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

St Albans City and District Local Plan Examination

Matter 7- The Broad Locations for Development – Specific Matters (policy S6 (i) to (xi))

Main Issue- whether the detailed policy for each broad location for development is justified, effective and consistent with national policy

East Hemel Hempstead (North) S6 (i)

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

- 1.1 This site lies in Green Belt which was considered for release in the 2014 Green Belt Review and is was recommended that only the western part of the site should be released from the Green Belt since the northeast corner was recognised as an area of High Landscape/Visual Sensitivity.

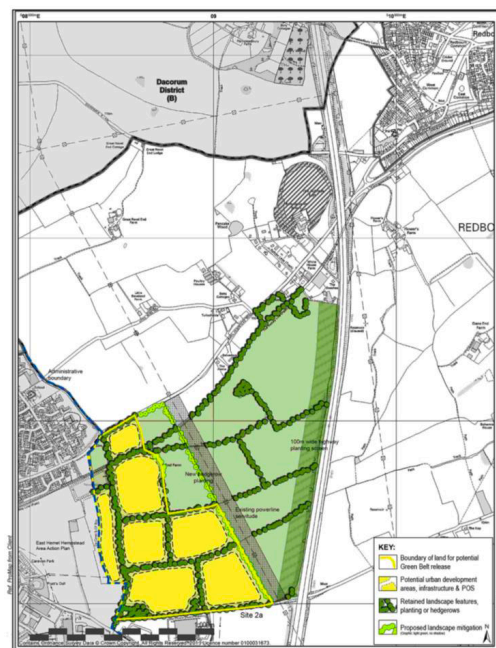


Figure 1- East Hemel Hempstead (North) Broad Location, as assessed in the Green Belt study (Source: “St Albans Green Belt Review: Sites and Boundaries Study”, February 2014)

- 1.2 There are also heritage constraints within the site which should be carefully considered which will be discussed further in q.12.
- 1.3 The Green Belt Review (2014) also recognises the Buncefield HSE Consultation Zone as a constraint as part of the site lies northeast of this zone. The review also notes that there are underground oil pipelines which pass through the site which ‘may affect development capacity’. There are also existing powerlines which cut through which should be considered a constraint to development.
- 1.4 The Nickey Line is also recognised as a constraint within the Green Belt Review (2014). The location of the site to the M1 is also a constraint to development as it borders the entirety of the site to the east. The SA appraisal 2018 identifies that noise disturbance may affect new residents closest to the motorway.
- 2 What evidence is there to demonstrate that this broad location is capable of delivering 1,650 homes?**

- 2.1 The evidence for the level of housing at this broad location comprises of the Green Belt Study (2014) and the Sustainability Appraisal (SA) 2018. We have carried out a Capacity Analysis of the site taking into account the evidence provided in these documents (full details of the capacity analysis are attached in Appendix 1). Through this analysis we have found that the site cannot deliver 1,650 homes with a density of 40 dwellings per hectare which undermines the effectiveness of the proposals.
- 2.2 With regards to the SAs, the site was previously allocated in the 2016 Strategic Local Plan in Policy 13a for a minimum of 1,500 dwellings.
- 2.3 The SA (2016) assessed the impact of proposed development on this site. Figure 2 below shows the Sustainability Appraisal summary for the policy. Significant adverse impacts were predicted for two of the SA objectives - 'Soils' and 'Landscape / Townscape' - as a result of the loss of the best and most versatile agricultural land and the erosion of the gap between Hemel Hempstead and Redbourn. The equivalent summary from the 2018 SA is shown below this for comparison purposes (figure 3).

