

HARPENDEN GREEN BELT ASSOCIATION

**HEARING STATEMENT FOR EXAMINATION IN PUBLIC OF
ST ALBANS DISTRICT LOCAL PLAN**

**MATTER 6 – THE BROAD LOCATIONS FOR DEVELOPMENT:
GENERAL MATTERS AND STRATEGIC INFRASTRUCTURE**

1. For ease of reference, Harpenden Green Belt Association's ("HGBA's") response to the 2018 Consultation is at **Appendix 1**. This issue is addressed in Section III, part C, D, E and Sections IV and V of the response.
2. References to the appendices to this statement are given below as "**Appx 1, 2**" etc. Documents in the Examination Library are not included in the appendices but are identified by their reference number.
3. HGBA sets out below each of the Inspectors' questions; provides a summary answer to each question it wishes to respond to, with (where appropriate) additional explanation in numbered paragraphs.

Q1: How were the broad locations for development selected, and what evidence documents were produced to inform their selection?

A: In 2013-2014, the Green Belt Review identified 8 sites which were said to fulfil Green Belt purposes less than other parts of the Green Belt. In 2017, following the failure of the earlier draft local plan, the decision was made politically to meet OAN in full, regardless of Green Belt constraints, by utilising those 8 sites, plus the Strategic Rail Freight site. In 2018, some very flimsy window-dressing was then applied to justify the decision, by means of the so-called "Strategic Site Selection Work". This process does not withstand the slightest scrutiny.

1. HGBA has addressed the Green Belt Review in Matter 4.
2. Once the 2016 draft plan had failed and the judicial review dismissed, the Council approached its next draft Plan on the basis that it was required to meet OAN for housing in full, regardless of Green Belt constraints.
3. Following the Reg. 18 consultation and a call for sites, the next step was the 2018 Strategic Site Selection Work. The evaluation methodology was set out in a March 2018 PPC report at **Appx 2**. Importantly:

(1) Para. 4.2: the evaluation was to be of "strategic scale" sites only, that is, sites capable of accommodating a minimum of c. 500 dwellings or having 14 ha. of developable land.

- (2) Para. 4.3: calculations of area and capacity would be made by calculating 40 dwellings per hectare on 60% of the site.
 - (3) Para. 4.5: there would be a three-stage evaluation. First, impacts on green belt purposes would be “red, amber, green” evaluated. Any “red” sites would be ruled out. Second, suitability and availability would be evaluated, with any red rating ruling a site out. Third, the sites would be evaluated against four additional criteria: their unique contribution to improve public services; to enhancing local job opportunities; to other infrastructure provision and their deliverability. In relation to the 3 “unique contribution” criteria, the methodology stated that “*any Green rating is considered to be potentially significantly positive at a District wide (or even wider) scale*”.
4. The results of the evaluation process were presented to PPC in May 2018: see the matrix and site forms for NW Harpenden and NE Harpenden (**Appx 3**). In significant respects the report did not follow the methodology:
- (1) First, site capacity was not calculated as described in the March 2018 report. The 8 Green Belt Review sites were all treated as “strategic”, even though they were not of the agreed scale. In particular, NW Harpenden would not have been considered a strategic site had the capacity calculations been carried out in the way described in the March 2018 paper: see HGBA’s consultation response at **Appx 1**, Section V paras. 5-9. The West of London Colney broad location was treated as a “strategic” site at 440 dwellings.
 - (2) Second, no proper consideration was given to the existence of overriding constraints to development where this might have prevented the Council bringing forward the its preferred sites. For example, in the middle of the NW Harpenden broad location is a listed building. No heritage impact assessment was carried out before concluding that the site should be given a “green” rating for suitability.
 - (3) Third, at the third stage of the assessment (for “*unique contributions at a District-wide or wider scale*”), officers simply scored all the sites which had received a “green” or “amber” rating following the first two stages as “green”, regardless of their true merits. There was no attempt to apply the evaluation criteria. For example, NW Harpenden and NE Harpenden have no capacity to improve public services; make no contribution to enhancing local job opportunities and make no

contribution to other infrastructure, yet were given a “green” rating for all of these criteria, claiming that they had a “*unique*” capacity to do so at a “*District-wide or wider*” scale.

