

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

**Matter 7 - Park Street Garden Village  
(Policy S6 xi)**

**Responses on behalf of  
M Scott Properties Limited**

December 2019

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**Client**

M Scott Properties Ltd

**Our reference**

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# 1. Introduction

- 1.1 This Statement has been prepared by Turley on behalf of M Scott Properties Ltd (herein referred to as Scott Properties), pursuant to Matter 7 (Park Street Garden Village) of the St Albans Local Plan Examination.
- 1.2 Scott Properties are promoting land to the west of Watling Street, Park Street, for the delivery of residential development, including a minimum of 50% affordable housing to be delivered within the first 5 years of the Plan. Scott Properties has submitted written representations in connection with the promotion of this sustainable site to all previous consultation stages of the emerging Local Plan.
- 1.3 Scott Properties 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 strategy underpinning Policy S6 (xi) is unsound on the basis that it ***is unjustified*** and ***is not positively prepared***.
- 1.4 The primary area of concern in relation to Matter 7 is the lack of site specific technical evidence to demonstrate that the garden village is capable of delivering 2,300 dwellings and the associated infrastructure, in particular a new passing loop on the Abbey railway line. The absence of technical evidence underpinning this allocation further undermines the robustness of the housing trajectory, and the expected provision of housing across the Plan period.
- 1.5 The remainder of this Statement responds directly to the questions raised by the Inspector. Scott Properties and its professional advisors have also requested to participate in the relevant Matter 7 Hearing Session to articulate the issues within this Statement.

## 2. Responses to Park Street Garden Village (Policy S6 (xi))

**Q1) Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**

- 2.1 Whilst Scott Properties do not object in principle to the development of a new Garden Village, St Albans City and District Council (SACDC) have not prepared the technical evidence to demonstrate that the site is suitable for the scale of development proposed under Policy S6 xi.
- 2.2 The environmental impacts of a new settlement in this location will be wide ranging and require a comprehensive package of mitigation measures. By far one of the greatest impacts of Park Street Garden Village (PSGV) will be on the existing highway network. The proposals will generate a significant number of vehicle movements during the busiest AM and PM times of the day.
- 2.3 It is our understanding that throughout the planning process for the Strategic Rail Freight Interchange two local junctions, Park Street roundabout and London Colney roundabout, were identified as requiring improvements to accommodate the development. The potential impact of PSGV on the highway network and in particular these junctions should have been fully considered prior to the submission of the Local Plan. However it would appear that this technical work has not been produced.
- 2.4 At Paragraph 11.39 of the Infrastructure Delivery Plan (2019) (IDP) SACDC state that 'the Park Street Garden Village Broad Location envisages various transport initiatives'. We have reviewed the IDP and further details on these initiatives are not provided in the main report or the supporting appendix.
- 2.5 In addition to the undefined transport initiatives mentioned above, the infrastructure requirements set out under Policy S6 xi are considerable including a one 3FE and one 2FE primary school, an 8FE secondary school, two 15 pitch Gypsy and Traveller sites, a new park and ride facility and a new passing loop on the Abbey Railway Line. To our knowledge SACDC has not commissioned viability analysis specifically in relation to the PSGV. In the absence of this evidence SACDC are unable to demonstrate that the proposals are capable of delivering the infrastructure requirements set out under Policy S6 xi and that the impact of proposals can be appropriately mitigated (see also our responses to question 8 below in regards to the deliverability of the Abbey Loop).
- 2.6 There are a number of site specific constraints relevant to the development of this Site for a new settlement including matters relating to biodiversity, noise, flood risk, heritage and landscape and visual impact. As part of the process of preparing the Local Plan appropriate technical assessments should have been undertaken to provide certainty that the Site can deliver the quantum of the development allocated in the Draft Local Plan. A masterplan has been prepared for PSGV on behalf of the Landowner and submitted as part of the submission to the Regulation 19 Draft Local Plan. However, Vincent and Gorbing confirm at paragraph 2.9 of their representations that

*‘no studies have been undertaken that specifically relate to the use of the site for residential development’.*

- 2.7 In order to ensure a supply of deliverable sites to meet the District housing requirements across the plan period, especially in the short to medium terms, it is imperative that SACDC set realistic delivery assumptions for PSGV and the other Broad Locations. Due to the significant infrastructure requirements and lead in times associated with new settlements and strategic sites, it is critical that the Council’s housing land supply comprises a mix of sites that have the ability to deliver in the short to medium term. Such sites provide the opportunity to deliver more homes earlier in the plan period and thus complement the longer-term delivery that can be achieved at the Broad Locations. In addition, this would also improve the shortage in the housing supply, as set out in our response to Matter 8.
- 2.8 Based on the limited evidence available, the proposals for the PSGV set out under Policy S6 xi are completely **unjustified**. The allocation should be removed from the Local Plan for consideration as part of a later Local Plan review or at the very least the housing trajectory at Appendix 2 should be amended to present a more realistic timescale for the delivery of PSGV, and, the likely number of dwellings that could be achieved, as discussed below. To address the likely housing shortfall additional sites should be identified that can deliver both market and affordable housing within the first five years of the Plan, such as the land west of Watling Street, Park Street.

