hemel sites are objective, as references to weaknesses of the site, such as >5km distance to Hemel Hempstead Train Station have been omitted from the December 2013 text in the February 2014 final draft. RPC also questions whether the decision to afford exceptional circumstances for Green Belt release on a site-by-site basis is robust, given that the sites are intended to be released as one site - the ‘East Hemel’ Crown Estate Masterplanned site. To clarify our point, 2 of the 8 sites brought forward for consideration in Stage 2 (and subsequently included in the Draft Local Plan) are East Hemel Hempstead (EHH) (North) and EHH (South) which together with EHH (Central) make up the East Hemel site. RPC is concerned that the cumulative impact of releasing these combined sites was not assessed in the Sustainability Appraisal SA; 2018) – as evidenced by the SA’s reference to *“5.3.10 significant positive effects have been identified for the three Broad Locations at East Hemel Hempstead (Policy S6 i, ii and iii)”*. On this basis, RPC argue that the Green Belt release of all 3 Broad Locations should be reassessed to evaluate the impacts of releasing the East Hemel site as a whole - as at present, the greater impact caused by releasing a much larger site has not been taken into account.

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?

- 2.1 The Local Plan identifies a series of “Broad Locations” for development, which the Pre-Submission Local Plan stated that *“Broad Locations have been selected as locations where development will cause least damage to Green Belt purposes”*. The Regulation 19 Local Plan (Policy S6) has omitted this point, instead loosely conveying that *“Broad Locations and the associated revised Green Belt boundaries are identified in indicative*

¹https://www.stalbans.gov.uk/Images/ED25C%20%20Section%203.%20Responses%20to%20Paragraphs%2012-20_tcm15-67793.pdf

form on the Key Diagram”. It is therefore unclear how the findings of the Green Belt Review informed the Local Plan.

- 2.2 The Green Belt Review (2018) clearly illustrates that the Broad Locations in question – Tier 3 sites EHH (North, Central and South) ranked lowest in terms of their suitability for release.

Table 9.1. Performance of sites against all four assessment categories (sites listed in rank order of suitability)

ID	Site	A - Green Belt Purposes*			B - Constraints	C - Integration	D - Sensitivity	Tier	Rank
		Significant	Partial	Limited / No					
8	Land at Chiswell Green	0	1	4				1 st	1
3	East of St Albans	0	2	3				1 st	2
7	Land at London Colney	0	2	3				2 nd	3
4	North of St Albans	1	1	3				2 nd	4 th
5	Northwest of Harpenden	1	1	3				2 nd	4 th
6	Northeast of Harpenden	1	1	3				2 nd	6
2b	East of Hemel Hempstead (South)	1	1	3				3 rd	7 th
1	East of Hemel Hempstead (North)	1	2	2				3 rd	7 th
2a	East of Hemel Hempstead (Central)	0	2	3				3 rd	9

*Numbers in relation to 'Green Belt Purposes' refer to the number of purposes scoring significant, partial and limited or no levels of contribution

Table 1) Green Belt Review (2014): Performance of sites against all four assessment categories (sites listed in rank order of suitability)

- 2.3 RPC's main concern is that the impact of releasing all Tier 3 sites is wholly unacceptable, as, as stated in the Green Belt Review: “East of Hemel Hempstead (North and South respectively [...]) both significantly contribute towards safeguarding the countryside from encroachment [...] and medium suitability in respect of integration”. This therefore proves that SACDC's approach is flawed, as the Green Belt Review explicitly states that their combined release significantly reduces their suitability for release.
- 2.4 In addition to this, the Green Belt Review (2014) outlines that Tier 3 sites are longer term and, with reference to the Plan period “are unlikely to be all fully built out during this time period”. This raises questions regarding the viability of the Local Plan, given that it relies on completion of all land East of Hemel. Similarly, the Plan does not outline how these revised Green Belt boundaries would endure past the Plan period.

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?

- 3.1 RPC is concerned over the Council's decision to conclude it has ‘exceptional circumstances’ to justify housing and employment-related development within the Green Belt.



3.2 Policy S2 (Development Strategy) of the Local Plan states that:

"Government figures for housing needs, and appropriate approaches to employment land provision, create the exceptional circumstances that necessitate major development in locations previously designated as Green Belt".

3.3 The above statement is not backed up by evidence and is counter to paragraph 137 of the NPPF (2019), which stipulates 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 development."

3.4 The NPPF (2019) iterates that this will be assessed through the "examination of its strategic policies", coupled with an assessment of whether the local planning authority's strategy:

"a) makes as 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; and

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."