5. Thus the broad locations were not selected through a robust, evidence-based evaluation process but merely represent the politically-preferred sites for development.
6. Moreover, the Plan contains assertions about the way in which the broad locations have been selected which are simply untrue. Policy L18 states “*the Broad Locations for Development have been selected in part on the basis of their potential to offer opportunities to achieve sustainable travel outcomes. New school locations have also been selected in part on the basis of their potential to offer opportunities to achieve sustainable travel outcomes.*” Yet the sustainability of travel outcomes played no part in the assessment of the broad locations.

Q2: Have landscape, agricultural land, flood-risk, natural heritage and heritage assessments been carried out to inform the locations of the proposed broad locations?

- A. No. Contrary to NNPF 2019 para. 31, the selection of the broad locations has not been “*underpinned by relevant and up-to-date evidence*”. As PPG 037 says “*The evidence needs to inform what is in the plan and shape its development rather than being collected rather than being collected retrospectively*”. Despite this clear guidance, the Council seems to think it is acceptable to make its decisions first and then seek to justify them through evidence collected only after the decisions have been made.

1. **Landscape:** There has been no assessment of the impact on landscape of proposed built development on Green Belt, outside the boundaries of the sites reviewed in the Green Belt Review.
2. **Agricultural land:** We are not aware of any agricultural land assessment having been carried out.
3. **Flood risk:** ENV 001 SW Hertfordshire Level 1 Strategic Flood Risk Assessment was prepared only in October 2018, after the Plan was published. The report recommends undertaking Level 2 assessments at all sites identified as “at risk”, but such assessments have not been carried out. The report evidences a long history of flood

incidents in the District, including regular fluvial and surface water flooding in Batford, where the NE Harpenden broad location is found, and in Harpenden in 2015. The flood risk assessment identifies a risk of flooding at both the NE Harpenden and NW Harpenden broad locations: see the summary at Appendix F of CD 012 St Albans Local Plan - SA Report Addendum March 2019.

4. **Natural heritage:** No natural heritage assessments have been carried out to inform the location of the broad locations or to consider the impact of proposed development on Green Belt outside the broad locations.
5. **Heritage assessments:** No heritage assessments have been carried out to inform the location of the broad locations, despite NPPF 2019 paragraphs 190, 193-194. This is particularly concerning given that there are a number of heritage assets close to, or (e.g. in the case of NW Harpenden) within the broad location. Historic England has commented negatively on the way in which the SA underplays the adverse impact on heritage assets.
6. **Transport modelling:** The Inspectors' question does not ask whether the traffic and transport impacts have been properly assessed in selecting the broad location sites, but this should have been an important element of location choice: see NPPF 2019 paras. 102, 104(b). The Plan was prepared and published without any evidence of the transport consequences of the particular broad locations selected: please see Section III, part D of the HGBA Consultation Response and the particular concerns it expressed about NE Harpenden at Section III, Part IV para. 4 and about NW Harpenden at Section III, Part V para. 11. For this reason, Hertfordshire County Council considered the Plan unsound in its consultation response in 2018. Since submission of the Plan the Council has produced some traffic modelling. This requires technical expertise to interpret, but does not appear to HGBA to be complete. For example, the most recent report INFR Oct 2019 COMET LP4 SADC Analysis V4 Final models the traffic generated by some of the Broad Locations, but not all. There has also been no assessment of the impact on parking at railways and in the town centres, which in Harpenden is a particularly acute local concern.

Q3: Is the Sustainability Appraisal of the options for the broad locations robust?

