

**St. Albans City and District Local Plan  
Examination Hearings**

**MATTER 6**

**Tuesday 4<sup>th</sup> & Wednesday 5<sup>th</sup> February 2020**

**Statement by Jed Griffiths MA DipTP FRTPI  
On Behalf of CPRE Hertfordshire**

**December 2019**

## **Introduction**

1. This statement has been prepared by Jed Griffiths MA DipTP FRTPI on behalf of the Campaign to Protect Rural England, Hertfordshire (CPREH). It has been compiled in response to the invitation by the Examination Inspectors to submit further material on the matters to be considered at the hearing sessions. This statement addresses the Issues and Questions under Matter 6 – The Broad Locations for Development (Policy S6) – General Matters (Policy S6) and Strategic Infrastructure (Policies L17 and L18).
2. Earlier representations were made by CPREH to the Publication Draft of the Local Plan against policy S6. The purpose of this statement is to amplify the points made at that time and to address the specific issues and questions set out by the Inspectors in the agenda (Document ED26). Some comment will also be made on policies L17 and L18. Not all the questions will be answered in full – the focus will be on those issues and questions which are relevant to the case made by CPREH.
3. In its earlier representations, CPREH considered that policy S6 was neither justified nor effective, and was inconsistent with national policy as set out in the National Planning Policy Framework (NPPF). In terms of its policies for the broad locations for development and strategic infrastructure, the Local Plan is clearly unsound.

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

4. From the Local Plan itself, it is not clear how the broad locations for development were selected. Government policy on broad locations for development is contained in paragraphs 22 and 23 of the NPPF. It states that strategic policies should anticipate and respond to long-term requirements and opportunities such as those arising from major improvements in infrastructure. There is little evidence that this long-term view has been taken.
5. The NPPF also requires that broad locations should be shown on a key diagram, and land use designations and allocations on a policies map. The latter has not been done sufficiently well – this is particularly important where considerable areas could be removed from the Green Belt. Where authorities propose to change Green Belt boundaries, they should have regard to paragraphs 137 and 138 of the NPPF. Where it is considered necessary to remove land from the Green Belt, plans should give first consideration land which has been previously-developed or is well-served by public transport. The Local Plan falls short in that respect.

6. In the absence of a reasoned justification for the policy, CPREH has had to trawl through the Core Documents submitted with the Local Plan. The most useful has been the Sustainability Appraisal Report, completed by TRL consultants in September 2018 (Document CD009). It provides a useful chronological account of how the Local Plan was developed over a period of many years.
7. In Table 3.2 of the TRL report, it is clear that many of the sustainability (SA) objectives were incompatible with Local Plan objective 2 “sufficient homes, workplaces, and more affordable housing of the types needed in the right locations.” The particular SA objectives were concerned with biodiversity, water quality and quantity, soils, CO2 emissions, car emissions, air quality, and landscape. Transport infrastructure was cited as a particular problem.
8. For the Strategic Local Plan Publication of January 2016, TRL produced a Sustainability Appraisal Report. This shows how the Council had considered the eight strategic sub-areas identified by SKM consultants in their Green Belt Review of February 2014. These areas were assessed as having the least impact on the five purposes of the Green Belt, as set out in the NPPF. As a result of the sustainability appraisal, the Council at that time opted for an average housing delivery figure of 436 dwellings per annum. Four of the strategic sub-areas were included in the draft Plan – S1 and S2 east of Hemel Hempstead, S3 at Sandpit Lane, and S5 north of Harpenden. Four were rejected – S4 north of St. Albans, S6 north-east Harpenden, S7 west of London Colney, and S8 west of Chiswell Green. In view of these decisions, CPREH find it astonishing that, only three years later, that the number of broad locations has increased to eleven, including the Park Street Garden Village.
9. The 2016 Local Plan is now history, but TRL were also involved in the preparation of the current Local Plan. In January 2018, a Regulation 18 Sustainability Appraisal was published. A much higher level of housing growth was now proposed. In their final report TRL showed how higher levels of growth would have significant adverse effects against the environment SA objectives (Table 4.3 of the report). A detailed assessment was undertaken for twelve potential broad locations. Using a “traffic light” system eight of the areas were shown as “green”. The others were shown as “amber” with adverse effects on the environmental factors at East Hemel Hempstead (North), east of St. Albans, and north of St. Albans (Table 4.4)
10. At a Planning Policy Committee meeting on 12<sup>th</sup> June 2018, the decision was made to add the Park Street Garden Village on the site of the proposed Strategic Rail freight Interchange. Evaluation of this site does not appear to have been conducted with the same degree of rigour, as evidenced by part 4.4.3 of the report.

11. From the above account, CPREH is of the view that the policy S6 was driven not so much by the Sustainability Appraisal, but by the SHLAA, the “call for sites”, and political expediency. As stated in statements on earlier matters, the uplift in the dwelling numbers is unjustified and unsustainable.

