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

St Albans City and District Local Plan Examination



Matter 6: The Broad Locations for Development (Policy S6) – General Matters (Policy S6) and Strategic Infrastructure (Policies L17 and L18)

Main Issues:

Whether the policies for the development and delivery of the Broad Locations for Development are justified, effective and consistent with national policy?

Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall provision for infrastructure needs of St Albans over the Plan period.

Whether it contains effective mechanisms to secure the provision of strategic infrastructure as and when it is needed.

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

1.1 St Albans City and District Council (SACDC) should respond to this.

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

2.1 SACDC prepared various technical studies such as the SA (2018)¹, South West Hertfordshire Strategic Flood Risk Assessment (2018)², Hertfordshire Landscape Character Assessment Statements (2000-2005)³ and Conservation Areas Character Statements, including one for St Albans (2016)⁴. Whilst it is difficult to pinpoint how each document has directly informed the Local Plan, it is clear that SACDC has disregarded information presented in these evidence documents.

2.2 In particular, the SA (2018) highlighted that:

“In relation to the ‘Soils’ objective (SA4), significant adverse effects have been identified in relation to the Broad Locations S6 i); East Hemel Hempstead (North); S6 ii) East Hemel Hempstead (Central); and S6 vi) North St Albans, as these locations

¹https://www.stalbans.gov.uk/Images/CD%20009%20St%20Albans%20Local%20Plan%20Sustainability%20Appraisal%20Report%202018_tcm15-67027.pdf

²https://www.stalbans.gov.uk/Images/South%20West%20Hertfordshire%20Strategic%20Flood%20Risk%20Assessment%20-%20Report%20-%20Final%20Draft_tcm15-66972.pdf

³https://www.stalbans.gov.uk/Images/SP_SLP_ENV005HertfordshireLandscapeCharacterAreaStatementsStAlbansDistrict_tcm15-54905.pdf

⁴<https://www.stalbans.gov.uk/planning/conservation/StAlbansConservationAreaCharacterStatement.aspx>



have been identified as having >25% of their area composed of best and most versatile (BMV) agricultural land (Grade 2 and 3a) [...].

- 2.3 Furthermore, the Green Belt Review (2014) notes that the East Hemel Hempstead (EHH) South site (south of Breakspear Way) has relatively high landscape sensitivity, and EHH land to the east and north of the sub-area is more sensitive due to its open landscape.
- 2.4 RPC questions why these sites were allocated as Broad Locations, given the implied adverse effects to both landscape and soil and the inclusion of more suitable sites brought forward in the Green Belt Review (2014)⁵. For these reasons, RPC deem the 'Broad Locations' as inappropriate for development, and as such, are contrary to Policy L29 of the Local Plan, which states "*development resulting in the loss of the most versatile agricultural land (grades 1, 2 or 3a) will normally be refused. An exception may be made where it can be evidenced that there is an overriding need for the development*"; as RPC argues that more appropriate sites were overlooked during the site selection process.
- 3 Is the Sustainability Appraisal of the options for the broad locations robust?**
- 3.1 RPC considers that the Sustainability Appraisal of the options for the broad locations is not robust. Details of RPC's concerns are set out in response to Questions 2 and 3 of Matter 1.
- 3.2 Put simply, the SA indicators included were found to be subjectively assessed, with varying level of details given. In addition, each Broad Location was given one rating for each SA indicator, such as 'biodiversity' and 'historic environment', whereas it has been highlighted within the Green Belt Review (2014) that various levels of landscape sensitivity are recorded throughout each broad location. The RPC therefore feel that the SA omits important sub-area level details.

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

- 4.1 As highlighted in Inspectors' questions (7.) (dated 2 July 2019), the Inspectors suggest that the Policies Map should include a key which directly relates to Local Plan policies. However, it is clear that this suggestion was not acted upon. RPC is concerned that the Policies Map is at odds with para. 23 of the NPPF which states that "*broad locations for sustainable development should be indicated on a key diagram, and land-use designations and allocations identified on a policies map*", as the Policies Map does not include the names of 'Broad Locations' of development.

