

Ms Louise St. John Howe
Local Plan Programme Officer
PO Services
PO Box 10965
Sudbury
SUFFOLK CO10 3BF

12/12/19

Dear Ms St. John Howe,

Re: St Albans District Council - Hearing Statement – Matter 4: The Metropolitan Green Belt (Policy S3)

1.0 Introduction

1.1 This Hearing Statement has been prepared on behalf of London Colney Limited which has a land interest at 'Land South of Alban Way, rear of 113 to 167 Colney Heath Road, St Albans, AL4 0TN' (referred to as *'the site'*) (Ref: SHLAA-GB-SA-581). To avoid the need to repeat previous arguments the following representations and correspondence should be read in conjunction with this statement:

- **April 16:** 'Site Opportunity at Land South of Alban Way' (response to Call for Sites consultation Feb-April 2016)
- **Dec 16:** 'Land South of Alban Way' (response to Detailed Local Plan Draft DLP Nov - Dec 2016)
- **Sept 17:** 'Site Opportunity at Land South of Alban Way' (response to Call for Sites consultation August – Sept 2017)
- **Feb 18:** 'South of Alban Way – Call for Sites Report' (response to Local Plan consultation Jan-Feb 2018)
- **25 July 18:** Letter to Mr Briggs (response to error to site boundary and request to SADC to repeat site assessment using correct site boundary)

- **Oct 18:** 'Land South of Alban Way' (response to Local Plan 2020-2036 Publication Draft 2018 Consultation 'draft Local Plan')

2.0 Matter 4: The Metropolitan Green Belt (Policy S3)

- 2.1 SADC does not have capacity within its existing urban areas (suitable brownfield sites and underutilised land) to meet the need for housing over the plan period. Neighbouring authorities have also confirmed that they are unable to meet the LPAs unmet housing demand. The identified need for housing must therefore be met through the strategic release of Green belt land. In accordance with the NPPF (2019) land released from the Green Belt must promote sustainable patterns of development and this should only occur where development would be well-served by public transport. The Plan as presented has not been positively prepared, nor is it justified, or if adopted would be effective in delivering enough housing to meet the Borough's Local Housing Needs (LHN). The 'St Albans District Council (SADC) Local Publication Draft (2018) (LPD) is not consistent with national policy. GL Hearn concludes that upon examination an Inspector would not find the plan 'sound'.
- 2.2 SADC's approach to the release of Green Belt land is not consistent with the NPPF (2019). SADC plans to locate the majority of new housing within nine 'Broad Locations' (BL) for development (ten including the enviro-tech hub at East Hemel Hempstead 'Broad Location') identified on the key diagram on page 11 of the LPD. The Park Street Garden Village BL (former aerodrome) is planned to provide a minimum of 2,300 dwellings, the highest concentration of housing of the nine BLs. The area is bound to the east by the Thameslink railway line, south by the M25 motorway and approximately a kilometre east of the Park Street Railway Line (The Abbey Line). **Paragraph 23** of the NPPF (2019) states that 'Broad Locations' must be underpinned by a clear strategy for bringing sufficient land forward. The LPD states that the BL will need transport improvements to enable the development as it is not currently well served by public transport. The delivery of 2,300 dwellings within this BL is further complicated by an extant outline planning consent for a new Strategic Rail Freight Interchange (SRFI). The SFRI will be developed on the same site as Park Street Garden Village and a dispute between the operator and SADC will likely result in court action further compromising SADC ability to meet Local Housing Need (LHN) during the plan period.
- 2.3 The Council's proposed designation of Park Street Garden Village and its subsequent removal from the Metropolitan Green Belt is not justified as it (1) runs counter to the

principles set out in the NPPF (2019) [considerations for reviewing Green Belt Boundaries] (2) LPD proposed Policy S1 '*Spatial Strategy and Settlement Hierarchy*' and proposed Policy S3 '*Metropolitan Green Belt*' (3) fails to demonstrate 'exceptional circumstances' as considered appropriate by the Secretary of State in the case of planning appeal APP/B1930/A/09/2109433 (SRFI).