**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?**

- 2.9 The National Networks National Policy Statement confirms that a network of SRFI is a key element in aiding the transfer of freight from road to rail, supporting sustainable distribution and rail freight growth and meeting the changing needs of the logistics industry, especially the ports and retail sector.
- 2.10 Rail freight has become an important driver of economic growth. The NN NPS, underpinned by Network Rail long-range forecasts to 2033 demonstrate the scale of the pressure and urgency in delivering new SRFI facilities to accommodate and foster the long term growth in rail freight.
- 2.11 The need for SRFI developments to reduce the dependence on road haulage will increase as a result of additional capacity at Felixstowe North Terminal and the construction of London Gateway. Recent rail freight forecasts undertaken by Network Rail only reaffirms the need to deliver more rail interchange capacity to meet growing rail freight demand highlighting the lack of SRFI delivery being a constraint upon delivering rail freight growth resulting in significant economic and environmental benefits being lost. The SRFI scheme would also create significant additional employment opportunities of approximately 3,400 full time jobs and a further 500 jobs related to the scheme.
- 2.12 Another important consideration is the exacting operational requirements for new SRFIs, which severely constrain the number of potentially suitable sites. For example, a site needs to be suitably sized, comprise of suitable topography, be within close proximity of a rail connection, and have good road access. The lack of alternative sites

was an important factor for the Secretary of State, who granted outline planning permission in July 2014.

- 2.13 The conclusion of the 2014 decision states (paragraph 53):

*“The Secretary of State considers that the factors weighing in favour of the appeal include the need for SRFIs to serve London and the South East, to which he has attributed very considerable weight, and the lack of more appropriate alternative locations for an SRFI in the north west sector which would cause less harm to the Green Belt. He has also taken account of the local benefits of the proposals for a country park, improvements to footpaths and bridleways and the Park Street and Frogmore bypass. The Secretary of State considers that these considerations, taken together, clearly outweigh the harm to the Green Belt and the other harms he has identified including the harm in relation to landscape and ecology and amount to very special circumstances. Despite the Secretary of State’s conclusion that the scheme gives rise to conflict with LP policies 104 and 106, in the light of his finding that very special circumstances exist in this case he is satisfied that, overall the scheme is in overall accordance with the development plan.”*

- 2.14 The Network Rail published FNPO Route Strategic Plan (February 2018) supports the provision of new rail terminal capacity, including at the Former Radlett Aerodrome. Given the significant socio-economic benefits and lack of suitable alternative sites, the loss of such a nationally significant facility should not be taken lightly and the potential impacts on the wider economy considered carefully.
- 2.15 As set out in our response to Matter 6, a report was presented to St Albans Planning Policy Committee in June 2018 following a re-evaluation of evidence on the relative merits of housing and the SRFI as well as alternative strategies which would deliver the identified housing elsewhere. This report was not informed by any technical analysis and shows little consideration for the potential economic impacts on the local or wider economy as a result of the loss of the SRFI. To inform the decision of Committee members we consider that the views of Network Rail should have been sought, in particular the loss of additional capacity at Radlett and the impact on long term rail freight forecasts.
- 2.16 **Q3) What evidence is there to demonstrate that the garden village is capable of delivering 2,300 dwellings (including 600 beyond the plan period)?**
- 2.17 We have reviewed the Council’s evidence and can find no site specific technical assessments to demonstrate that the garden village is capable of delivering 2,300 dwellings. As stated at paragraph 2.6 above, a masterplan has been prepared for PSGV on behalf of the Landowner and submitted by Vincent and Gorbing as part of the submission to the Regulation 19 Draft Local Plan. However, Vincent and Gorbing confirm at paragraph 2.9 of their representations that ‘no studies have been undertaken that specifically relate to the use of the site for residential development’.
- 2.18 SACDC assume that the Site can deliver 2300 dwellings on the basis that the developable area amounts to 60% of the site and the scheme can be developed at a

minimum density of 40dph. However, in the absence of a Landscape and Visual Impact Assessment SACDC cannot demonstrate that a minimum density of 40dph across the entire site is appropriate. Furthermore a 40dph minimum density is unlikely to promote garden city principles, despite this being a requirement of Policy L1 of the Plan. The masterplan prepared by Vincent and Gorbing states at 30dph the Site would be capable of delivering 1530 dwellings, or 2040 dwellings at a density of 40dph. Either way, this is significantly less than the provision relied upon with the Plan, which casts doubt on the overall robustness of the expected delivery from the Broad Locations at a density of 40dph.

