

# **St Albans City and District Local Plan Examination**

## **Matter Statement 7 The Broad Locations for Development Specific Matters**

**Responses on behalf of  
Tarmac - 1153600**

December 2019

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**Client**

Tarmac  
Respondent 1153600

**Our reference**

TARC 3000

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## **1.0 INTRODUCTION**

- 1.1 This Statement has been prepared by Turley, on behalf of Tarmac, pursuant to Matter 7 (The Broad Locations for Development – Specific Matters) of the St Albans City and District Council (SACDC) Local Plan Examination 2020. Tarmac is an established land promotion and development company with significant commercial and freehold land interests in the south of the St Albans District. Tarmac is a major national employer and has nationwide experience of bringing land forward for mixed-use development.
- 1.2 Tarmac is promoting a number of sites for development in the south of the district in the A414 and M25 corridors. SLR, on behalf of Tarmac, submitted representations for each of these sites in response to the SACDC Regulation 19 Consultation and the SACDC Call for Sites Consultation, January 2018. The details of these Regulation 19 sites are set out in the Matter 4 Statement (Green Belt) submitted by Tarmac.
- 1.3 Tarmac maintains its objection to a number of policies within the emerging St Albans City and District Local Plan, as set out in the submitted Regulation 19 representations. Namely; that the SACDC Local Plan is not positively prepared, is not justified, is not effective, or consistent with national policy. As such, the submitted Local Plan cannot be considered sound in its current form and requires major modification.
- 1.4 The primary concern relating to Matter 7 is that there are specific, identified constraints associated with the development of the East Hemel Hempstead (South) Broad Location and insufficient evidence to demonstrate that the overall Broad Location is capable of delivering the quantum of new homes required by the Plan at an acceptable density. There are also no arrangements for joint working between SACDC and Dacorum Borough Council to deliver the Broad Location, including a determination of the percentage of new homes which should be allocated to Dacorum under the Duty to Cooperate.
- 1.5 With regard to Park Street Garden Village, no technical work has been undertaken to specifically support a residential use of the new Garden Village site and much of the prerequisite other technical work required to justify the proposed development has not been undertaken. Therefore the housing numbers allocated by the Plan at Park Street Garden Village in the Housing Trajectory cannot be relied upon. The strategy needs to respond by safeguarding the housing numbers expected from this site during the Plan period and make suitable alternative housing provision.
- 1.6 With regard to the West of London Colney Broad Location, we note that this site has been allocated in contradiction with the Council's own site selection methodology. Whilst we do not seek the de-allocation of this site, we question the ability of the site to accommodate the quantum of new homes allocated at the required density. We also question why if this site is deemed suitable as a Broad Location contrary to the Council's own Green Belt site assessment methodology then why other sites with similar or better Green Belt assessments, were not equally assessed.

## 2.0 POLICY S6 ISSUES: THE BROAD LOCATIONS FOR DEVELOPMENT

### East Hemel Hempstead (South)

#### *Q1: is the site suitable for housing?*

- 2.1 As set out in our Matter 6 Statement the Development Strategy which underpins the selection of the Broad locations is not justified as it is largely a derivative of the failed Strategic Local Plan (SLP) from 2016, with the inclusion of additional Broad Locations.
- 2.2 Whilst we do not object to the allocation of East Hemel Hempstead (South) in principle, as one of the largest of the Broad Locations, this allocation still has unresolved issues which will affect future housing capacity. This is due to the fact that there has been no supporting technical evidence commissioned by SACDC to justify the scale of housing expected from this location during the Plan period. As such, the scale of dwelling yield anticipated from this allocation cannot be relied upon in the Housing Trajectory.
- 2.3 We have questioned in other statements the robustness of the methodology employed by SACDC to evaluate the suitability of sites for development and in particular the less than objective manner in which the Council interpreted the findings of the 2013 Green Belt Review (GBR). As a result, a number of the red rated sites, discounted by SACDC as part of the site evaluation process, were located within Green Belt parcels that scored better in terms of contribution to the five green belt purposes than a number of the Broad Locations, including East Hemel Hempstead (South).
- 2.4 Following the decision in 2017 to prepare a new Local Plan SACDC did not commission any technical evidence on key matters relating to landscape sensitivity, agricultural land value, flood risk, natural heritage and heritage to inform the site selection of the Broad Locations. The only technical evidence referred to during the site evaluation process is the 2013 GBR, which is strongly associated with the 2016 SLR.
- 2.5 The site evaluation forms for East Hemel Hempstead were attached as an Appendix to the Local Plan – the Draft Strategic Selection Evaluation Outcomes Report presented at Planning Policy Committee in May 2018. In making their evaluation SACDC however do not refer to any technical evidence produced for the purpose of informing the site selection process. Therefore it is not clear upon what basis SACDC judged the selected Broad Location at East Hemel Hempstead (South) to be achievable and deliverable or how the anticipated dwelling yield has been justified.