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic/ Cultural Assets	11. Landscape/ Townscape	12. Health	13. Sustainable Locational Development	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity and Participation	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
Site S1 - east Hemel Hempstead (North)	x	-	-	xx	x	-	x	x	✓	?	xx	?	✓	✓	✓	✓	-	✓	✓	✓

Figure 2: 2016 Sustainability Appraisal Summary for East Hemel Hempstead (South)

Option	SA Objectives																			
	1. Biodiversity	2. Water resources	3. Flood risk	4. Soils	5. GHG Emissions	6. Climate Change Proof	7. Air Quality	8. Previously developed land	9. Resource Efficiency	10. Historic environment	11. Landscape/ Townscape	12. Health	13. Sustainable Locations	14. Equality/ Social Inclusion	15. Good Quality Housing	16. Community Identity	17. Crime and Fear of Crime	18. Sustainable Prosperity and Growth	19. Fairer Access to Services	20. Revitalise Town Centres
East Hemel Hempstead (North)	x	-	-	xx	x	-	x	x	✓	?	x	✓	✓	✓	✓	✓	-	✓	✓	✓

Figure 3: 2018 Sustainability Appraisal Summary for East Hemel Hempstead (North)

- 2.4 Given that the allocation has now grown in terms of development area and quantum (by 150 dwellings in Policy S6i though greater in terms of land area as a departure from recommendations in the Green Belt Review) in the 2018 Local Plan, it is reasonable to

expect that this would be reflected in the Sustainability Appraisal. However, the 2018 SA predicts very similar effects to the 2016 SA.

- 2.5 Significantly, the assessments for the 'Landscape and Townscape objectives also differ between 2016 and 2018, with the assessment of the effect on landscape changing considered to have improved, from being 'very unsustainable' (in 2016) to both 'unsustainable' and 'sustainable' (in 2018). The prediction of sustainability, the SA notes, is due to the settlement providing and enhancing new open space. It is not clear why the 2018 revises the prediction of very unsustainable to unsustainable. Furthermore, the Parish Council contend that the 2018 SA does not adequately consider heritage matters.
- 2.6 Therefore, Redbourn Parish Council consider that the 2018 Sustainability Appraisal has not properly considered the impact of increasing the scale and quantum of growth of the proposed allocation at East Hemel Hempstead (North).

3 What is the justification for the care home/flexi care/special needs accommodation required?

- 3.1 There is no justification within Policy S6(i) for the care home/flexi care/special needs accommodation required.
- 3.2 The Independent Assessment of Housing Needs and SHMA Update: the implications of 2014- based Subnational Population and Household Projections (September 2016)¹ does identify that rapid growth is projected for those aged 65 or older. The document goes on to explain that rapid growth in the older population **may** result in greater need for housing that meets the needs of holder households including housing with care and greater need for places in care and nursing homes.
- 3.3 This would need to be addressed further by SACDC.

4 What is the justification for the 3% self-build figure?

- 4.1 The cumulative level of housing which has been allocated to self-build throughout the entirety of the Local Plan equates to 370 dwellings and there is no justification within the policy or anywhere else in the Local Plan for the 3% self-build figure.
- 4.2 Since April 2016, SACDC has maintained a Self-Build Register which allows those who are seeking to build their own home to register their interest. The Authority's Monitoring Report 2018² includes the annual totals of register entries from 2016-2018 (please see below table) and this is tabulated as a total of 360 registrations. The monitoring report acknowledges however that 'to date only basic Register data has been collected, but in future further data will requested to ascertain the demographic profile of those who register and to understand needs and effective demand in more detail.'

¹ https://www.stalbans.gov.uk/Images/SP_20161013StAlbansHNAUpdate2014-basedProjections_tcm15-56023.pdf

² https://www.stalbans.gov.uk/Images/SP_EB_AuthoritysMonitoringReport2017_2018v2_tcm15-66643.pdf

Period	Registrations		
	Individuals	Associations	Persons in Association
2016	108	0	0
2016 - 2017	142	1	4
2017 - 2018	105	0	0
Total	355	1	4

Figure 4, registrations to the Self-Build register 2016-2018

- 4.3 It is considered that the level of housing which has been allocated to self-build within the strategic sites is too high. Limited evidence has been produced to understand the level of genuine demand there is for self-build within the area and further research would need to be undertaken before stipulating a 3% self-build figure through policy.