- 2.19 Depending on the findings of the landscape and visual assessment it may be more appropriate to develop parts of the site at a lower density and that the capacity of the site is more realistically around 1500 dwellings. The masterplan doesn't appear to have provided for much of a set-back distance from the M25 and A414. It seems likely that following noise and air quality monitoring the percentage of the site that is developable will be reduced.

**Q4) What further infrastructure work (including technical and environmental studies) needs to be undertaken, and is this appropriate to be left to the masterplanning stage?**

- 2.20 It is particularly important given the scale of the proposals and the ambitious timescales put forward for delivery of the Site, including development commencing in 2026 and build out rates of 180 dwellings per annum that the allocation is supported by a robust evidence base. We would advise that detailed technical and environmental studies should have been undertaken to inform the preparation of the Local Plan including on matters relating to transport, viability, flood risk, ecology, landscape, heritage, noise and air quality. This is particularly important given the supply of housing within the Plan already falls short of the calculated housing need requirement from 2018-2036. As set out in our response to Matter 8, we do not consider that the housing trajectory is realistic, nor does it provide the Plan with the ability to meet its needs within the Plan period. The absence of technical evidence underpinning this allocation further undermines the robustness of the housing trajectory, and the expected provision of housing across the Plan period.
- 2.21 It is important that there is sufficient evidence available at the examination of the Draft Local Plan to provide certainty that the PSGV allocation is deliverable and therefore justified. If the site is not capable of delivering the quantum of development allocated under Policy S6 then neither the spatial strategy nor the housing trajectory can be considered sound.

**Q5) What is the justification for the substantial new Country Park and have its financial implications been considered?**

- 2.22 To our knowledge SACDC has not commissioned viability analysis specifically in relation to the PSGV. Therefore it would appear that the financial implications of the County Park have not been appropriately considered, especially when considered in conjunction with the requirement for a new passing loop on the Abbey Railway Line, as discussed below.

**Q8) Is the passing loop on the Abbey Railway line justified and deliverable?**

- 2.23 Criterion 15 of Policy S6 xi within the Plan states that the development will be expected to deliver:

*“15-20 minute peak period service on the Abbey Railway Line from the date of first house occupation. This will likely require a new passing loop on the Abbey Railway Line, either on site or delivered elsewhere.” (Our underlining).*

- 2.24 The use of the word ‘likely’ highlights the concerning lack of technical evidence underpinning this allocation. At this stage of the Plan, it should be understood whether this is a requirement or not as a result of the number of dwellings proposed. The Policy requirement in its current form is not clear to decision makers, contrary to paragraph 16 of the NPPF, and potentially provides the opportunity for the site to be delivered without the passing loop.
- 2.25 The Policy also makes reference to the new passing loop being delivered either on site or elsewhere. We question what evidence exists to suggest that, if required, a passing loop could be delivered elsewhere. This is both in terms of the viability of this, as well as the availability of suitable land.
- 2.26 The IDP makes no reference to the likely costs associated with delivering the passing loop, which presumably would be different depending on whether this is capable of being delivered on-site as part of the allocation, or, whether additional, third-party land would need to be acquired to facilitate this elsewhere. In the absence of any costings, it has not been demonstrated that a passing loop within the allocation is justified or deliverable, which renders the policy unsound.
- 2.27 The allocation should be supported by technical reports which have assessed the likelihood of the requirement for a new passing loop, the ability of the site to deliver this and the corresponding impact on viability of this being provided through the allocation. We have concerns as to the potential for this element of the policy to render the allocation undeliverable without compromising the delivery of other policy requirements, such as provision of affordable housing. This would be wholly inconsistent with the Objectives of the Plan and would further reduce the ability of the Plan to address the chronic shortage of affordable housing within the District.
- 2.28 Policy S6 xi also includes the following requirements:

*23 Full exploration of possibilities for direct services to Euston via Watford and/or links to a future Metropolitan Line extension in Watford*

*24 Full exploration of possibilities for an Abbey Line stop or active travel routes/ measures directly serving the BRE*

*25 Full exploration of possibilities for an additional station on the Midland Mainline*



2.29 The policy is not prescriptive as to level of exploration required, nor does it require any identified possibility to be implemented as part of the allocation. We question the justification for this requirement, given it provides no clear direction as to the expected outcome. In addition, paragraph 11.81 of the IDP states that development proposals will not be of a sufficient scale to provide strategic rail improvements. This element of the policy is therefore unclear and unjustified.

2.30 Without any evidence under pinning the policy, particularly the inclusion of the passing loop, Policy S6 xi cannot be considered justified or deliverable.

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