3.5 RPC wishes to highlight that the approach taken by SACDC (in order to justify changes to the Green Belt boundaries) is both haphazard and inaccurate. With reference to the NPPF's three potential options for urban growth (a,b and c) listed above, it is evident that SACDC has not critically reviewed the available evidence base. For example, with reference to para 137 a) of the NPPF; the Council stated in a letter² to the Inspectors' (dated 31 July 2019) that [...] the Green Belt Review Purposes Assessment (2013) "identified above for Step 1 'a thorough investigation of the capacity of the existing urban areas (suitable brownfield sites and underutilised land) and whether this has been maximised having regard to optimising densities' showed a significant shortfall against the Government's 'Standard methodology' figure of 913 homes per annum."

3.6 Paragraph 5.2.22 of the Green Belt Review Purposes Assessment (2013) indeed states that "the study has assessed non-Green Belt land (rural areas in Dacorum beyond the outer Green Belt boundary) against the same criteria as Green Belt land. All of this non-Green Belt land is identified in the strategic parcel plan in Chapter 6." However, when presented with the Chapter 6 maps, it is clear that they include invalid information. As shown in figures 1 and 2 below, the Chapter 6 map shows that the gap between St Albans and Hemel Hempstead (circled in yellow) is not Green Belt, when, according to St Alban City and District Local Plan Policies Map, this area is indeed Green Belt. RPC

²https://www.stalbans.gov.uk/Images/ED25C%20%20Section%203.%20Responses%20to%20Paragraphs%2012-20_tcm15-67793.pdf

is therefore concerned that the Green Belt Purposes Assessment (2013) contains many errors which may account for inaccurate study findings.

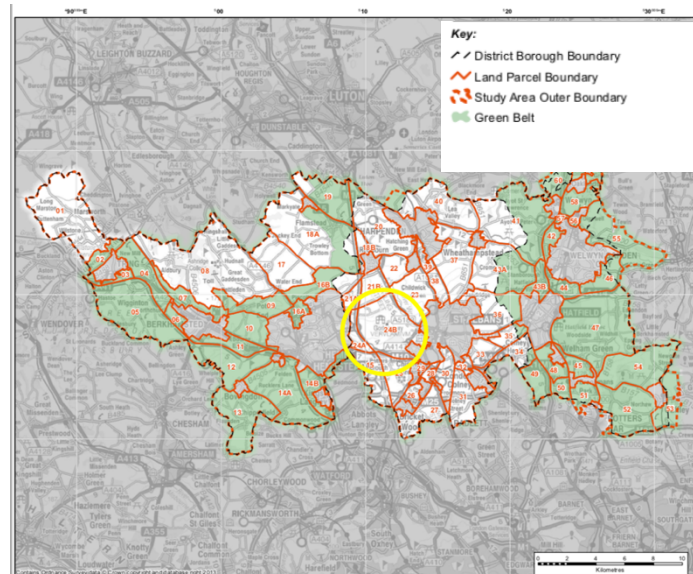
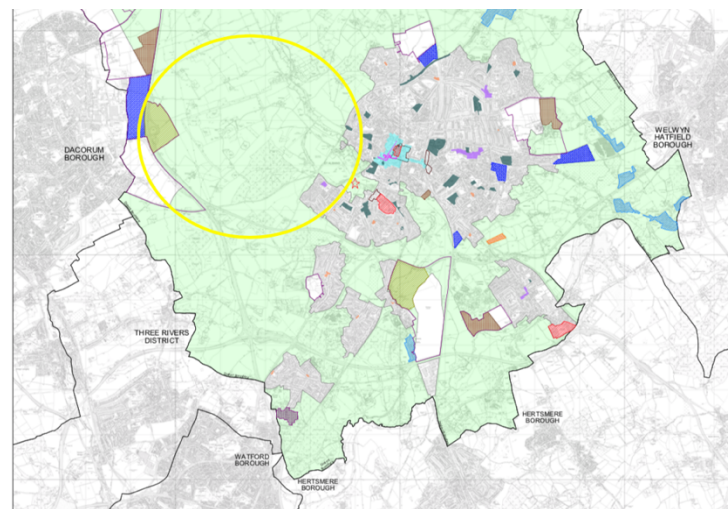


Figure 1) Green Belt Review Purposes Assessment (2013) strategic parcel plan map



Local Plan Policies Map



Figure 2) St Albans City and District Council policies map

- 3.7 Given the evident lack of scrutiny applied by SACDC when reviewing its evidence base, RPC question whether the Local Plan's intention to deliver 14,608 over the Plan period:



of which 5,550 units are earmarked for 3 Broad Location sites within the Green Belt (at East Hemel North and South and North Hemel Hempstead) is justifiable. The decision to deliver this vast quantum of units is hinged upon Strategic Site Selection work (2018) which reviewed the existing sites identified within the Green Belt Review (2014), whilst also seeking further sites to make up for the 'shortfall', based on OAN figures. This decision does not accord with an Environmental Capacity Study (2012)³ for SACDC, which concluded that *"it would be unwise to permit further urban development in the District on undeveloped land"*.

