



NORTH HEMEL HEMPSTEAD BROAD LOCATION: STATEMENT IN RESPONSE TO INSPECTOR'S MATTERS, ISSUES & QUESTIONS

MATTER 6

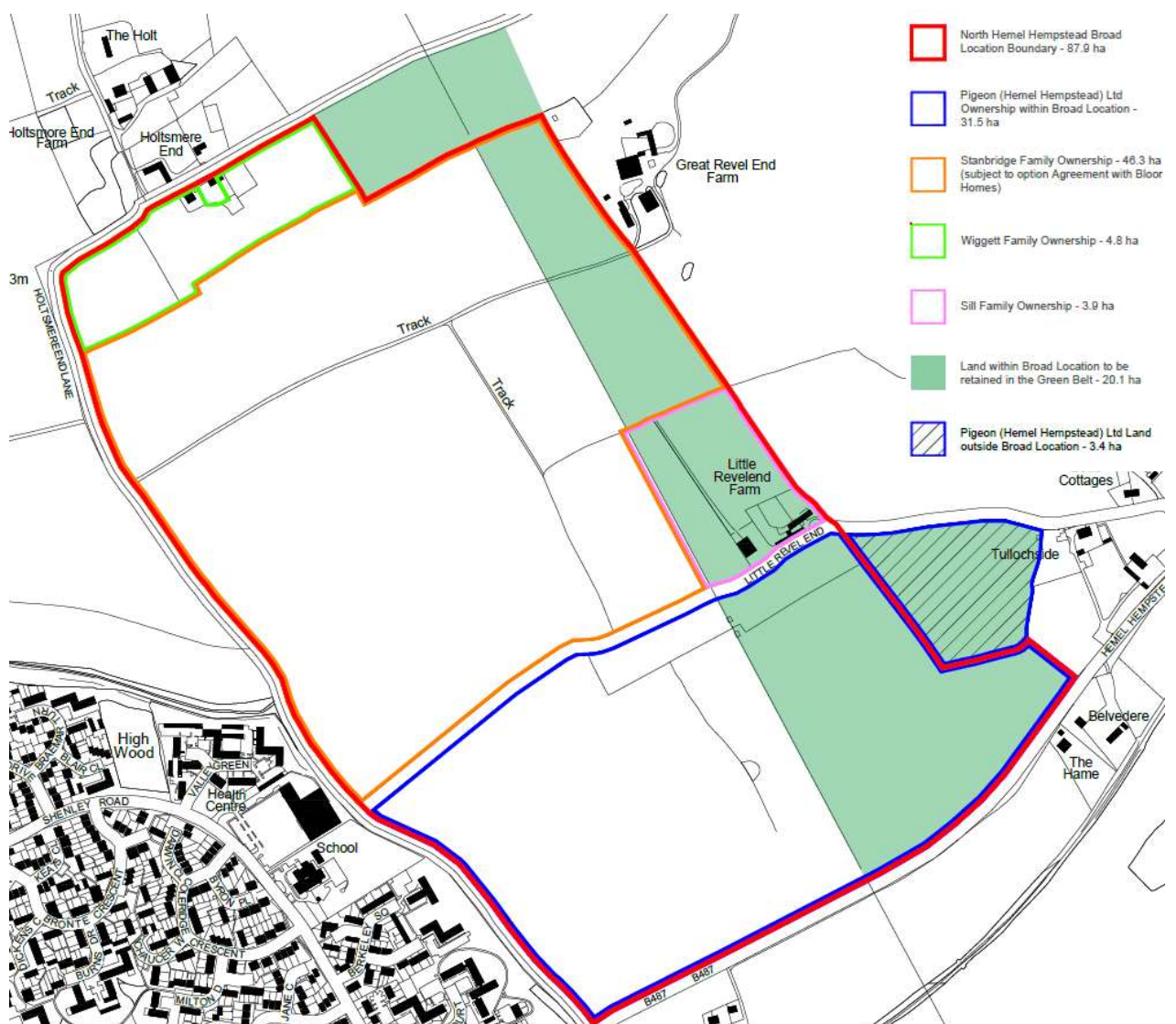
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1 Introduction