⁵ https://www.stalbans.gov.uk/Images/SP_EB_GBR_Part2_SitesBoundaryStudy_Feb2014_tcm15-40720.pdf



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

5.1 Policy S4 of the Local Plan provides three delivery phases for housing – “from 2020-2025 the requirement/target is 565 per annum. From 2025-2030 the requirement/target is 1,075 per annum. From 2030-2036 the requirement/target is 1,075 per annum, delivering a total of 14,608 additional homes over the Plan period. Despite this aspirational policy, SACDC has provided no timescales for the proposed masterplans. This is a critical point given the need for significant lead-in times for large sites to progress through regulatory planning stages prior to moving towards the outline planning stage. The timetable for the masterplans and necessary community engagement will need to be adequately factored into the trajectory and timetable for the broad locations.

5.2 Policy S6 of the Local Plan states that “*planning applications for development at the Broad Locations must materially accord with Masterplans which have been approved by the Council following consultation with local communities and key stakeholders*”. According to The Crown Estate’s 2017 Exhibition Boards⁶ for East Hemel, first housing completions will be delivered in 2021. This timeframe does not align with SKM’s Green Belt Review (2014), which instead states that EHH (North, South and Central) are longer term, and, with reference to the Plan period “*are unlikely to be all fully built out during this time period*”. Given that no major development proposal has been submitted to SACDC for these ‘broad location’ sites, RPC considers SACDC’s decision to afford these proposed units for the broad locations into the overall housing figure within the Local Plan as unjustifiable.

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

6.1 SACDC’s decision to consider all broad locations as separate areas is unjustified. As stated in the SA (2018), “*5.3.10 significant positive effects have been identified for the three Broad Locations at East Hemel Hempstead (Policy S6 i, ii and iii)*”. The SA (2018) Table 6.1 (summary of likely significant effects) then states the following “SA Objective 13 (sustainable locations: to deliver more sustainable patterns of sustainable development) - likely significant positive effects in relation to Broad Locations S6i) EHH (north); S6ii) EHH (central); and S6iii) EHH (south).

6.2 Given that the East Hemel Masterplan states that it will deliver “*three distinct areas delivered as one scheme*” and that the accompanying Green Belt Review (2014) makes the following statement regarding the EHH (north, south and central) sites: “*given the contiguous location of these three sites, and the need for co-ordinated cross-boundary planning between St Albans City and District Council and Dacorum Borough Council that will be essential if they are to be brought forward for development, it is considered that they*

⁶ <http://easthemel.co.uk/wp-content/uploads/2016/09/East-Hemel-Boards-June-2017.pdf>



should be planned for as an integrated urban extension and are therefore grouped into a single tier"; the RPC deems it irresponsible of SACDC to not consider the SA cumulative impacts of releasing the broad locations as one scheme.

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?

7.1 It appears that SACDC has not considered the likely rates of delivery at the broad locations. As explained in our response to Question 17, the Infrastructure Delivery Schedule does not align to the housing trajectory schedule. Given that first completions are due in 2023/2024 (with a delivery rate of 75 units for EHH North and South, rising to 140 units in 2024/2025 and sustained at a high of 180 units each in 2025/226 for a period of six years) and infrastructure is set to be delivered 'by 2030', RPC deem the rates of delivery entirely unrealistic, as at present the sites will not be supported by essential infrastructure needs.

7.2 Similarly, contrary to para. 72 c) of the NPPF, Local Plan Policy S6 sets out a generic objective *"to provide a major urban extension of Hemel Hempstead"* for the East Hemel (except East Hemel Central) and North Hemel Hempstead sites. This does not set clear expectations for the quality of development, nor does it provide any information to inform the character and management of the broad locations.

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?

8.1 The Local Plan does not set out any infrastructure requirements for each broad location identified in Policy S6. Despite this, the Plan does state that *"planning applications for development at the Broad Locations must materially accord with Masterplans"*. At current, the existing Masterplans do provide details on associated land uses, but do not expand on what is considered essential infrastructure, nor does it provide information on proposed phasing of the East Hemel scheme.