A. No.

1. As regards the sustainability assessment of NE Harpenden as now shown at Appendix D to CD 012 SA Report Addendum March 2019:

- (1) Flood risk should be shown as adverse, rather than uncertain, given that ENV 001 SW Hertfordshire Level 1 Strategic Flood Risk Assessment identifies risks of flooding (as recorded in Appendix F to the SA Addendum);
- (2) The effect on air quality should be shown as “significantly adverse”, given the increase in traffic on roads around the Broad Location and having regard to the proposed expansion of Luton Airport and the proposed Lea Bank Energy Park.
- (3) Adverse scores should be given for sustainable location and equality/social inclusion. This site is on the isolated edge of an isolated and relatively disadvantaged community, which is disconnected from main services in Harpenden by the River Lea and detached from employment opportunities, transport connections, shops, sports facilities and medical and other infrastructure.
- (4) It is difficult to see how any proper assessment can be made of the quality of the housing to be provided, when Policy S6(vii) prescribes a minimum, but no maximum, capacity/density.

2. As regards the sustainability assessment of NW Harpenden as now shown at Appendix D to the SA Addendum of March 2019:

- (1) The effect on the historic environment should be shown as “significantly adverse”. Policy S6(viii) makes no mention of retention of the listed building at Cooters End Farm and the capacity calculations appear to assume that it will be demolished: please refer to Section V paras. 5-9 of the HGBA consultation response (**Appx 1**). If it is to be retained, its setting will be destroyed. These adverse effects cannot be considered “minor”.
- (2) The effect on air quality should be shown as “significantly adverse”, given the increase in traffic, particularly down small country lanes around the Broad Location and having regard to the proposed expansion of Luton Airport and the proposed Lea Bank Energy Park.

- (3) The site is scored as partly beneficial against “landscape/townscape” because it is required to include recreation space and public open space, but this is likely to be minimal given the density at which it would need to be developed to deliver 580 homes.
- (4) Flood risk should be shown as “uncertain”, given that ENV 001 SW Hertfordshire Level 1 Strategic Flood Risk Assessment identifies some risks of flooding (as recorded in Appendix F to the SA Addendum).
- (5) It is difficult to see how any proper assessment can be made of the quality of the housing to be provided, when Policy S6(viii) prescribes a minimum, but no maximum, capacity/density.

Q4: Are the locations of the proposed broad locations adequately identified on the policies map? Should they be more clearly defined?

A. HGBA considers that the locations of NW Harpenden and NE Harpenden are adequately identified, but the boundaries are not treated consistently. The Council sometimes treats the broad locations as including the land which is to remain in Green Belt (for example, when calculating site capacity) but at other times treats the broad locations as excluding that land (for example, when considering the harm to the Green Belt or landscape).

Q5: What are the anticipated timescales for the proposed masterplans? What form will these take? Are they being progressed alongside the Local Plan?

A. HGBA has no information about the proposed master plans. To the extent that they are being worked up alongside the Local Plan, this is being done without any form of consultation or public engagement.

Q6: Should the Broad Locations East and North of Hemel Hempstead be considered comprehensively as one broad location?

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Q7: 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?

A. There is no evidence that the Council has considered paragraphs 72a-d of the NPPF.

Q8: 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?

A. The Council has not adequately assessed the strategic infrastructure necessary for the Plan to be implemented. INFR 001 2018-2019 Infrastructure Delivery Plan (“IDP”) was published only after the Plan had been submitted for examination and long after the key decisions had been made. The IDP is vague, with much assessment still shown as to be completed and without any adequate costings at all. Pursuant to NPPF 2019 para. 20(b), the necessary strategic infrastructure should be clearly set out in a policy or policies in the Plan. Policies L17-L22 are insufficiently specific to ensure the required delivery of necessary infrastructure.

Q9: Have the infrastructure requirements of the broad locations and other strategic infrastructure been adequately identified and costed in an up to date IDP?

A. No. The IDP in many places is vague or makes only preliminary assessments, with much further work to be done. The “Infrastructure Delivery Schedule” at page 154 of the IDP is woefully inadequate.