#### *Q1: What evidence is there to demonstrate that the proposed Broad Location is capable of delivering 2,400 dwellings?*

- 2.6 The available evidence suggests that there is no prospect of achieving 2,400 dwellings at this Broad Location, without the use of unacceptably high densities in this sensitive Green Belt location, or by an expansion of the site boundaries.

- 2.7 This has been confirmed by Sellwood Planning, the agents representing the allocations owned by The Crown Estate (TCE) whom have identified that the scale of development required at allocation site S6 (iii) will not be achievable at 40 dwellings per hectare (dph) without significant modification of the boundaries and therefore the overall scale of the allocation. In the letter to SACDC, dated 15 October 2018, responding to the Regulation 19 Plan, the agents confirmed the following:

*‘As proposed, the Green Belt boundary to Broad Location S6(iii) would necessitate densities significantly above 40 dph to achieve the desired 2,400 homes. TCE propose amendments to the Green Belt boundary which would allow the 2,400 homes to be planned at a density nearer to 40 dph’*

- 2.8 As matter of record, proposed amendments to the Green Belt boundary to allow the 2,400 homes to be planned at a density ‘nearer’ to 40 dph have also been submitted. This comprises an alternative allocation proposals map which expands the current area of the East Hemel Hempstead Broad location. These amendments propose a higher overall land take that that envisaged by SACDC in the draft allocation proposals map, in an area of the district which has acknowledged Green Belt sensitivity, notably in terms of encroachment. The proposed additional land take would also lead to a greater loss of best and most versatile agricultural land which is an assessed negative characteristic of the East Hemel Hempstead South allocation.

- 2.9 Whilst the agents acting for TCE sought to reassure SACDC that the amendments were not designed to seek additional housing numbers (by enlarging the wider allocation) the inference is that if the existing proposed allocation boundaries are retained under S6 (iii) at a density close to the desired 40 dph 2,400 dwellings cannot realistically be achieved, as stated by the agents below:

*‘It should be emphasised that the TCE amendments to the proposed Green Belt boundary are not designed to increase the housing capacity of Broad Locations S6(i), (ii) and (iv), they are proposed in order to ensure that the boundaries accord with the guidance in the NPPF, safeguard some land for development beyond the plan period and allow Broad Location S6(iii) to be developed at a density which ensures the creation of high quality places’.*

- 2.10 On the balance of probability, this suggests at least a 20% reduction in the anticipated dwelling yield from Hemel Hempstead South, unless the Green Belt boundary is further modified, equating to a loss of around 500 new homes at S6 (iii). However it is notable that there is also competition for other land uses within this allocation in the form of major new proposed community uses.
- 2.11 The evidence for this can be found in the responses of the West Hertfordshire Hospital Trust, whom are seeking the allocation of circa 7 hectares specifically within the East Hemel Hempstead (South) Broad location for a new planned, single care, hospital of around 25,000 sqm, with parking for up to 800 vehicles.