- 1.1 This Statement is submitted on behalf of Pigeon Investment Management Ltd on behalf of Pigeon Hemel Hempstead Ltd (Pigeon) in response to the Inspectors' Matters, Issues and Questions for the St Albans City & District Council (SADC) Local Plan Examination.
- 1.2 Pigeon Hemel Hempstead Ltd is the freehold landowner of the southern part of the North Hemel Hempstead Broad Location site, as identified in the St Albans Publication Draft Local Plan (Policy S6 iv), and as shown in Figure 1. This Statement follows on from previous representations, which were submitted by the former landowners throughout the plan-making process (Local Plan Representor reference no. 1157883).
- 1.3 Pigeon Hemel Hempstead Ltd is promoting the whole Broad Location for development, working in conjunction with neighbouring landowners, both within the North Hemel Hempstead Broad Location and the surrounding Broad Location's. This Statement assists with providing information on the deliverability of the site in response to the Inspector's Matters, Issues and Questions.

Figure 1: Site Plan of North Hemel Hempstead Broad Location



2 Matter 6

1. How were the broad locations for development selected, and what evidence documents were produced to inform their selection?

- 2.1 We support the spatial strategy proposed by SADC which provides for sustainable growth across the District by expanding all Category 1 settlements and one Category 2 settlement through Broad Locations for development.
- 2.2 SADC has undertaken an evidenced and staged process to inform the conclusion that larger existing urban centres should be the focus for new development through Broad Locations. SADC provide a detailed explanation of this process in both Section 4.4 and Appendix E of the Sustainability Appraisal (SA) (2018).
- 2.3 In short, SADC have followed best practice by considering a range of options for distributing new housing development within the District. The options were assessed against 20 SA objectives and it was considered that the preferred approach for the distribution for new housing within the District would be to locate the majority of new development on the edge of the main settlements, which are the most sustainable locations in terms of reducing the need to travel to access services and facilities.
- 2.4 Following “Call for Sites” exercises across the preparation of the Local Plan, SADC undertook a three-stage site selection evaluation process, as set out in page 44 of the SA (2018), on sites which could develop at least 500 dwellings or were more than 14ha. The site selection methodology used a Red/Amber/Green (RAG) “scoring” approach at each of the three stages to identify which sites should progress to the next stage. Any sites with a ‘Red’ rating were ruled out from further consideration.
- 2.5 The first stage involved an evaluation of the Green Belt Review (GB Review) to identify the sites that were identified in that Review as contributing least towards green belt purposes. The GB Review was divided into two parts, Part 1 was published in November 2013 and involved a thorough investigation of the capacity of the existing urban areas and subtracting this from the OAHN figure; obtaining information on other available sites in discussions with neighbouring authorities; and considering if there is any non-green belt rural land which could meet any of the unmet need.
- 2.6 Part 2 of the GB Review involved assessing sites which would best meet the identified need having regard to Green Belt harm, whether the site is suitably located and developable and whether exceptional circumstances exist.
- 2.7 This first stage of the site selection process reduced the number of sites down to 12 potential Broad Locations. For Stage two, the 12 sites were scored (using the RAG system) on their suitability, which considered any overriding constraints to development such as access, transport, heritage, biodiversity, and flood risk, and the sites’ availability, which considered land ownership and restrictive covenants. All 12 potential Broad Locations were rated green or amber and progressed to Stage 3. This is a sensible, structured and proportionate approach.
- 2.8 At Stage 3 the sites were considered against their:
 - Unique contribution to improve public services and facilities;
 - Unique contribution to enhancing local high-quality job opportunities;
 - Unique contribution to other infrastructure provision or community facilities;

- Deliverable / Achievable;
- Overall Evaluation.

- 2.9 The overall evaluation involved assessing the sites against the 20 SA objectives. Of the 12 potential Broad Locations considered, 11 were selected for inclusion in the Publication Draft Local Plan. The one Broad Location not taken forward was North East of Redbourn. This site was not taken forward because the advantages of the other three Amber-rated sites were considered to be greater in regards to the historic environment, sustainability of location, community identify and fair access to services.
- 2.10 The above summary presents a brief overview of the works undertaken by SADC to determine the overall spatial strategy and how the Broad Locations were scrutinised, assessed and selected. This approach is in accordance with paragraphs 6 to 26 of the NPPG ¹ and is sound.