5 What consideration has been given to the effect of the proposed allocation on the Nickey Line footpath/cycleway? What mitigation measures are anticipated? Should they be specified in the Plan?

- 5.1 While the Nickey Line is not mentioned in Policy S6, Policy L29 states that 'development that results in loss of or significant detriment to... the Nickey line/Alban way footpath/cycleway will be refused.' The policy goes on to state that 'Development which could endanger users of the footpaths, bridleways or cycleways will be refused.'
- 5.2 The SA report 2018 (page f-23) states that 'The Nickey Line, which is a local wildlife site, runs through the north of the site. Any increased usage of the Nickey Line for walking and cycling could have adverse effects on this wildlife site.' However, the SA also acknowledges that The Nickey Line would 'provide the opportunity for new residents to live active lifestyles' which suggests that there would be an increased use of the Nickey Line may be promoted.
- 5.3 Given that the Nickey Line is acknowledges as a local wildlife site, the effects of a proposed allocation should be carefully considered, and mitigation should be specified within the Plan.

6 Is the proposed site capacity appropriate taking account of constraints including the provision of infrastructure including the buffer zones and mitigations to address the Buncefield Oil Depot and pipelines? Has the Health and Safety Executive been consulted?

- 6.1 The site lies northeast of the Buncefield Oil Storage Depot Health and Safety Executive (HSE) Consultation Zone and part of the Consultation Zone is located within the southwestern corner of the site.
- 6.2 The Parish council therefore consider that the boundaries of this site should be drawn on the policies map to reflect the restriction that the Buncefield Oil Storage Depot HSE Consultation Zone has upon the south western corner of the site.

- 6.3 It is unclear if HSE have been consulted as part of the Local Plan process. Given the above discussion, it is clear that they should have been consulted and therefore this would need to be addressed further by St Albans Council.

7 What arrangements have been made for joint working between the Council and Dacorum Borough Council to deliver the proposed broad location?

- 7.1 Local Policy S6 i) confirms that 'the development will be required to deliver masterplanned development led by the Council in collaboration with Dacorum Borough Council, local communities, landowners and other stakeholders. However, it is not made clear in the policy or the Plan of any arrangements that have been made to ensure that there is effective collaboration between the two Councils.
- 7.2 While there is evidence to suggest that the two councils intend to collaborate through the development process, there does not appear to be any set arrangements for joint working between the councils for the delivery of the proposals at this broad location.
- 7.3 This would need to be addressed further by St Alban's Council.

8 What are the timescales and funding sources for the necessary improvements to junction 8 of the M1?

- 8.1 Hertfordshire's Local Transport Plan 2018-2031³ includes enhancements as M1 Junction 8 within the scheme table under the category of transport improvements at East Hemel Hempstead. The timeframe is allocated as 'medium term' which is equal to 5-12 years. The developer is cited as being the lead promotor for this.

9 What further infrastructure work needs to be undertaken, and is this appropriate to be left to the masterplanning stage?

- 9.1 Annex 1 of the Infrastructure Delivery Plan includes the Infrastructure Delivery Schedule (IDS). This provides an overview of the key infrastructure requirements related to the Local Plan Broad Locations for Development. Presently, the IDS notes a wide range of infrastructure work that is required for East Hemel Hempstead (North).
- 9.2 We note that the infrastructure requirements proposed in the Local Plan suggest that the intended route for accessing the M1 from the East Hemel North and North Hemel sites is by way of an upgraded junction 8. However, in reality, those travelling north would most likely use junction 9. This would likely have a detrimental impact on the surrounding environment of Redbourn. This demonstrates that the IDS has not been thoroughly analysed and planned beyond the development sites and further research must be conducted to understand the infrastructure impacts on the wider area.

³ <https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>

9.3 There is clearly a significant level of infrastructure work required in order to meet the requirements of the IDS. It is considered that the infrastructure requirements of this scale of growth have not been fully considered in either the St Albans Infrastructure Delivery Plan, nor that being prepared by Dacorum for their emerging Plan. There are significant doubts as to whether the infrastructure required to support such growth can be delivered. The Plan is thus not effective nor positively prepared. It is therefore not considered appropriate to leave the infrastructure work to the masterplanning stage.