- 3.8 This retrospective approach proceeded on the basis that *"it is likely that to meet development requirements consideration will need to be given to releasing land from the Green Belt"*⁴. SACDC's Response to the Inspector⁵ states that this step was informed by the Call for Sites (2018), Authority Monitoring Report (2018) and SHLAA (2018 update) processes; including a new category named *"Local Plan/NPPF Choices – Delivering Urban Optimisation"*, which resulted from proposed policies in the draft Local Plan to fully explore non-Green Belt potential sources of housing." RPC highlight that there is no explanation of how the 'Delivering Urban Optimisation' process was carried out. Importantly, there is also no acknowledgement by SACDC that they have, in effect, created a policy guidance vacuum dating from the publication of the Green Belt Review (2014), to the Call for Sites work (2018) which does not take into account ongoing/current developments. On this basis, we deem the SACDC's strategy to optimise use of brownfield sites and underutilised land a reactive approach which, contrary to para.11 of the NPPF, does **not** *"seek opportunities to meet the development needs of their area,"* nor is it *"sufficiently flexible to adapt to rapid change"*.

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

- 4.1 RPC considers that opportunities to maximise capacity on non-Green Belt sites have not been sought by SACDC, and therefore, their justification for 'exceptional circumstances' has not been met.
- 4.2 To highlight our concerns, in a response letter to the Inspector (dated 31 July 2019)⁶, SACDC affirm that the Strategic Site Selection work (2018) focuses on existing identified sites and further potential sites which have come forward as part of the Call for Sites (2018) process. In determining whether densities could be optimised for the 8 Green Belt Review identified sites, SACDC applied a net density of 40dpa. RPC are aware that this figure is higher than the historic rate – and therefore ask whether any

³https://www.stalbans.gov.uk/Images/SP_Env_EnvironmentalCapacityofStAlbans_April2012_tcm15-25666.pdf

⁴<https://stalbands.moderngov.co.uk/documents/s50035172/PPC%20May%202018%20%20Draft%20Strategic%20Site%20Selection%20Evaluation%20Outcomes.pdf>

⁵ ED25C Section 3. Responses to Paragraphs 12-20_tcm15-67793.pdf

⁶https://www.stalbans.gov.uk/Images/ED25C%20%20Section%203.%20Responses%20to%20Paragraphs%2012-20_tcm15-67793.pdf



viability work has been carried out on these strategic sites, to ensure that the seemingly arbitrarily net densities are feasible.

- 4.3 It is unclear how the *“Local Plan/NPPF Choices – Delivering Urban Optimisation”* process showed residential delivery from *“increased density in higher buildings”*. SACDC offers no explanation as to how this work was conducted, particularly with respect to the feasibility of densifying areas. Given that there is inefficient evidence from SACDC to support the idea that they have considered intensification measures in existing urban centres, it is clear that SACDC has inadequately concluded that exceptional circumstances have been met; and as such, SACDC has afforded no due consideration for paragraph 137 b) of the NPPF, which states that a Council Strategy *“optimises the density of development [...] in line with the policies in chapter 11 of this Framework”*.

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

- 5.1 Paragraph 137 of the NPPF requires all local plan strategies to have *“c) [...] 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.”*
- 5.2 Given the extent of Broad Locations allocated on the administrative boundaries of SACDC and Dacorum Borough Council (DBC), and the ‘strategic priority’ of *‘developments that meet our housing and employment needs’* – as set by the South West Herts Collaboration Memorandum of Understanding⁷, RPC expects there to have been comprehensive discussions between the two parties. However, when reviewing the Duty to Cooperate Compliance Statement⁸, it is clear that limited dialogue between both parties has taken place. In particular, in a meeting on 22 January 2019, Gary Sutton from DBC stated that (emphasis added): *“a concern is the numbers put forward for Hemel East where there is pressure from residents and councillors and believes that there should be some give and take by both sides”*.
- 5.3 Councillor Mary Maynard (SACDC) responded by explaining *“that anything St Albans does for Dacorum means that St Albans has to potentially provide something somewhere else in its area,”* before going on to state that *“St Albans would listen to sound planning reasons for taking numbers and therefore Dacorum would need to provide detailed reasons, based on comprehensive evidence”*. RPC are concerned over the lack of cross-boundary cooperation between SACDC and DBC, as the dialogue above clearly evidences SACDC’s inability to provide sound evidence to release Green Belt within its own district, and a failure to address the concerns and needs of neighbouring authorities.