8.2 The Infrastructure Delivery Plan (IDP) (2018/2019) does consider infrastructure requirements for the East Hemel sites, for example East Hemel (North and South combined) could result in a need of "5 additional full time GPs and 960m² of General Medical Services (GMS) floor space". The masterplan does accommodate this need by stating that in Hemel Hempstead (Residential South) *"a new local centre, serving the new community with space for healthcare provision"* is planned for. Despite this, Policy S6 iii) of the Local Plan only refers to *"new neighbourhood and local centres"*. RPC is therefore concerned that key infrastructure hasn't been sufficiently planned for to ensure that local needs are met; and consequently, this may place additional pressure on existing services in Redbourn and wider areas.

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.**

9.1 The IDP (2018-2019) states that the *"Infrastructure Delivery Schedule (IDS) only includes estimated costs of currently known, site specific, infrastructure required to facilitate development at the Broad Locations for Development."* The IDS neglects to include requirements and funding information for: water supply and wastewater treatment and leisure and sports facilities - unless the latter falls under *"community provision"*. In addition, provision for an *"Energy Strategy and Renewable Energy"* fails to include details on associated components such as electricity substations. Another concern relates to Green Infrastructure (GI), where the IDS states that a *"community management organisation"* will deliver GI at the East Hemel (North and South) and North Hemel Hempstead sites. The RPC was previously unaware of the formation of a community management organisation, and therefore feels that SACDC has inadequately consulted the public on this matter.

10 Are any infrastructure requirements missing?

10.1 The IDP fails to include SEN education and adult learning provision.

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?

11.1 SACDC should respond to this question.

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

12.1 No –the IDP Appendices (Part 1) Appendix 3: Maylands Growth Corridor Study Hemel Hempstead: Investment Prospectus (January 2018) makes reference to a Maylands Growth Corridor Study Stage 3 Phasing and Packaging Report (AECOM, 2017) which *"provides more detail on the next steps for individual Scheme Concepts"*, however this document has not been included within the Local Plan examination documents. RPC deems it irresponsible of SACDC to not include the Stage 3 Phasing and Packaging Report for these sites, and therefore considers SACDC should undertake a further public consultation on this urgent matter.



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

13.1 No – although Policy S6 lists key infrastructure for each Broad Location, this information is made redundant without the inclusion of proposed phasing of each infrastructure type. Neglecting this matter is contrary to para. 8 of the NPPF which stipulates that achieving sustainable development involves “*identifying and coordinating the provision of infrastructure*”. RPC recommends that a transparent process ensues, to ensure all infrastructure types are accounted for.

13.2 RPC is concerned that an additional one (15 pitches) Gypsy and Traveller site within EHH Central (as outlined in Policy S6) would lead to a disproportionately high level of gypsy and traveller sites located in this area, especially given that the total future need is estimated to equate to just 79 pitches within the Plan period⁷. It is unclear how SACDC will provide adequate infrastructure to support this community.

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?

14.1 The IDS states that infrastructural requirements for broad locations will be delivered through a combination of stakeholders, including: the developer, Hertfordshire County Council, “*others*”, and a Community Management Organisation for all GI-related requirements.

14.2 As expressed in Appendix 13 of the DtC Statement (dated 22 January 2019), SACDC had not yet received a Planning Performance Agreement (PPA) from The Crown Estate. Consequently, both DBC and SACDC expressed concern that current offerings “*seem very inadequate for the work likely to be involved*”. RPC wishes to highlight that the absence of a PPA agreement risks uncoordinated practices occurring and undermines para. 24 of the NPPF, where local planning authorities are “*under a duty to cooperate with each other [...] on strategic matters that cross administrative boundaries*”.