10 Have the implications of the site's location in relation to the Luton Airport flight path been considered?

10.1 We were unable to find any evidence to suggest that the implications of the site's located to the Luton Airport flight path have been considered. This would need to be addressed further by SACDC.

11 Should the policy refer specifically to the provision of sports facilities?

11.1 Policy L28 identifies a number of different types of priority provision which is required in the East/North Hemel Hempstead Broad locations. It does not stipulate which of this priority provision will be required in each broad location.

11.2 The IDP⁴ 2018/2019 reiterates this and acknowledges that new provision will be required with sports use open space within the East Hemel Hempstead developments. The IDP recommends that *'there is a need to plan the detail of provision, taking account of existing provision and deficiencies in Hemel Hempstead and the potential for joint use of the secondary school site and facilities'*.

11.3 Given that there is an identified need for sports provision within this broad location and the nearby location of East Hemel Hempstead (north) and North Hemel Hempstead, the policies should refer specifically to the provision of sports facilities to ensure that adequate facilities are provided which are needed and well distributed throughout the sites.

12 How have heritage assets been considered and is a Heritage Impact Assessment required?

12.1 The site also includes three Listed Buildings within Wood End Farm and Wood End Farm Cottages.

12.2 Policy S6 i), however, does not acknowledge these heritage assets, nor does it introduce any safeguards to protect the heritage assets from development.

12.3 It is not clear whether a Heritage Impact Assessment (HIA) was conducted when considering this site for allocation. Given the above evidence and discussion, it is clear that a HIA must be undertaken in order to assess the significance of the heritage assets

⁴ https://www.stalbans.gov.uk/Images/INFR%20001%202018-2019%20Infrastructure%20Delivery%20Plan_tcm15-67183.pdf

on the site, the impact of the proposal on the heritage asset and measures required to avoid or minimise this impact. This Assessment should be carried out using the guidance contained in 'The Historic Environment and Site Allocations in Local Plans (Historic England Advice Note 3) (2015)'.

13 Is the approach to the new primary and secondary school on the site (in relation to the Green Belt) justified?

- 13.1 The approach under Policy L21 allows educational development in the Green Belt, where exceptional circumstances can be demonstrated. This policy is not consistent with national policy and will not be effective.
- 13.2 The wording for L21 accepts that educational uses would not comprise appropriate development in the Green Belt as defined by NPPF paragraphs 145 and 146. The relevant test is therefore the ability to demonstrate *Very Special Circumstances*. Policy L21 effectively pre-determines the outcome of that test for applications related to educational uses.
- 13.3 Under NPPF Paragraph 144 this test required consideration of harm to the Green Belt and any other harm. Given that the land outside the East Hemel Hempstead (north) broad location is identified as contributing to the purposes of the Green Belt and having regard to the essential Green Belt qualities of openness and permanence there would be demonstrable harm in following the approach under Policy L21. The fundamental issue would be a loss of future control over development activity in this area. Any future assessment against the Green Belt purposes, following educational development, is likely to weaken performance given less well-defined boundaries, and the encroachment of built development into the countryside. Pressure to release surrounding parcels will be increased. This is likely to be the case even with uses such as sports pitches and car parking in the Green Belt given the proliferation of urban paraphernalia such as floodlighting; given that the policy supports all educational uses significant adverse impacts are anticipated.
- 13.4 If the land originally identified as potentially suitable for Green Belt release cannot deliver the scale of development anticipated alongside the infrastructure required, then this evidence and the test of exceptional circumstances needs to be re-evaluated. It is not appropriate in terms of being effective, justifies or consistent with national policy for the Local Plan to look to circumvent these issues of critical strategic importance.

