



Examination of the St Albans and District Local Plan
Matter 7 – The Broad Locations for Development – Specific Matters
(Policy S6 (i) to (xi))
Historic England, Hearing Statement
December 2019

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

Historic England Hearing Statement

Introduction

- 1.1 This statement addresses the Inspector's questions with regards whether the detailed policy for each broad location for development is justified, effective and consistent with national policy.
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan, and our Hearing Statements for Matters 1, 2, and 6.

Matters and Issues for St Albans City and District Local Plan

East Hemel Hempstead (North) S6 (i) (A major urban extension of Hemel Hempstead in association with Dacorum Borough Council).

1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?
2. What evidence is there to demonstrate that this broad location is capable of delivering 1,650 homes?
12. How have heritage assets been considered and is a Heritage Impact Assessment required?

7.1 It is Historic England's view that the heritage impacts of the proposed allocation have not been adequately assessed, and we cannot therefore be confident that the site is capable of sustainably accommodating the proposed 1,650 homes without adversely impacting upon the historic environment.

7.2 The site contains three Grade II listed buildings centred on Wood End Farmhouse. As a farm, these buildings have a direct association with the rural landscape. Further afield, the remains of Old Gorhambury, listed at Grade I, Gorhambury listed at grade II*, Bacons House scheduled monument and Gorhambury Registered Park and Garden and a number of other grade II listed buildings lie to the east of the site. Any development of the site has the potential to affect these heritage assets and their settings.

7.3 Given the concentration of a diverse range of heritage assets and the size of the site, we repeatedly advised that a Heritage Impact Assessment (HIA) be undertaken. These are essential to assess the suitability of sites which potentially will have a significant impact on the historic environment, and to inform their extent and capacity. We also invited the Council to contact us to discuss the nature and extent of the work required to inform the Local Plan, and referred them to our advice notes on site allocation.

7.4 However, to our knowledge, and having looked at the evidence base and examination documents for the Plan, it would appear that Heritage Impact Assessments do not form part of the evidence base for the Local Plan. Without such evidence in place, the allocation is **not justified** in relation its impact on the historic environment, and is therefore **unsound**.

7.5 Moreover, in relation to policy wording, as currently drafted there is a lack of criteria within Policy S6(i) for the conservation and enhancement of the historic environment. Indeed, none of the policies for the broad locations of development make any reference to the historic environment. The NPPF (para 16d) makes it

clear that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Further advice on the content of policies is given in the PPG at paragraph Paragraph: 027 Reference ID: 61-027-20180913 Revision date: 13 09 2018 that states, 'Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development'.

7.6 To this end Historic England advised that if following the preparation of a HIA the site is considered to be suitable, then the policy should be re-worded to incorporate the measures required to avoid harm, or mitigate where harm cannot be avoided, and recommended that these could include the extent of the allocation, capacity and/or varying densities across the site, location of buffers etc. This wording is required to provide greater protection for the historic environment and to ensure clear and robust policies are in place that provides the decision maker and developers with a clear indication of expectations for the site.

7.7 The lack of policy criteria for the protection and enhancement of the historic environment in relation this site means that the policy as drafted is **not effective**, and is therefore **unsound**.

Summary

7.8 In summary in identifying these broad locations for development Historic England considers that the Council has failed to:

- prepare a proportionate evidence base for the historic environment based on adequate, up-to-date and relevant evidence about environmental characteristics and of the area including the potential impact of proposals upon heritage assets (NPPF para 31).
- attach great weight to the conservation of heritage assets (NPPF para. 193); and
- have due regard to the desirability of preserving the setting of affected listed buildings and conserving and enhancing conservation areas in accordance with the Planning (Listed Buildings and Conservation Areas) Act, 1990.

7.9 Historic England therefore considers that in NPPF terms, the Plan is not sound because the strategic sites are:

- **unjustified** in terms of impacts upon the historic environment. There is insufficient evidence for the historic environment upon which to base key decisions regarding strategy and to test the overall suitability of proposed areas of search

- **ineffective** in terms of avoiding harm and delivering enhancements to the historic environment, and
- **inconsistent** with national policy in terms of conservation and enhancement of the historic environment.