2. Have landscape, agricultural land, flood-risk, natural heritage and heritage assessments been carried out to inform the locations of the proposed broad locations?

- 2.11 Yes. SADC prepared the SA Working Note (May 2018), which is Appendix E12 of the SA, and sets out the SADC assessment of the proposed broad locations. For the North Hemel Hempstead Broad Location, it noted the following:
- Landscape - The site is not in an area designated as a Landscape Conservation Area. Any prospective development would be required to deliver strategic and public open space and retain important trees and landscape features.
 - Agricultural Land – Only approximately 15% of the site area is covered by best and most versatile (BMV) agricultural land (Grade 2 and Grade 3a).
 - Flood-risk – The site is in Flood Zone 1 and therefore has a low probability of river flooding.
 - Natural Heritage – The greenfield nature of the site means that there will be some loss of habitats but no designated areas will be affected.
 - Heritage – The site is not subject to any significant heritage or archaeological constraint.
- 2.12 In addition, as part of the Local Plan-making process, the previous land owners of the North Hemel Hempstead Broad Location, and now Pigeon, have both prepared and formally submitted technical assessments to add to the evidence base and demonstrate that the site is deliverable. Pigeon's technical assessments are appended to our Statement for Matter 7. The assessments support the findings of the work undertaken by SADC.
- 2.13 Collectively, SADC's evidence and the technical studies commissioned by Pigeon conclude that there are no designations or environmental issues that would prevent the successful delivery of the North Hemel Hempstead Broad Location.

3. Is the Sustainability Appraisal of the options for the broad locations robust?

- 2.14 Yes. As set out in our response to Question 1 of this Statement, SADC used a three-stage site selection methodology to identify Broad Locations that could be considered for inclusion in the Local Plan.

¹ <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment#Identification-of-sites-and-broad-locations> – revision date 22 July 2019

Through this process, SADC assessed 12 Broad Locations in detail which were considered by SADC to be reasonable alternatives following the Council's Local Plan site selection process.

- 2.15 Of the 12 reasonable alternatives that were considered in detail against the SA framework, 11 were selected for inclusion in the Publication Draft Local Plan. The SA framework, comprising 20 SA objectives, was developed by SADC and has been used as a consistent basis for all Local Plan evaluation work.
- 2.16 Overall, the SA is well prepared and it appraised the broad locations using a consistent and robust methodology, which includes an appropriate amount of detail on the sites that were considered as reasonable alternatives. The SA meets the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004.

4. Are the locations of the proposed broad locations adequately identified on the policies map? Should they be more clearly defined?

- 2.17 No. Paragraph 16 of the NPPF states that plans should be clear and unambiguous, however, Pigeon considers that the proposed Broad Locations are not sufficiently clearly defined on the policies map.
- 2.18 The policies map should clearly label the name for each Broad Location, for example, "North Hemel Hempstead Broad Location" and reference the relevant policies within the key. This will ensure that the policies map is clear, particularly where there are four Broad Locations adjacent to one another to the east of Hemel Hempstead.

5. What are the anticipated timescales for the proposed masterplans? What form will these take? Are they being progressed alongside the Local Plan?

- 2.19 We recognise that this question is primarily addressed to SADC, however, it is relevant to note that Pigeon has been progressing with a concept masterplan for the North Hemel Hempstead Broad Location alongside the development of the Local Plan. This work will contribute to the cross-party joint working that is progressing in order to deliver the East Hemel Broad Locations.
- 2.20 Pigeon's draft masterplan is contained within the Vision and Delivery Statement, which is appended to our Statement for Matter 7, and is supported by a number of comprehensive technical studies.
- 2.21 This work to date demonstrates that the North Hemel Broad Location is deliverable and can achieve the requirements of Policy S6 (iv). Work on the masterplan will continue alongside the Local Plan in accordance with the Council's Masterplan Toolkit.
- 2.22 As noted in our Matter 5 and Matter 7 Statements, the North Hemel Hempstead Broad Location can be brought forward within the housing trajectory. The Vision and Delivery Statement envisages that the proposed masterplan will be adopted by 2022 with an outline application determined by end of 2023 and work on-site commencing in 2026/27.