⁷<https://stalbands.moderngov.co.uk/documents/s50038859/Appendix%20A%20-%20Memorandum%20of%20Understanding.pdf>

⁸https://www.stalbands.gov.uk/Images/CD%20028%20SADC%20Duty%20to%20Co-operate%20Statement%20April%202019_tcm15-67182.pdf



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

6.1 Of relevance to Redbourn, three Broad Locations (North Hemel Hempstead, EHH North and Central) are to have swathes of Green Belt released for development. Policy S6 of the Local Plan offers what it considers to be compensatory improvements for Green Belt release at North Hemel Hempstead and EHH North, including “a *substantial new Country Park providing facilities for new and existing communities and a permanent green buffer to Redbourn,*” in addition to “*countryside access links*” and “*retention of important trees and landscape features,*” whereas masterplans for East Hemel Hempstead Central will only provide the latter.

6.2 RPC’s key concern is with regard to the status, viability and deliverability of the ‘Country Park’. RPC deems removal of statutory Green Belt designated land in replacement for non-statutory protected ‘Country Park’ buffers completely unacceptable, as the latter will be vulnerable to poorly executed management practices. Furthermore, removal of the EHH North site will alter the settlement pattern, which will lead to the merging of Hemel Hempstead and Redbourn, with a strip of land separating the two settlements. Furthermore, it is unclear as to; whether ‘Country Parks’ are viable, how they will be delivered and who will deliver and manage them, as existing viability evidence does not factor in the Country Parks.

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?

7.1 No – the plan’s proposal to remove land from the Green Belt is unjustified, for reasons justified in our answer to Question 4 above.

7.2 In addition, the reasons justifying how exceptional circumstances have been met in the Green Belt Topic Paper⁹ are deemed unsatisfactory by RPC. The Green Belt Topic Paper (July 2019) provides further testing on potential alternative housing development strategy options, which are:

- *“North East Redbourn – Amber rated*
- *Using Red rated sites*
- *Different delivery trajectories*
- *Other LPAs delivering development*
- *Neighbourhood Plans*
- *Development of a number of smaller sites currently in the Green Belt.”*

7.3 Of these options, the Paper summarised that five options were not considered by SACDC (including developing smaller sites currently in the Green Belt) to be reasonable alternatives because they involved “*[...] minimisation of adverse impacts on Green Belt purposes (Green Belt review led) and/or greater dispersal of development with less favourable outcomes for community benefits and infrastructure improvement.*” RPC

⁹https://www.stalbans.gov.uk/Images/ED25C%20%20Section%203.%20Responses%20to%20Paragraphs%2012-20_tcm15-67793.pdf



would like to highlight that this justification contradicts a minor modification of the Local Plan, which states that *“if detailed local evidence supports a Neighbourhood Plan that justifies development at a neighbourhood scale on land currently designated as Green Belt, that is supported in principle”*. If this modification were to be adopted by SACDC, it represents a clear dereliction of duty by SACDC through disregarding their own alternative options justification (namely that developing smaller sites in the Green Belt is unreasonable), which, in turn, would fail to fulfil criteria in para. 35 of the NPPF, which states that *“Plans are sound if they are [...] b) justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence”*.

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

- 8.1 The Green Belt Review (2014) provides individual maps for each of the eight strategic sub-areas identified in the Part 1 Study. Part 1 – the Green Belt Purposes Assessment Annex 1 includes a strategic parcel plan map of all strategic sub-areas. Despite this, the Local Plan Policies Map appears to have sub-divided strategic parcels 16B and 24A. Mapping outputs would benefit from a more cohesive approach to illustrating emerging policy directions, especially those policies which have direct implications concerning the scale and boundaries of Broad Locations sites.

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

- 9.1 Policy S6 of the Local Plan states that; a 3FE primary school and 8FE secondary school are allocated to EHH (North), one 3FE and one 2FE primary school are allocated to EHH (South), and a 3FE primary school is allocated to North Hemel Hempstead. The Local Plan justifies this development on the grounds that *“where specifically indicated on the Policies Map and by policies in this LP, proposals for the creation of new state schools in the Green Belt is considered in principle to demonstrate the ‘very special circumstances’ necessary to justify inappropriate development (for that purpose)”*. To be clear, the ‘very special circumstances’ case is for planning applications only, therefore, in line with para. 136 and 137 of the NPPF, SACDC must provide evidence and justification for ‘exceptional circumstances’, given that these Broad Allocations have been allocated as part of the Local Plan process. To date, there is no evidence to suggest that SACDC have met exceptional circumstances to warrant the development of schools in the Green Belt.

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

- 10.1 Policy S6 EHH (Central) includes plans for *“a new link road from M1 junction 8 to the Green Lane/Boundary Way”* and a *“multi-modal transport interchange”* within the Green Belt. Whilst para. 146 c) of the NPPF recognises *“local transport infrastructure which can demonstrate requirements for a Green Belt location”* as development which is *“not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it”*, RPC requests further evidence to come forward, especially with regard to the multi-modal transport interchange, to substantiate findings that this development does not obstruct the openness of Green Belt.

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

11.1 SACDC should respond to these questions.