7.10 Notwithstanding this, and setting aside Historic England's fundamental concerns regarding the lack of evidence supporting the broad locations, we recognise that a decision will need to be made which weighs the harm to the significance of designated heritage assets against the public benefits. Should the Inspector decide that development of this site is acceptable (when weighing harm to the significance of designated heritage assets against the public benefits), then we will work with the Council to agree revised policy wording to provide greater protection for the heritage assets and their settings through the preparation of a Statement of Common Ground.

East Hemel Hempstead (Central) S6 (ii)

- 1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
- 2. What evidence is there to demonstrate that the proposed broad location is suitable for enviro-tech employment uses and capable of providing 10,000 jobs?**
- 8. How have heritage assets been considered and is a Heritage Impact Assessment required?**

7.11 It is Historic England's view that the heritage impacts of the proposed allocation have not been adequately assessed, and we cannot therefore be confident that the site is capable of sustainably accommodating the proposed 10,000 jobs without adversely impacting upon the historic environment.

7.12 The proposed site includes the Grade II listed Breakspear House, the setting of which has already been compromised by the construction of Junction 8 of the M1 motorway, directly adjacent to it. Any further harm to the setting of this listed building will need to be identified and used to inform whether or not mitigation measures can be considered. Further afield, the remains of Old Gorhambury, listed at Grade I, Gorhambury listed at grade II*, Bacons House scheduled monument and Gorhambury Registered Park and Garden and a number of other grade II listed buildings lie to the east of the site. Any development of the site has the potential to affect these heritage assets and their settings. As set out in our response to Policy S6(i), paragraphs 7.1 – 7.10, we consider that this allocation is not sound because it is:

- **Unjustified** in terms of impacts upon the historic environment - Given the concentration of a diverse range of heritage assets and the size of the site, we

repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation. It appears that this work has not to have been done. As such there is insufficient evidence for the historic environment upon which to base key decisions regarding strategy and to test the overall suitability of this proposal. Without such evidence in place, the allocation is **not justified**, and is therefore **unsound**.

- **Ineffective** – linked to the absence of a HIA, we would expect the policy to incorporate any measures identified by the HIA that are required to avoid harm, or mitigate where harm cannot be avoided. The lack of policy criteria for the protection and enhancement of the historic environment in relation this site means that the policy as drafted is **not effective**, and is therefore **unsound**; and
- **Inconsistent** – again the absence of a HIA means that the Council is unable to demonstrate that it has sought to avoid harm and deliver enhancements to the historic environment, and so the policy is inconsistent with national policy, and therefore **unsound**.

East Hemel Hempstead (South) S6 (iii)

1. **Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
2. **What evidence is there to demonstrate that the proposed broad location is capable of delivering 2,400 dwellings? (200 of which would be after the Plan period)**
8. **How have heritage assets been considered and is a Heritage Impact Assessment required?**

7.13 It is Historic England's view that the heritage impacts of the proposed allocation have not been adequately assessed, and we cannot therefore be confident that the site is capable of sustainably accommodating the proposed 2,400 dwellings without adversely impacting upon the historic environment.

7.14 The proposed site includes the Grade II* listed Westwick Cottage, as well as a number of other Grade II listed buildings including King Charles II Cottage, and Dell Cottage. Off site, there are a number of grade II listed buildings. Further afield, the remains of Old Gorhambury, listed at Grade I, Gorhambury listed at grade II*, Bacons House scheduled monument and Gorhambury Registered Park and Garden and a number of other grade II listed buildings lie to the east of the site. The scheduled monuments of Verulamium also lie to the east of the site. Any development of the site has the potential to affect these heritage assets and their settings. As set out in our response to Policy S6(i), 7.1 – 7.10, we consider that this allocation is not sound because it is:

- **Unjustified** in terms of impacts upon the historic environment - Given the concentration of a diverse range of heritage assets and the size of the site, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation. It appears that this work has not to have been done. As such there is insufficient evidence for the historic environment upon which to base key decisions regarding strategy and to test the overall suitability of this proposal. Without such evidence in place, the allocation is **not justified**, and is therefore **unsound**.
- **Ineffective** – linked to the absence of a HIA, we would expect the policy to incorporate any measures identified by the HIA that are required to avoid harm, or mitigate where harm cannot be avoided. The lack of policy criteria for the protection and enhancement of the historic environment in relation this site means that the policy as drafted is **not effective**, and is therefore **unsound**; and
- **Inconsistent** – again the absence of a HIA means that the Council is unable to demonstrate that it has sought to avoid harm and deliver enhancements to the historic environment, and so the policy is inconsistent with national policy, and therefore **unsound**.

North Hemel Hempstead (iv) (A major urban extension of Hemel Hempstead)

1. **Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
2. **What evidence is there to demonstrate that the proposed broad location is capable of delivering 1,500 dwellings? (1000 of which would be after the Plan period)**

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

7.15 It is Historic England's view that the heritage impacts of the proposed allocation have not been adequately assessed, and we cannot therefore be confident that the site is capable of sustainably accommodating the proposed 1,500 dwellings without adversely impacting upon the historic environment.

7.16 Whilst there are no designated heritage assets on site, there are a number of grade II listed buildings to the north and east of the site. In addition the Aubreys Camp scheduled monument lies to the east of the site. Any development of the site has the potential to affect these heritage assets and their settings. As with the other broad locations, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation, but this appears not to have been done. In the absence of this evidence, and without corresponding criteria within Policy S6iv for

the protection of these assets the allocation is **not justified**, and is **ineffective**, and **not consistent** with National policy and is therefore **unsound**.

East St Albans S6 (v)

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

7.17 Whilst there are no heritage assets within the site boundary, there are number of grade II listed buildings and structures close to the site including Winches Farm and The Lodge on Kay Walk to the west, Oak Farmhouse and two barns to the north east as well as a milepost to the south of the site. Any development of the site has the potential to affect these heritage assets and their settings. We also note that the findings of archaeological studies in nearby areas suggest that there may be some interest in the sub-area. As with the other broad locations, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation, but this appears not to have been done. In the absence of this evidence, and without corresponding criteria within Policy S6 (v) for the protection of these assets the allocation is **not justified**, and is **ineffective**, and **not consistent** with National policy and is therefore **unsound**.

North St Albans S6 (vi) (An extension of St Albans)

- 1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
- 2. What evidence is there to demonstrate that the proposed broad location is capable of delivering 1,100 dwellings?**
- 9. How have heritage assets been considered and is a Heritage Impact Assessment required?**

7.18 It is Historic England's view that the heritage impacts of the proposed allocation have not been adequately assessed, and we cannot therefore be confident that the site is capable of sustainably accommodating the proposed 1,100 dwellings without adversely impacting upon the historic environment.

7.19 Whilst there are no designated heritage assets on the site, there are a number of heritage assets in the area including Childwickbury Conservation Area to the west and Sandridge Conservation Area to the east, both of which contain a number of grade II listed buildings, and in the case of Sandridge a grade II* listed church. There are two further grade II listed buildings to the east, Sandridgebury House, Court and Old School. In addition there are two scheduled monuments nearby; an Iron Age territorial boundary known as Beech Bottom Dyke to the south and Batch Wood moated memorial site to the west. Any development of the site has the

potential to affect these heritage assets and their settings. As with the other broad locations, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation, but this appears not to have been done. In the absence of this evidence, and without corresponding criteria within Policy S6 (vi) for the protection of these assets the allocation is **not justified**, and is **ineffective**, and **not consistent** with National policy and is therefore **unsound**.