6. Should the Broad Locations East and North of Hemel Hempstead be considered comprehensively as one broad location?

- 2.23 No. The Broad Locations East and North of Hemel Hempstead should not be considered as one broad location. For the avoidance of any doubt, we are referring to the following Broad Locations:
- East Hemel Hempstead (North);
 - East Hemel Hempstead (Central);

- East Hemel Hempstead (South); and
- North Hemel Hempstead.

- 2.24 The primary reason for this is that these Broad Locations require differing scales of infrastructure and their development raises different considerations.
- 2.25 The Infrastructure Delivery Plan (IDP) (2018/19), which forms part of the evidence base, states at paragraph 11.27 that the North Hemel Hempstead Broad Location “*will require road junction improvements, access roads and sustainable travel initiatives*”. The IDP also contains an Infrastructure Delivery Schedule (IDS) in Annex 1 (page 154). The IDS states that the North Hemel Hempstead Broad Location requires local highway improvements only. For the East Hemel North and East Hemel South Broad Locations, the IDS states that these developments require strategic improvements.
- 2.26 As set out in our response to Matter 7, Pigeon has commissioned a number of technical studies to understand the infrastructure requirements to deliver the North Hemel Hempstead Broad Location. These technical studies align with the findings of SADC’s evidence base in that the North Hemel Hempstead Broad Location is not reliant on strategic infrastructure improvements to come forward. Therefore, the North Hemel Hempstead Broad Location could be delivered earlier in the plan period on its own terms with first housing completions occurring in 2026/27.
- 2.27 Overall, these Broad Locations have different promoters and different characteristics and combining the Broad Locations together could complicate and delay the early delivery of individual sites which are necessary to help address St Albans’ housing need.

7. In allocating larger scale sites have the Council considered the advice in paragraphs 72 a-d of the NPPF? If so where can we find the evidence to support this?

- 2.28 Yes. SADC has clearly considered the advice in paragraphs 72 a)-c) and e) of the NPPF when allocating the Broad Locations but have not considered paragraph 72 d) within their SA Objectives, which all larger scale sites were assessed against.
- 2.29 As noted within our response to Question 1 in this Statement, the Broad Locations were assessed against 20 SA objectives. These objectives include sustainable locations, good quality housing, community identity & participation, landscape and townscape, sustainable prosperity and growth, biodiversity and health. Appendix E12 of the SA assesses the Broad Locations against these objectives and this assessment demonstrates how SADC have considered the guidance at NPPF paragraph 72 a)-c) and e).
- 2.30 However, in relation to NPPF paragraph 72 d) we believe that SADC have not made a realistic assessment of the delivery rate of North Hemel Hempstead. As noted in our Matter 5 Hearing Statement, we believe that the North Hemel Hempstead Broad Location can start delivering dwellings in 2026/27.

8. What strategic infrastructure is necessary for the Plan to be implemented? Is this clearly set out in a policy/policies in the Plan? If not, should it be?

- 2.31 Policy L17 in the Local Plan relates to infrastructure provision and the policy refers to the IDS, which is contained within Annex 1 (page 154) of the IDP. This provides a programme of the necessary strategic infrastructure to meet identified needs arising from new development and to address the infrastructure deficit.

- 2.32 Pigeon's comprehensive package of technical studies for North Hemel Hempstead Broad Location, as appended to our Matter 7 Statement, confirm the infrastructure requirements that have been identified by SADC in the IDS to deliver the North Hemel Hempstead Broad Location.