- 2.12 Representations to the Local Plan, submitted on behalf of the Herts Valleys Clinical Commissioning Group and West Hertfordshire Hospitals NHS Trust, indicates that the Trust is reviewing the operating model for their hospitals across West Hertfordshire. The representations from the Trust essentially state that due to the general poor condition of the Hemel Hempstead, St Albans and Watford General Hospitals, the Trust will be unable to sustain the future delivery of high-quality services.
- 2.13 The Trust is therefore seeking an amendment to Policy S6(iii) East Hemel Hempstead (South) to include the following text:

*‘One new hospital of circa 7 hectares to serve the population of West Hertfordshire’*

- 2.14 The Trust makes clear in its representations that the relocation of a new hospital could be achieved by 2024, thereby freeing up circa 9.6 hectares of existing hospital use for alternative land uses. The Trust makes the reasonable case that, as set out in the NPPF, the planning system should be genuinely plan led. Therefore the inclusion of a hospital within the East Hemel (South) Broad location is necessary to provide appropriate and sustainable growth across the district. The inference is that if a new hospital is considered necessary at the S6 (iii) location and is facilitated as part of this Local Plan examination, then the dwelling yield from the alternative use of 7 hectares of the allocation will fall further by approximately 200 new homes (5 hectares net @ 40 dph).
- 2.15 In summary, there is viable evidence to suggest that the likely dwelling yield from the East Hemel Hempstead (South) allocation is closer to 1,700 new homes, taking into account the existing scale of the allocation and the reasonableness of siting a new hospital at this location as part of the wider spatial planning of the district.

### **West of London Colney Broad Location**

#### **Q1: Is the site suitable for housing?**

- 2.16 With regard to the West of London Colney Broad Location, we note that this site has been allocated in contradiction with the Council’s own site selection methodology. Whilst we do not seek the de-allocation of this site, we question the ability of the site to accommodate the quantum of new homes allocated at the required density.
- 2.17 If this site is deemed suitable as a Broad Location contrary to the Council’s own Green Belt site assessment methodology then other sites with similar or better Green Belt assessments, should have been equally assessed. One such site is land south west of London Colney (SHLAA-GB-LC-545) promoted by Tarmac. This site is self-contained in nature, with strong and permanent defined boundaries (M25, London Colney and adjacent major retail). The site can accommodate a minimum of 570 dwellings as part of a mixed-use scheme or a higher number of new homes as a residential only scheme. A summary of Tarmac’s call for sites representation submitted by SLR is attached at **Appendix 1** for reference.

## **Park Street Garden Village**

### ***Q2: What are the implications of providing a new garden village on the site of an approved Strategic Rail Freight Interchange and how have these been dealt with?***

- 2.18 As set out in our Matter 6 Statement, the main implication of the allocation of Park Street Garden Village is that it will reduce the likelihood of the site coming forward to deliver a Strategic Rail Freight Interchange (SRFI). On the balance of probability, if the Park Street Garden Village allocation is confirmed as part of this examination, the likelihood is that the majority owner of the site may take forward this residential option for development.
- 2.19 However even with a residential allocation in place, there would be no impediment to progressing the SRFI development at a future date should this be desired, dependent upon agreement being reached by all key stakeholders. As such, whilst an allocation for a new Garden Village at Park Street may be made by this Plan in principle on the site of the SRFI, this cannot guarantee with absolute certainty that the site will be developed for such purposes, as SACDC have no control over the commercial future of the site.
- 2.20 Accordingly in the absence of certainty regarding the future intended land use of the site, the Plan needs to respond positively to address this uncertainty as soon as possible. This matter therefore needs to be resolved through this examination and a definitive judgement made as to whether the proposed alternative residential use of the site is acceptable in principle before this Plan can be adopted.
- 2.21 The site and its related rail infrastructure are an important asset and has the capability of contributing to the local and regional economy. A site as regionally important as the site at Park Street needs a definitive answer from this examination and so the matter cannot be left unresolved to other decision makers or deferred to other Plans.
- 2.22 Whilst we do not question the principle of a new settlement in this location no technical work has been undertaken to specifically support a residential use of the new Garden Village. What is clear therefore is that the uncertainties surrounding the Park Street Garden Village site mean that the housing numbers sought by the Plan cannot be relied upon in the Housing Trajectory for the foreseeable future.
- 2.23 As such, to be positively prepared, the Plan must respond by safeguarding the housing numbers required during the new Plan period by making suitable alternative housing provision for all 1,670 dwellings currently proposed in the Garden Village allocation, as part of this examination, for the reasons set out in our Matter 6 Statement.

# **Appendix 1**

## **Land Southwest of London Colney**