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

15.1 Yes – transport impacts for the East Hemel and North Hemel Hempstead sites have been modelled within their respective Transport Strategy and Evidence Base documents (2016)⁸, located in Appendix 2 of the IDP Plan Appendices (2018-2019). Findings of the strategies considered transport impacts in St Albans District and neighbouring Hemel Hempstead in Dacorum Borough Council. RPC is concerned that

⁷ https://www.stalbans.gov.uk/Images/SP_EB_SAGypsyTravellerAccomNeedsAssess_tcm15-51282.pdf

⁸ https://www.stalbans.gov.uk/Images/INFR%20002b%202018-2019%20Infrastructure%20Delivery%20Plan%20Appendices%20-%20Part%201_tcm15-67185.pdf

the scenario testing included does not accord with Local Plan Policy L18 which states that *“particular consideration will be given to planning for [...] infrastructure for sustainable travel within new developments [...]”*, as for ‘Do Something’ scenarios relating to private car travel at East Hemel, the Strategy states that “the mitigation measures included within the model networks will increase the volume of trips which can be accommodated within the period”.

15.2 SACDC should respond to the second part of this question.

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

16.1 It is evident that SACDC has not adopted a joined-up thinking approach. In relation to the South West Hertfordshire Councils, the Local Plan states that when policies and spatial approaches of a Joint Strategic Plan has been agreed and adopted, *“the consequences will need to be appropriately addressed in a review of this Plan”*. Given that SACDC’s broad locations are located on the DBC boundary with a strong functional relationship with Hemel Hempstead, the current level of DtC engagement with DBC (as evidenced in the DtC Statement) is not nearly considered comprehensive enough.

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?

17.1 The housing trajectory in the Plan outlines that first completions at the East Hemel Hempstead (north and south) sites will be in 2023/2024, with the majority of completions from 2025/2026 onwards. First completions at North Hemel Hempstead are projected for 2031/2032, where 1000 units will be delivered after the Plan period.

17.2 RPC is concerned that this does not accord with the IDS, which stipulates that transport, educational facilities, GI, community facilities, SUDs, digital infrastructure and an energy strategy will be delivered by year 10 of the Plan period (i.e. 2030). This oversight highlights SACDC’s inability to proactively plan for future needs.

17.3 On these grounds, RPC would like to draw attention to para. 49 of the NPPF, which states that to justify refusal of planning permission, the application must include a substantial development which yields significant cumulative effects; and where an emerging plan exists but is not yet formally part of the development plan for the area.

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

18.1 SACDC should respond to this.



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?

19.1 The Park Street Garden Village site was included within the housing trajectory for the Local Plan (Appendix 2). This outlined that of the 2,300 total homes allocated to Park Street Garden Village, 1670 will be delivered over the Plan period, with a further 630 homes delivered post-Plan period. RPC recognise that SACDC's decision to allocate this site as a Broad Location for development recognises the needs of the District. Furthermore, RPC would like to highlight that the initial planning application of the SFRI was informed through the Network Rail's Freight Market Study (2013)⁹, which forecasts "for three future years, 2023, 2033 and 2043". Given Network Rail's failure to monitor and update this forecasting (to reflect all modern growth scenarios), the forecasting can be deemed out-of-date. RPC therefore regards the newly proposed housing allocated to the Park Street Garden Village site as wholly acceptable.

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

⁹ <https://cdn.networkrail.co.uk/wp-content/uploads/2016/11/Freight-Market-Study.pdf>



calculations?

- 20.1 The economic viability of each of the proposed broad locations has not been adequately demonstrated within the St. Albans CIL and Viability report. The local plan and IDP do not specify the amount expected to be raised through the use of CIL, the timeframe for collection these revenues, or the timeframe and costs associated with implementation for each piece of proposed infrastructure. The local plan does not set a target within its monitoring framework for development contributions received through CIL, further confusing the viability of the plan to fund its proposed infrastructure. Policy L17 of the Local Plan is not specific on which pieces of infrastructure it expects CIL to fund, and S6 does not mention CIL at all. Despite CIL being named as a potential revenue source for infrastructure within the IDP as relevant to both of these policies, it is unclear as to how CIL funding will be allocated.