9. Have the infrastructure requirements of the broad locations and other strategic infrastructure been adequately identified and costed in an up to date IDP? Including the requirements for:

- a) road improvements;*
- b) public transport systems and sustainable transport networks;*
- c) water supply and waste water treatment;*
- d) the provision of electricity/gas and other services;*
- e) primary healthcare;*
- f) schools and early years' provision;*
- g) green infrastructure; and*
- h) leisure and sports facilities.*

- 2.33 Yes. We have reviewed SADC's IDP and believe that it has been prepared with proportionate evidence reflecting progress made to date for the Broad Locations. The IDP and the accompanying IDS contain the infrastructure requirements, timescales, costs and responsibilities for each Broad Location as far as reasonably possible.

- 2.34 Pigeon has had discussions with SADC in respect of the Infrastructure Delivery Plan (IDP) and the proposed provision of infrastructure at North Hemel Hempstead. Pigeon is broadly comfortable with the general conclusions of the IDP.

- 2.35 Pigeon has commissioned a comprehensive package of technical studies to understand the infrastructure requirements to deliver the North Hemel Hempstead Broad Location and has undertaken its own private and confidential financial viability and cost plan modelling for this infrastructure. This work, which confirms the findings of SADC's IDP, has underpinned the draft masterplan which is contained with the Vision and Delivery Statement appended to our Matter 7 Hearing Statement.

10. Are any infrastructure requirements missing?

- 2.36 See response to Question 8 of this Statement.

11. Are there known sources of funding, particularly for development expected to be delivered in the next 5-7 years of the Plan? Are these all in the Council's latest Infrastructure Delivery Plan?

- 2.37 As set out in our Hearing Statements for Matter 5 and Matter 7, the North Hemel Hempstead Broad Location can be delivered earlier within the plan period. Pigeon has undertaken its own financial viability and cost plan modelling for the infrastructure for this Broad Location which confirms that the site is viable and deliverable.

12. Is there evidence that the infrastructure requirements will be delivered within the necessary timescales?

- 2.38 Pigeon see no reason why the infrastructure requirements cannot be delivered in a timely way for the North Hemel Hempstead Broad Location. They are either within the control of Pigeon or require no unusual measures from infrastructure providers.

- 2.39 The Vision and Delivery Statement appended to our Statement for Matter 7 explains that the development of the North Hemel Hempstead Broad Location can be brought forward within the plan period and that the infrastructure required to deliver this Broad Location can be delivered within this same timeframe.

13. Should policy S6 make more specific requirements as regards the provision and timing of the infrastructure needs for the proposed broad locations?

- 2.40 We consider that it is not necessary or appropriate for Policy S6 to describe the detailed provision and timing of infrastructure needs for the proposed Broad Locations at this early allocation stage, at least not for North Hemel Hempstead. That further level of detail is not necessary to ensure delivery.
- 2.41 Policy S6 requires masterplans for the Broad Locations to be prepared. It states that this should be led by the Council in collaboration with Dacorum Borough Council, local communities, landowners and other stakeholders. The provision and timing of infrastructure needs will develop and evolve through this process where necessary and will be underpinned by an evidence base containing comprehensive technical studies generated to inform that work.
- 2.42 Furthermore, any development within the Broad Locations will require the submission of planning applications. Any approved planning application will include a signed S106 planning agreement, which is legally binding, and will state exactly what infrastructure will be delivered in a timely manner against the delivery of the Broad Locations. This is in addition to any planning conditions that will need to be satisfied. No further protection or prescription is necessary in the Local Plan.

14. Are there effective mechanisms in place between the Council, other neighbouring authorities and infrastructure providers to co-ordinate the planning and provision of infrastructure?

- 2.43 Yes. A joint bid for Hemel Garden Communities (HGC) between Dacorum Borough Council, Herefordshire County Council, Herts Local Enterprise Partnership and St Alban's City & District Council, with support from Homes England and the Crown Estate, was made in November 2018 and was successful in receiving official government Garden Community status and funding in March 2019.
- 2.44 This joint-working has continued and Dacorum Borough Council, Hertfordshire County Council and SADC have created a HGC Board and Steering Group to co-ordinate a strategic cross-boundary approach to deliver the Hemel Garden Communities, which includes the Broad Locations to the east of Hemel Hempstead.

15. Will the broad locations for development have any potential cross boundary transport impacts? How will these be addressed?