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

**Q3. Is the Sustainability Appraisal of the options of the broad locations robust?**

12. Having studied the TRL sustainability assessment reports, it is clear that these topics have been assessed over a number of years. The stepped approach to the final analysis, described in part 4.4.2 and Table 4.4 of the report is a useful comparative exercise. The inclusion of the Park Street Garden Village is not adequately justified, however. It is not perhaps the robustness or the quality of the Sustainability Appraisal which should be examined – it is the decision-making process which followed.

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

13. As all these sites involve the removal of land from the Green Belt, CPREH does not consider that exceptional circumstances exist for the removal of the Broad Locations from the Green Belt. For any of the sites that the Inspectors consider to be justified, however, it is vital that the precise boundaries should be shown in accordance with the policies of the NPPF.

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

14. There is no evidence as to how development would be phased over the plan period. CPREH supports master-planning for large sites, but there needs to be a programme to ensure that it does not occur too soon.

**Q6. Should the Broad Locations east and north of Hemel Hempstead be considered comprehensively as one broad location?**

15. The locations to the east of Hemel Hempstead are large in scale, and are partly within the boundaries of Dacorum Borough. It is strongly suggested that the two local authorities should work positively to produce a Strategic Master Plan for the whole area.

**Q7. In allocating larger scale sites, have the Council considered the advice in paragraphs 72 a – d of the NPPF? Is this clearly set out in policy/policies in the Plan? If not, why not?**

16. This is difficult to ascertain from the policy S6, because of the lack of a reasoned justification. It is an issue that is more appropriately explored under Matter 7, where the specific locations are considered. CPREH, however, is of the view that that the Council has not satisfied the requirements set out in sub-paragraph 72 (d) in that no firm Green Belt boundaries have been shown.

**Q8. What strategic infrastructure is necessary for the Plan to be delivered? Is this clearly set out in policy/policies in the Plan? If not, should it be?**

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

**Q10. Are any infrastructure requirements missing?**

17. This topic is dealt with mainly in policies L17 and L18 of the Local Plan, with cross-referencing to Appendix 4. With a lack of reasoned justification in the body of the Plan, it is extremely difficult to answer these questions. Policy S6 would be enhanced by a clear list of requirements for the delivery of strategic infrastructure at any broad locations that may be found to be sound by the Inspectors (see Question 13 below). .

**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?**

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

18. CPREH has no specific comments to make on these questions.

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

19. As outlined above, CPREH believes that these requirements should be made more specific for any major development allocations. Unless this is done, there is a danger that major developers will “cherry pick” the most attractive sites in the early years of the plan period. There should be strict policy criteria on the phasing of development.

**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?**

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

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

20. In a densely-populated county such as Hertfordshire, infrastructure planning will depend on close co-operation between local authorities and other bodies. CPREH is not sure that there are fully-effective mechanisms in place. Other local authorities are at different stages in the development planning process. Most of the infrastructure providers are within the private sector, so co-ordination is difficult and financing and timing is uncertain, especially in the latter part of the plan period.

21. Within the South West Hertfordshire Partnership of local authorities, the strategic elements of infrastructure have been addressed, albeit without any public consultation on the strategic planning policies which have emerged. Even less certain are the relationships with Welwyn Hatfield Borough to the east. Hertfordshire County Council's Local Transport Plan (LTP4) contains proposals for an enhanced east-west transport corridor on the A414 – this post-dates the Publication City and District Local Plan. To the north, there has been a recent consultation on a major further expansion of Luton Airport to cater for an additional 14 million passengers per annum. It is a proposal which has been opposed by Hertfordshire County Council. Should this occur, however, it would have major implication for transport infrastructure in the City & District of St. Albans.

**Q17. Will the delivery of key infrastructure allow for the delivery in line with the housing trajectory within the Plan? Of not, what will be the short-comings and how will the Council address these matters?**

22. CPREH has no comment to make on this question.

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

23. The many uncertainties are clearly recognised in the IDP.

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

23. As CPREH have indicated to the Examination, the proposal for the Park Street Garden Village is opportunistic. The decision on the Strategic Rail Freight Interchange (SFRI) was made by the Secretary of State for Transport on national grounds. It does not necessarily follow that it is a brownfield site, or that its planning status has changed in some fundamental manner. The site is within a highly vulnerable Green Belt area to the south of St. Albans, which is under considerable pressure, as outlined under Matter 4. It makes a major contribution to the openness of the tract of countryside between St. Albans and Radlett. In terms of an alternative site for a Garden Village, there are no suitable areas within the City and District. Moreover, there appear to be no other possible sites for the SFRI within the City and District. Arguably, it is not for this Examination to consider these national options.

**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?**

24. CPREH has noted the Council's reply to the Inspectors' initial question, and has had regard to the CIL and Viability Report. This was issued before the publication of the Local Plan and would need to be updated to address the questions set by the Inspectors. Advice in the PPG has been updated earlier in 2019, and the study would need to be scoped against the relevant PPG paragraphs before an informed consideration would be possible.

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Hertford

10<sup>th</sup> December 2019