North Hemel Hempstead (iv)

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

- 14.1 The site is located within the Green Belt which should be considered a significant constraint. This site was not considered for release in the Green Belt review (2014) and the Sustainability Appraisal acknowledges that '*development would affect the openness and character of the landscape in this location and would be visually intrusive from the surrounding area. Development would also erode the gap between Hemel Hempstead and Redbourn. Views from the right of way that runs through the site would be affected by new development.*'

- 14.2 There are oil and gas pipelines and electricity transmission lines which cross the site and would need to be taken into consideration. Furthermore, it is recognised that the site is some distance from a town centre or train stations which would likely lead to a reliance on private vehicles. This could have a negative effect on the air quality of the area and greenhouse gas emissions.
- 14.3 There are also heritage assets within the site. These include Grade II Listed Buildings at Great Revel End Farm which is in close proximity to the north-east boundary of the site and also the Grade II Listed Buildings in Dacorum at Holtsmere Manor and Holtsmere End Farm.
- 15 What evidence is there to demonstrate that the proposed broad location is capable of delivering 1,500 dwellings? (1000 of which are beyond the plan period).**
- 15.1 The Parish Council has reviewed the evidence prepared by St Albans City and District Council in support of the Local Plan and is unable to find any recommendations that justify the release of this land from the Green Belt. The Green Belt review does not recommend release in this location and the exceptional circumstances required to justify release have not been shown. Additionally, the need to incorporate mitigations for the gas and oil pipelines are recognised as being reason that this site is unsuitable for release.
- 15.2 Justifying such a large-scale release requires a comprehensive and up-to-date evidence base, demonstrating deliverability and contributions towards sustainable patterns of development. As part of this, St Albans City and District Council needs to demonstrate that the site has been fully considered through its reasonable alternatives and its impact on sustainable development considered. This does not exist and as such the Plan must be considered to be unsound.
- 16 What arrangements have been made for joint working between the Council and Dacorum Borough Council to deliver the proposed broad location?**
- 16.1 Please refer to the response for question no. 07 referring to the Broad Location East Hemel (North).
- 17 Should the policy refer specifically to the provision of sports facilities?**
- 17.1 Please refer to the response for question no.11 referring to Broad Location East Hemel (North).
- 18 What further infrastructure work needs to be undertaken, and is this appropriate to be left to the masterplanning stage?**
- 18.1 Please refer to the response for question no.8 referring to Broad Location East Hemel (North).
- 19 What are the timescales and funding sources for the necessary improvements to junction 8 of the M1?**

19.1 Please refer to the response for question no.8 referring to Broad Location East Hemel (North).

20 Is the proposed site capacity appropriate taking account of constraints including the provision of infrastructure including the buffer zones and mitigations to address the Buncefield Oil Depot and pipelines? Has the Health and Safety Executive been consulted?

20.1 The Sustainability Appraisal 2018 recognises that there are oil and gas pipelines which cross the site and would need to be taken into considerations in planning the layout of the development. There is however, no mention of the mitigations within Policy S6 iv).

20.2 This would need to be addressed further by St Alban's Council.

21 Have the implications of the site's location in relation to the Luton Airport flight path been considered?

21.1 This would need to be addressed by St Alban's Council.

22 Should the specific location for the primary school within the site be identified?

22.1 As discussed in the response to Q.1 and 2, Redbourn Parish Council contend that there is no evidence to suggest that this site should be released from the Green Belt. As such, any development should be dependent on the outcomes found in this examination.

22.2 Notwithstanding the above, it is considered that if the development of a school was found to be acceptable, the location of the primary school should be determined through the masterplanning process. Given the level of development proposed at this site as well as the nearby Broad Locations, the location of such services should be planned comprehensively, taking into account the existing and planned infrastructure. It is recommended therefore that a high-level capacity analysis study is undertaken to demonstrate that the proposed schools can be comfortably accommodated across the Broad Locations.

23 How have heritage assets been considered and is a Heritage Impact Assessment required?

23.1 The site includes Grade II Listed Buildings at Great Revel End Farm which is in close proximity to the north-east boundary of the site and also the Grade II Listed Buildings in Dacorum at Holtsmere Manor and Holtsmere End Farm.