- 2.45 Any potential cross boundary transport impacts at Hemel Hempstead will be addressed through the on-going joint-working between Dacorum Borough Council, Hertfordshire County Council and SADC.

16. Is any of the strategic infrastructure reliant on other development coming forward in neighbouring authorities?

- 2.46 See response to Question 8 of this Statement.

17. Will the delivery of key infrastructure allow for the delivery of planned development in line with the housing trajectory in the Plan? If not, what will be the shortcomings and how will the Council address these matters?

- 2.47 As set out in our Statement for Matter 5, the North Hemel Hempstead Broad Location, and its required infrastructure, can be delivered earlier than the housing trajectory in the plan.

18. Are there any other constraints on the delivery of strategic infrastructure?

- 2.48 As set out in the Vision and Delivery Statement appended to our Statement for Matter 7, the North Hemel Hempstead Broad Location can be delivered earlier than the housing trajectory in the Local Plan and there are no constraints on the delivery of strategic infrastructure required to develop this Broad Location.

19. What are the implications of allocating the site of the approved Strategic Rail Freight Interchange at Park Street Garden Village for housing? Can an alternative site be provided? What are the wider cross boundary/national consequences of the Interchange not being delivered there?

- 2.49 Should the Park Street Garden village not materialise, then there will be an even greater need for the earlier delivery of other housing sites within St Albans. As noted within our Statements for Matters 5 and 7, the North Hemel Hempstead Broad location is deliverable sooner than the assumption of 2031/32 stated in the housing trajectory in the Local Plan.
- 2.50 Should Park Street Garden Village materialise, the position still remains that the North Hemel Hempstead Broad Location can be delivered earlier within the plan period and SADC should not seek to unnecessarily delay meeting identified development needs (paragraph 21 of the NPPG).

20. In response to our initial question – ‘Have the Council undertaken a whole plan viability assessment of the submitted Plan to ensure that the policies are realistic and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan? If so, can you direct us to it please?’ the Council replied ‘Yes, the St Albans CIL and Viability Report Final Draft – November 2017 (INFR 009), submitted on Friday 26th March 2019, assessed the viability of the emerging Local Plan....The assessment included looking at the cumulative cost and impact of the proposed (and now in similar form final) draft Plan.’

Has the economic viability of each of the proposed broad locations been adequately demonstrated in the St Albans CIL and Viability Report (Nov 17)? Is the study robust and does it demonstrate that the local Plan is viable and based on reasonable assumptions? In particular:

- a) Is it based on the publication version of the Plan or a previous draft?*
- b) Has the viability assessment been carried out in accordance with the advice in the PPG and is it up to date?*
- c) Are appropriate assumptions made about the level and timing of infrastructure costs and other costs associated based on the most up to date IDP?*
- d) Is there a contingency allowance? If not, should one be included?*
- e) Are appropriate assumptions made about the rate of output?*
- f) Are appropriate assumptions made about the timing of land purchases?*
- g) Is the viability threshold set at an appropriate level?*
- h) Should an allowance have been made for inflation?*
- i) Is an appropriate allowance made for finance costs?*
- j) Is the residual value methodology appropriate?*
- k) Has income from commercial floorspace been factored into the calculations?*

- 2.51 The SADC CIL and Viability Report (Nov 17) considers the emerging policies of the Local Plan and the cumulative impact of these policies as required by the NPPF. The report notes that an area wide study

was undertaken to make an overall judgement as to viability in SADC. The study was not meant to deliver a precise answer as to the viability of every development likely to take place during the plan period as no assessment could realistically provide this level of detail.

- 2.52 However, SADC held an Evaluation Validation Panel in May 2018 with landowners/developers and follow-up proformas were completed in June 2018. During this process, landowners/developers confirmed the viability of their respective Broad Locations in person and in writing in May/June 2018.
- 2.53 Pigeon has produced its own private and confidential cost plan and viability appraisal for the development of the North Hemel Hempstead Broad Location as part of the on-going work on the masterplan for the Broad Location. This appraisal confirms that North Hemel Hempstead Broad Location is viable and deliverable.