- 2.4 The need to remove land from the Green Belt to accommodate the SRFI was considered to demonstrate exceptional circumstances by the Secretary of State for Communities and Local Government (**see appendix 1**). In a statement from DCLG (dated 14/07/2019) Christine Symes (on behalf of the SoS) outlined her justification for permitting the development in the Green Belt and the exceptional circumstances which allowed the decision. She succinctly outlines the harm to this part of the Green Belt in Paragraph 24 of her statement:

Paragraph 24: *"Having had regard to the Inspector's comments at IR13.35, the Secretary of State concludes that the appeal proposal would be inappropriate development in the Green Belt and that it is harmful as such. As the proposal amounts to inappropriate development he considers that, in the absence of very special circumstances, it would conflict with national policies and with LP policy 1 which concern the protection of the Green Belt. The Secretary of State agrees with the Inspector's further analysis at IR13.35 and concludes that the proposal would have a substantial impact on the openness of the Green Belt, that it would result in significant encroachment into the countryside, that it would contribute to urban sprawl and that it would cause some harm to the setting of St Albans".*

- 2.5 Paragraph 53 outlines the strategic importance of the SRFI to the regional economy and gives considerable weight to the nature and type of this development including the availability of suitable alternative sites:

Paragraph 53: *"The Secretary of State considers that the factors weighing in favour of the appeal include the need for SRFIs to serve London and the South East, to which he has attributed very considerable weight, and the lack of more appropriate alternative locations for an SRFI in the north west sector which would cause less harm to the Green Belt. He has also taken account of the local benefits of the proposals for a country park, improvements to footpaths and bridleways and the Park Street and Frogmore bypass. The Secretary of State considers that these*

considerations, taken together, clearly outweigh the harm to the Green Belt and the other harms he has identified including the harm in relation to landscape and ecology and amount to very special circumstances. Despite the Secretary of State's conclusion that the scheme gives rise to conflict with LP policies 104 and 106, in the light of his finding that very special circumstances exist in this case he is satisfied that, overall the scheme is in overall accordance with the development plan".

2.6 The benefits of allocating circa. 2,300 dwellings on the former aerodrome would fail to outweigh the harm caused to this part of the Green Belt and thus the Garden Village would fail to demonstrate the 'exceptional circumstances' needed to justify the release of Green Belt land for development. The provision of housing is less reliant on existing railway connectivity and other locational factors specific to the operation of a regional SRFI. The Park Street Garden Village would fail to stand up to the level of scrutiny that had been considered appropriate for assessing applications for development in this part of the Green Belt and should therefore be reconsidered through the allocation of specific and deliverable sites.

2.7 The LPD is not sound as it has not taken into account of reasonable alternatives such as sites closer to Category 1 settlements. This principle is set out in proposed Policy S1 '*Spatial Strategy and Settlement Hierarchy*'.

2.8 **Paragraph 138** of the NPPF (2019) states that:

"When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of 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".

2.9 SADC has failed to consider the findings of the Green Belt Review (2013) which identified opportunities to promote sustainable patterns of development through the release of Green Belt land immediately adjacent to St Albans (category 1 settlement). The Green Belt Review (2013) stated that [in respects to the gap between St Albans and Hatfield] "*any small scale reduction in the gap would be unlikely to further compromise the separation of settlements*".

2.10 On this basis we respectfully ask that the appointed Inspectors discharges their duty under Regulation 23 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and recommends that SADC conducts a thorough and balanced assessment of suitable sites within this gap.

Yours sincerely

Selwyn Atkinson BSc (Hons) MPhil (Cantab) MRTPI

Planning Associate Director

selwyn.atkinson@glhearn.com

020 7851 3750

07902 704325