23.2 Policy S6 iv), however, does not acknowledge these heritage assets, nor does it introduce any safeguards to protect the heritage assets from development it is also unclear whether a Heritage Impact Assessment was conducted. As such we maintain that an Assessment should be carried out in accordance with Historic England Guidance.

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24 What is the justification for the 3% self-build figure?

24.1 Please refer to the response for question no.4 referring to Broad Location East Hemel (North).

Annex 1

Capacity Analysis for East Hemel Hempstead (North) S6 (i)

- 1.1 The Parish Council has substantial subsequent concerns relating to the policy support for the delivery of 1,650 dwellings on the East Hemel (North) Broad Location under Policy S6(i).
- 1.2 It is considered that 1,650 dwellings cannot be delivered on the area identified for release from the Green Belt, notwithstanding that this breaches the Council's own evidence base in the Green Belt Review 2014. The policy is therefore not justified, not effective and not consistent with national policy. We expand upon these concerns below.
- 1.3 Such conclusions are unsurprising given that indicative plans prepared by the Crown Estate as part of consultation on emerging development proposals show residential development extending up to the boundary with the M1 in the south-east corner of the site in order to accommodate up to only an estimated 1,567 dwellings.
- 1.4 We have mapped the area proposed for release indicated by the policies map and confirm it accords with the c.67.7 hectares identified in Annex 1 of the Local Plan. This requires the inclusion of areas not identified by the 2014 Green Belt Review.
- 1.5 However, this total makes no allowance for any non-developable areas directly beneath the existing power lines. These representations give a total of 67ha when the area below the power lines is deducted for comparison, but in practice (given layout considerations and the degree of actual constraints) a greater reduction in the practical extent of the Broad Location may be necessary. We have prepared an initial map of additional high-level land use considerations below (figure 5)
- 1.6 Annotations to Annex 1 of the draft Local Plan confirm that where areas remaining in the Green Belt are proposed for education or other built uses a net ratio providing residential uses on 80% of the actual area proposed for release should be supported. The same annotations confirm this approach was rejected for East Hemel (north). The notes suggest this is due to the scale of the proposed secondary education uses and proposed Country Park. However, both of these functions (particularly the use for education) should be regarded as inappropriate development in the Green Belt. They do not provide mitigation or minimise harm as a result of proposed alterations to the Green Belt as a result of meeting housing need. It is therefore the case that a consistent approach would be expected and that a greater proportion of residential use on the areas proposed for release (i.e. 80%) could minimise the extent of release required.
- 1.7 As our mapping demonstrates, the reason for Annex 1 not indicating that a higher proportion of the area proposed for release might comprise residential development is due to constraints in this area. Annotations show the minimum of areas we conclude could not be identified for residential use (i.e. due to availability, the existing presence of heritage assets or safety considerations). These deductions equate to c.26 hectares (i.e. around 40% of the total scale of the area identified for release) and better demonstrate why an 80:20 net ratio of residential development is not achievable. The remaining area, allowing for our deductions, would need to achieve a net density of 40 dwellings per hectare to achieve the total capacity identified in draft Policy S6(i). This

density itself may be inappropriate on large parts of the site, including at the boundaries with the open countryside or in close proximity to heritage assets.

- 1.8 However, the deductions we have identified are predominantly not those associated with the non-residential elements of a comprehensive development. In this case additional areas will be required for open space, structural landscaping, physical infrastructure (including distributor roads), public transport routes as well as walking and cycling routes. Some, though not all, may also correspond with easements necessary for oil pipelines crossing the site. Any further deductions will reduce the residential developable area substantially below the c.41ha identified in Annex 1 of the Draft Local Plan. This would mean the overall net density exceeding 40 dwellings per hectare and therefore breaching the outcome regarded as appropriate within the draft policy. These findings further illustrate that the proposals are not justified and not effective.