North East Harpenden Broad Location S6 (vii)

- 1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
- 2. What evidence is there to demonstrate that the proposed broad location is capable of delivering 760 dwellings?**
- 5. How have heritage assets been considered and is a Heritage Impact Assessment required?**

7.20 Whilst there are no designated heritage assets on the site, there are a number of heritage assets in the area including Mackerye End Conservation Area and the grade I listed Mackerye End. The Conservation Area contains a further 7 grade II listed buildings. To the north east of the site lies the Red Cow public house, also grade II listed. Any development of the site has the potential to affect these heritage assets and their settings. As with the other broad locations, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation, but this appears not to have been done. In the absence of this evidence, and without corresponding criteria within Policy S6 (vii) for the protection of these assets the allocation is **not justified**, and is **ineffective**, and **not consistent** with National policy and is therefore **unsound**.

North West Harpenden S6 (viii)

- 1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
- 2. What evidence is there to demonstrate that the proposed broad location is capable of delivering 580 dwellings?**
- 6. How have heritage assets been considered and is a Heritage Impact Assessment required?**

7.21 There is a Grade II listed building, Cooters End Farm, within the site boundary. The Old Bell Public House, grade II is located to the west of the site, on the opposite side of Luton Road. Any development of the site has the potential to affect these listed buildings and their settings.

7.22 As with the other broad locations, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation, but this appears not to have been done. In the absence of this evidence, and without corresponding criteria within Policy S6 (viii) for the protection of these assets the allocation is **not justified**, and is **ineffective**, and **not consistent** with National policy and is therefore **unsound**.

West of London Colney S6 (ix)

- 1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
- 2. What evidence is there to demonstrate that the proposed broad location is capable of delivering 440 dwellings?**
- 7. How have heritage assets been considered and is a Heritage Impact Assessment required?**

7.23 This site lies adjacent to the Napsbury Conservation Area. Part of the land for education lies within the Napsbury Hospital Registered Park and Garden (RPG) (grade II listed) and there is a long drive which also forms part of the RPG which runs along the western edge and includes the south western corner of the land for residential development. The Colney Chapel Moated site, a scheduled monument, lies to the south of the site, together with a cluster of listed buildings including the All Saints Pastoral Centre (grade II* listed) and several grade II listed building a or structure including the Voluntary Mission Movement, London Coal Duty Marker and Farm Cottage garden wall. Any development of this site has the potential to directly impact upon the Registered Park and garden and the settings of a number of other designated heritage assets.

7.24 As with the other broad locations, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation this allocation, but this appears not to have been done. In the absence of this evidence, and without corresponding criteria within Policy S6 (ix) for the protection of these assets the allocation is **not justified**, and is **ineffective**, and **not consistent** with National policy and is therefore **unsound**.

West of Chiswell Green S6 (x)

- 1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
- 2. What evidence is there to demonstrate that garden village is capable of delivering 365 dwellings?**
- 6. How have heritage assets been considered and is a Heritage Impact Assessment required?**

7.25 There are no designated heritage assets on this site. There are a number of grade II listed buildings to the west of the site. There is potential for development of this site to affect the setting of the listed buildings. However, given the distance, topography, intervening vegetation and buildings, we consider that development of this site would have little impact on the setting of these heritage assets.

Park Street Garden Village S6 (xi)

- 1. Is the site suitable for housing and are there any specific constraints or requirements associated with it, or the need for mitigation measures?**
- 2. What evidence is there to demonstrate that garden village is capable of delivering 2,300 dwellings (including 600 beyond the plan period)?**

7.26 There are two grade II listed buildings within the site boundary (Toll Cottage and Allan Williams Turret) and at least 15 other grade II listed buildings or structures around the site. Part of the Park Street and Frogmore Conservation Area lies within the site with the rest of the conservation area lying to the west of the site boundary. Development could also affect the setting of Napsbury Registered Park and Garden, Napsbury Conservation Area and Colney Chapel Moated site, a scheduled monument to the east and the Sopwell Conservation Area and associated listed buildings to the north. Any development of this site has the potential to impact upon these heritage assets and their settings.

7.27 As with the other broad locations, we repeatedly advised that a Heritage Impact Assessment (HIA) be prepared in relation to this allocation, but this appears not to have been done. In the absence of this evidence, and without corresponding criteria within Policy S6 (ix) for the protection of these assets the allocation is **not justified**, and is **ineffective**, and **not consistent** with National policy and is therefore **unsound**.