1. In many places, the IDP identifies infrastructure needs arising from the scale of development proposed, but merely says that work is “ongoing” in relation to the assessment of the infrastructure required: see e.g. paras. 11.20 – 11.54 (road transport). In other places, the IDP identifies infrastructure needs which are not reflected in the policies in the Plan: see e.g. the healthcare table at pages 22-23 which identifies the potential need for healthcare provision on-site at NW Harpenden and NE Harpenden, which is not reflected in policies S6(vii) or (viii).

2. The Infrastructure Delivery Schedule at page 154 of the IDP is a particularly weak document. Even for the categories of infrastructure which it lists, there are no adequate costs given. For example, under “*transport infrastructure*” the figure of £72.5m is given, but in the “*notes*” column it appears that this is an estimate for only four broad locations (and those are not identified). The costs associated with other broad locations are “*tbc*”, as are all costs associated with development otherwise than at the broad locations. The Schedule sometimes gives the funders as including “*O*” – i.e. “others”, without

identifying who those others might be. As regards timescales, these are given for all categories of infrastructure as “10/15 years”, which would seem to be incompatible with meeting the Housing Trajectory. Moreover, there are some categories of infrastructure identified as necessary in the IDP which are not mentioned in the Schedule: for example, para. 12.18 of the IDP shows that NE Harpenden and NE Harpenden will require upgrades to the wastewater network, but no provision for this is made in the Schedule.

Q10: Are any infrastructure requirements missing?

A. Yes – town centre and station parking provision. The lack of parking spaces in Harpenden is a particularly acute local concern, but there has been no attempt by the Council to properly address this issue.

Q11: 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?

A. See above in relation to Q8 & Q9.

Q12: Is there evidence that the infrastructure requirements will be delivered within the necessary timescales?

A. No. The “evidence” in the Infrastructure Delivery Schedule is that no infrastructure requirements will be met until years 10/15 of the Plan period.

Q13: Should policy S6 make more specific requirements as regards the provision and timing of the infrastructure needs of the proposed broad locations?

A. Yes. The provision of infrastructure is critical. The Harpenden Neighbourhood Plan makes clear that local residents see the provision of sufficient infrastructure as of the utmost importance.

Q14: Are there effective mechanisms in place between the Council, other neighbouring authorities and infrastructure providers to co-ordinate the planning and provision of infrastructure?

A. The IDP does not give confidence that there are such effective mechanisms in place.

Q15: Will the broad locations for development have any potential cross-boundary transport impacts? How will these be addressed?

A. Yes. In particular, the NE Harpenden and NW Harpenden broad locations will have cross-boundary transport (road and rail) impacts given their proximity to Central Bedfordshire and Luton and the likelihood that residents of new development will travel for work to places outside the District. There is no evidence of robust engagement by the Council with authorities to the north of the District on these issues.

Q16: Is any of the strategic infrastructure reliant on other development coming forward in neighbouring authorities?

A. Not known.

Q17: 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?

A. See answer to Q12.

Q18: Are there any other constraints on the delivery of strategic infrastructure?

A. Not known.

Q19: What are the implications of allocating the site of the approved Strategic Rail Freight Interchange at Park Street Garden Village for housing?

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Q20: 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?

A. It is difficult to see how a robust viability assessment could have been carried out when so many of the infrastructure costs are yet to be confirmed.

Conclusion

The process by which the Broad Locations have been selected is not justified, effective or consistent with national policy. The Plan is not positively prepared because the Council has not planned positively to meet infrastructure needs, including as regards the Broad Locations. These flaws run so deep that it is not possible to save the Plan by modification: the Plan is wholly unsound and should be recommended for non-adoption.

APPENDICES

1. Harpenden Green Belt Association's 2018 Consultation Response
2. PPC Report March 2018 on site selection methodology
3. PPC Report May 2018 with selection matrix and evaluation of NW Harpenden, NE Harpenden