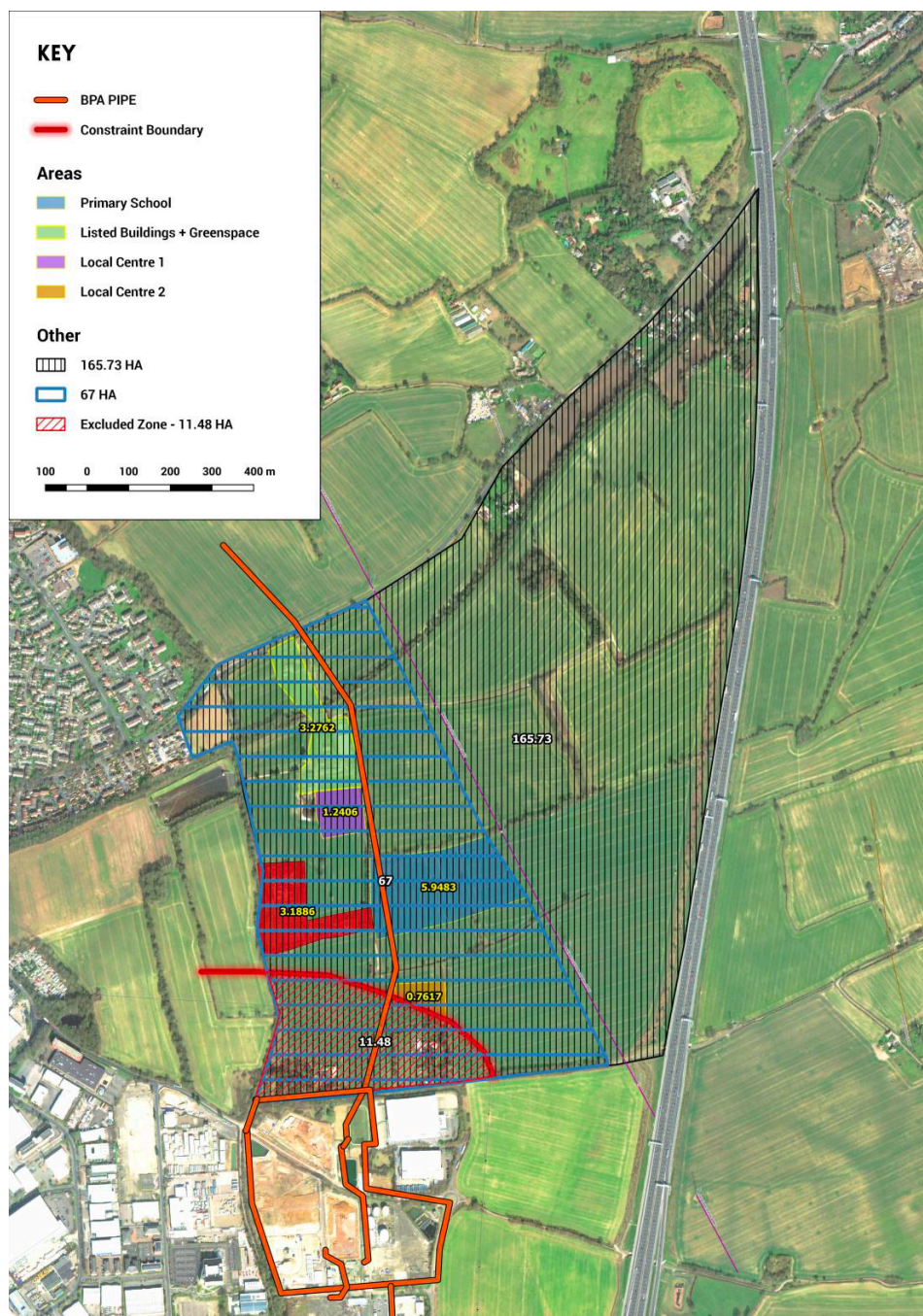


Figure 5. Constraints to Calculation of Developable Area (Residential) on East Hemel (North) Broad Location